

HOUSE OF REPRESENTATIVES—Wednesday, June 22, 1994

The House met at 10 a.m.

Rev. Dr. Gerald L. Durley, president, Concerned Black Clergy and pastor, Providence Baptist Church, Atlanta, GA, offered the following prayer:

Almighty God, we come this morning to thank You for a fresh new exciting day which will be filled with innumerable possibilities for those who are elected to office.

We thank You God for blessing those in this assembly and ask that You would continue to anoint their heads with wisdom, fill their hearts with compassion, focus their minds for sharp vision, open their eyes to see the needs of those who continuously cry out for help, and attune their ears to the voices from around the world who call on them for leadership.

We pray that You would grant peace where there is unrest and justice where injustices prevail. We give You praise, honor, and thanks for being the God of all Your creations.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York [Mr. LEVY] please come forward and lead the House in the Pledge of Allegiance.

Mr. LEVY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

INTRODUCTION OF REVEREND DURLEY

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute.)

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to say a few words about our guest chaplain, the Reverend Dr. Gerald L. Durley of Atlanta.

Rev. Dr. Durley is the senior pastor of the Providence Missionary Baptist Church in Atlanta, GA. He is currently president of the Concerned Black Clergy of Atlanta.

A true leader, Reverend Durley serves on numerous boards and committees of community organizations.

He also serves as the Health Promotions Resource Center at Morehouse School of Medicine.

A native of Wichita, KS, Reverend Durley did his undergraduate study at Tennessee State University where he received a bachelor of science degree. He received his master of divinity degree from Howard University. The Reverend Dr. Durley also earned a master of science degree from the University of Illinois and earned his Ph.D in psychology from the University of Massachusetts.

As a student at Tennessee State in Nashville, TN, the Reverend Dr. Durley was an active participant in the civil rights movement. Rev. Dr. Durley served among the first group of Peace Corps volunteers that were sent to Nigeria in the 1960's.

In Atlanta, we are fortunate to have Rev. Dr. Durley to be a leader in our community.

Today, let us welcome Rev. Dr. Durley to the House of the people.

THE ENEMY

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

Mr. BALLENGER. Mr. Speaker, we have seen the enemy, and he is us.

That thought came to my mind after I heard the Democrats' bizarre attack on the religious right yesterday.

When Vic FAZIO talked about a stealth takeover of the Republican Party by certain Christian groups, I had to ask myself if I was a member of that fringe group.

After all, what do most of these groups want? Well, they want lower taxes. They want less Government spending. They want better crime control.

They want a basic respect for life. They support pro-family legislation. They wouldn't mind if our schools taught our students moral principles.

And they support the House and the Senate when it opens each of its sessions with a prayer.

Mr. Speaker, I would be honored to be a part of any group that promotes those principles that I agree with. I guess I am part of that crazy religious right that VIC FAZIO attacked so viciously yesterday. And I suspect most Americans are part of the fringe group, too.

REPUBLICANS CHARGED WITH MISLEADING PUBLIC ON DEMOCRATS' VIEW OF THE RADICAL RIGHT

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

Mr. FAZIO. Mr. Speaker, yesterday on the floor of this House a Member from the other side of the aisle said that the Democrats, by citing the rise of the radical right in the Republican Party, are bigots.

Well, I know the Bible says that we shall not bear false witness against our neighbor. The Republicans are simply trying to mislead the American people.

It is fine to use religion to motivate people to participate in politics. But, do not mistake religion for politics.

Be assured that Pat Robertson and the radical right's agenda is more about politics and taking control of Government than religion.

Pat Robertson would abolish the Department of Education.

Robertson has explicitly called for an end to the Social Security System.

Local radical right organizations have opposed school nutrition programs and prekindergarten programs for underprivileged children.

And Robertson has said that he would completely abolish any separation between church and state.

We do not take issue with anyone's religion or personal convictions. But, we are proud to say we will fight the radical right's agenda of intolerance. The American people have a right to know where they stand.

SPECIAL ORDER DIALOG INVITED ON CHRISTIAN COALITION AND SPECIAL INTEREST ISSUES

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

Mr. GINGRICH. Mr. Speaker, I read with great interest the comments of the gentleman from California to the National Press Club yesterday, with his answers to various questions, and I have a proposition for him.

I think that we should take 2 hours, maybe 1 night this week or next week, on special orders, and not have a debate but have a dialog. Is it appropriate, for example, for gay rights activists to be publicly in public life and to be at the Democratic National Convention and to speak, and is it appropriate for people in the Christian Coalition to be in public life and to be at the Republican Convention to speak?

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Is there some magic defining line at which point if you actually go to church or synagogue regularly you are dangerous and you should not be allowed in public life?

I think if we could have not a debate but simply a dialog about the legitimacy of those who are concerned about and take religion seriously and being in public life, that it would be healthier for the country, and if the gentleman is being misdescribed, certainly if we had 2 hours and we yielded to each other generously, at the end of that time I think he would have adequately gotten across the distinctions between what he is afraid of and what he is not afraid of, and why he somehow seems to keep mentioning Christian activists as the people who scare him and does not mention any other kind of activists whom other Americans might find far more frightening.

Mr. Speaker, I would certainly extend to my friend the opportunity at his convenience to have that kind of dialog.

GUARANTEED COVERAGE IS KEY TO MEANINGFUL HEALTH CARE REFORM

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

Mr. RICHARDSON. Mr. Speaker, yesterday, President Clinton made it clear that as Congress continues to debate health care reform, he will not compromise on the issue of guaranteeing coverage for every single American.

The President is right—without guaranteed coverage, there is no meaningful health care reform.

The fact is, while we do not have guaranteed coverage in this country, we do have guaranteed treatment. When an uninsured American shows up at the emergency room, we do not turn them away—even if they cannot pay. But then who pays for the uninsured? Those of us who have insurance.

The head of one major insurance company says that uncompensated care accounted for almost half of last year's cost increases.

And the real losers under this cost-shifting scheme are the hard-working families and employers who take the responsibility to pay their own way. A full third of employers' health care costs subsidize companies that do not bother to offer insurance.

Guaranteed coverage is the only way to stop it. First of all, everyone will have access to decent, ongoing, primary health care. We can prevent some of those emergency room crises before it is too late—and at a fraction of the cost.

Second, by bringing everybody into the system, sharing the costs and the benefits, we will make sure that those costs are spread fairly and evenly—no

more free subsidies, no more hidden taxes.

I think that makes a lot of sense. After all, if you are in business, you are in business to compete. And free competition means you do not subsidize your competitors. Guaranteed coverage will level the playing field, once and for all.

So let us stop pretending that we can have real health care reform without guaranteed coverage—and let us start the debate about the programs and principles that will actually help us to reach that goal.

MAJORITY ATTACKS ON AMERICANS BECAUSE OF RELIGIOUS VALUES

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

Mr. MICHEL. Mr. Speaker, it is clear that the Democratic Party is making a concerted attack against American citizens who wish to bring religiously derived values into the political arena.

All of the scare tactics of classic demagoguery are being used. The attackers seek to demonize the victims by labeling them "the religious right." We are told that they want to secretly impose their views, et cetera.

But the truth is that these Americans are openly participating in our political process. They have had successes, and, oh, yes, they have had failures. What is wrong with that?

Why should they be subject to attack on their religious beliefs for exercising their constitutional rights? And who will be the next religious group to be victimized by such an attack? Will it be my small denomination, or yours? And I am reminded of when I was listed as one Member of this body with a religious affiliation with the Apostolic Christian Church.

But if the majority disagrees with the views of these folks, then openly debate them. But do not tell us there is something sinister going on when millions of Americans openly enter the political arena, tell us what is on their minds and seek to bring about change in a democratic fashion.

If they continue to be stereotyped and demonized by Democratic Party leaders just because of their religious views, then I must say that this gentleman here is appalled.

Mr. Speaker, I strongly urge Democratic Party leaders to stop these attacks. They are not in the tradition of the great party of Al Smith and John F. Kennedy and clearly do not represent the views of millions of Members of the Democratic Party.

□ 1010

GUARANTEE PRIVATE HEALTH INSURANCE TO ALL AMERICANS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, yesterday, President Clinton threw down the gauntlet on health care reform when he reiterated his promise to veto any legislation that does not include universal coverage. All of us here in this body need to likewise rededicate ourselves to this fight. Let us not lose sight of the reasons we took this issue on in the first place.

We need to reform the health care system because some 58 million Americans lack health insurance for at least 1 month a year. We need to reform the health care system because 133 million Americans have lifetime limits on health coverage. We need to reform the health care system because 81 million Americans have preexisting conditions.

Health care reform legislation did not materialize out of thin air. It came as a result of our country's health care crisis. A health care crisis that has made victims of people all across the country. Real people, with real stories. People like Ellen of East Haven, CT.

Ellen has a preexisting condition and cannot get health care coverage. She writes to me: "I am now just 30 years old and fear with the present state of our health care system, my husband and I will be paupers by the time I am 40."

Mr. Speaker, I say to my colleagues, as we walk the final, arduous mile of our health reform journey, let us not lose sight of where we are going and why. We must pass a health care reform bill that guarantees private insurance to every single American.

USE OF RELIGIOUS BIGOTRY INTOLERABLE

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, the use of religious bigotry as a campaign strategy is completely intolerable. And yet that appears to be where the Democrats are headed. Let us understand their position.

Democrats are prepared to tolerate those who call for condoms to be distributed to 9-year-olds, but are intolerant toward middle-class Americans who attend church and synagogue regularly and put their faith to work in public policy decisions.

Democrats are prepared to tolerate those who dodge the draft rather than serve their country, but are intolerant toward middle-class Americans who attend church and synagogue regularly and put their faith to work in public policy decisions.

Democrats are prepared to tolerate those who would spend future generations into bankruptcy, but are intolerant toward middle-class Americans who attend church and synagogue regularly and put their faith to work in public policy decisions.

Democrats are prepared to tolerate those who corrupt the most basic institutions of democracy, but are intolerant toward middle-class Americans who attend church and synagogue regularly and put their faith to work in public policy decisions.

Democrats are prepared to tolerate those who would redefine basic values such as family and individual responsibility, but are intolerant toward middle-class Americans who attend church and synagogue regularly and put their faith to work in public policy decisions.

Bigotry, including religious bigotry, is an ugly thing. The Democrats' use of bigotry as a political tool is as ugly as it gets.

GLOOM AND DOOM ON PROJECTED DISASTERS

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

Mr. WISE. Mr. Speaker, we have been treated in the last few days to a parade of Members from the other side of the aisle on health care, warning about mandates and awful disasters and job killing cataclysmic projections of what will occur.

Let me quote a famous Republican leader: "There you go again." You were wrong on Social Security when you projected in 1935 that it was a socialistic experiment.

You were wrong in 1965 on Medicare when you predicted dire doom for that. Anyone over there want to oppose Medicare and call for its abolition? I doubt that.

You were wrong in 1988 when you called, and some of you sitting on this side of the aisle today, when you called a minimum wage increase of 90 cents an hour a job killer. The economy, of course, has only grown more jobs.

You, of course, were wrong in August of this last year when you said the budget package would be a job killer. It actually has been a job creator.

Now you wanted to warn us about health care. Well, any physician that has a record of prediction that this side has over here on these kinds of things is guilty of malpractice.

So I just remind you of that famous American Ronald Reagan, "There you go again."

THE RADICAL RIGHT

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

Mr. LINDER. Mr. Speaker, what is the radical right?

According to Democrat political strategists, it is a secret group of right wing fanatics who want to infiltrate the Republican Party, set up a theocratic state, and force Christianity on every American.

And what makes a person a member of the radical right? First, if you believe in God, you are a member of the radical right.

If you believe middle America pays too much to taxes, you are a member of the radical right. If you think socialized medicine is a bad idea, congratulations. You're a member of the radical right.

If you think Government is too big and spends too much, guess what? You're a member of the radical right. And, if you bowed your head and prayed when the Chaplain offered his prayer at the beginning of today's session, you are a member of the radical right.

Mr. Speaker, it is a sad day when the Democrat Party resorts to scare tactics to smudge the reputations of millions of Americans who disagree with their misguided agenda.

UNIVERSAL HEALTH INSURANCE COVERAGE NEEDED

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

Mr. SKAGGS. Mr. Speaker, some are arguing that we really do not need universal insurance coverage to fix what is wrong with our health care system. We can just do insurance reform and that will be enough, they hope, to get costs under control. I think that they are wrong. Health care costs cannot be brought under control unless every one is participating fairly and that basically means universal coverage.

Right now we have universal treatment. If someone gets sick and goes to the hospital, they are going to get care. But who pays the bill? Well, it is typically the next person, the next patient who comes in, who is lucky enough to have insurance. This kind of cost shifting is one of the major ingredients in the escalating costs of our health care system, a major reason why in most hospitals an aspirin costs more than half a tank of gas.

It is also why so many businesses are not providing insurance—because costs are too high and going up too fast. Yet their competitors down the street, who are good enough to provide insurance for their employees, are basically carrying the burden for those that do not buy coverage.

This Congress has got to realize that we are already paying for the uninsured in the most expensive and inefficient ways. Universal coverage is an essential part of meaningful health care reform.

SUPPORT SLIPPING

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, support is slipping in the House for the employer mandate in health care reform. I wonder why?

Could it be that an employer mandate will cost at least a million jobs and maybe more? Could be.

Could it be that an employer mandate would be the last straw for many small businesses resulting in the closing of thousands? Might be.

Could it be that an employer mandate makes it more expensive for companies to hire new employees? That could explain it.

But, Mr. Speaker, I have another theory for why support for employer mandate is slipping in the House.

My guess is that House Democrats do not want to support a really bad idea only to have the Senate reject it. My guess is that Democrats do not really want to walk the plank for President Clinton again. For whatever reason, I urge my colleagues to reject the employer mandate. It is an idea whose time has not come, and should not come.

CELEBRATING THE 50TH ANNIVERSARY OF THE GI BILL

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

Mr. FILNER. Mr. Speaker, I rise today to take this opportunity to commemorate the 50th anniversary of one of the most successful ideas to ever come out of this Congress—this GI bill.

I am proud to serve under Chairman SONNY MONTGOMERY on the Veterans' Affairs Committee. As we all know, the fourth and current GI bill program is named after our chairman, and continues to embody the American promise to our veterans to repay them for their service, while promoting quality educational institutions across America.

Fifty years ago, President Roosevelt gave us one of the most important domestic programs of the century. Today, in 1994, each branch of the Armed Forces reports that approximately 9 out of 10 recruits are enrolling in the Montgomery GI bill program. This is of vital importance to our economy—since we are desperately in need of educated personnel to lead us into the next century.

Not only is this a good deal for veterans—but it has been estimated that the U.S. Treasury receives back in income taxes several time more than it pays out in GI bill education benefits. This is truly an investment in our future. How many other Government programs can we point to that have such a great success and actually gain us revenue and skilled workers?

Some famous people that many of us admire and work with every day are participants in the GI bill program. Vice President AL GORE. Chairman of the Veterans' Affairs Committee SONNY MONTGOMERY. Representative RONALD DELLUMS. Secretary of State Warren Christopher.

The impact of the GI bill can hardly be overstated. It has transformed higher education in America, easing the transition of million of veterans into civilian life, while providing education and prosperity for our Nation as a whole. I join my colleagues in rising to commemorate the anniversary of this program and to hope that this Congress has the vision to pass more legislation just like the GI bill—legislation that works for our people, for our economy and for our future.

□ 1020

AMERICA NEEDS JOBS NOT MANDATES

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

Mr. KNOLLENBERG. Mr. Speaker, whether we are talking about triggers or employer-financed health coverage, there are those in and around Capitol Hill who seem bent on forcing some sort of mandate down the American public's throat.

Specifically, reports have described the employer mandate as the linchpin of President Clinton's Government-run health care reform proposal. But what type of linchpin is this that speaks of reform on one hand, while moving toward job destruction and overall employee benefit reduction on the other.

The administration counters with the hollow argument that no jobs will be lost due to the implementation of the Clinton plan. However, this is dead wrong.

An average of more than 40 independent studies has shown that President Clinton's version of health care reform will cost the American public more than 2.1 million jobs during only the first 5 years of his program.

America does not need this type of jobs-killer. America does not want another Government-run bureaucracy. But most importantly, America cannot afford to lose any more jobs.

Mr. Speaker, let us work together on a bipartisan, health care reform package, and give the American public something they want: Health care reform now.

SHAME ON CONGRESS

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

Mr. TRAFICANT. Mr. Speaker, America's trade deficit in April ex-

ploded to over \$8.5 billion. Imports are up; exports fell by almost \$2 billion. Our trade program is a joke, and the international community says the laugh is on the Congress of the United States of America.

Think about it. Congress has driven down the dollar so low the dollar can walk under a closed door on Wall Street with a top hat on.

Congress has raised taxes. Congress has made threats. Congress has passed super trade laws.

Unbelievable. The truth is, Congress has allowed our trading partners to rape America, kill our jobs, kill out investment and has done nothing. The Constitution empowers Congress to regulate commerce with foreign nations, not to regulate food stamps and unemployment.

Think about it. It is about jobs, America. Congress, you are giving away the farm. Do your job. Shame, Congress.

THE EMPLOYER MANDATE, A JOB KILLER

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute.)

Mr. THOMAS of Wyoming. Mr. Speaker, it is about jobs. The employer mandate is a job-killing tax on U.S. business. The Democrats in Washington want this job-killing tax on U.S. business to pay for new and expanded health care entitlements. There are lots of technical terms and political theater being used around Washington to hide the job-killing tax on U.S. business, but let me share with Members a simple truth, a glossary of terms, I think, that we need to understand.

Employer mandate, that means a job-killing tax on U.S. business. Hard trigger, that means a job-killing tax on U.S. business. Soft trigger, that means a job-killing tax on U.S. business. Soft trigger with fast track, a job-killing tax on U.S. business.

Let us not be fooled by the technical babble that is going on. An employer mandate by any name is still a job-killing tax on U.S. business. Let us stop the mandate.

ON HEALTH CARE AND 50TH ANNIVERSARY OF GI BILL

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

Mr. GENE GREEN of Texas. Mr. Speaker, as we continue the process of enacting a health care reform plan, the special interest groups have stopped at nothing to derail progress. Harry and Louise are back and for the first time the Republican minority has openly stated that their Members will be retaliated against if they work with Democrats to pass a health care bill.

The Committee on Education and Labor has nearly completed its version of the health care reform plan and, just like President Clinton, we have included universal coverage. Universal coverage is the keystone to reform. It is crucial, if we are going to eliminate the cost shifting that is driving up health care insurance costs.

There are those who are still claiming that the sky will fall if we pass this plan. Yet, as we celebrate the 50th anniversary of the signing of the G.I. bill, we are reminded that there were some politicians in 1944 who said the same thing, who said we could not afford education and housing benefits and job training for those veterans. This program helped solidify the American dream and secured the American middle class and yet we are hearing the same opposition today as we heard in 1944.

We face the same mentality.

The American dream is slipping away for many Americans because of the health care costs. The only way to bring these rising costs under the control is for the requirement of unanimous coverage for every American.

A TRIBUTE TO ROBERT TURNER

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

Mr. DREIER. Mr. Speaker, on August 3, 1970, Robert Turner joined the Capitol Hill Police Force. That was 24 years ago.

Yesterday was his last day, for the past 17 years he has stood at the corner of New Jersey and Independence and taken care of all of us and our constituents and the many needs that are faced here in the U.S. Capitol.

He has demonstrated a great personal interest in many Members of Congress, and I most specifically think of our late colleague, Congressman Gene Chappie. He has always been very concerned about his widow, Nancy, and has spent a great deal of time regularly asking me about her. He has also spent a great deal of time ensuring that young people who visit the Capitol have an opportunity to learn and know about what is going on here.

I met him on a very cold December day in 1980. And since that time, he has been a friend to me. I will sorely miss Robbie when he retires, but I know that all of our colleagues would want to join in wishing him well in his retirement.

MOST PRISONERS ARE NOT CHOIR BOY TYPES

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

Mr. MAZZOLI. Mr. Speaker, there has been a fairly steady drum beat of

comment around the country, misinformation, maybe even disinformation, to the effect that our prisons, both the State and Federal, are teeming with choir boys, first time, nonviolent offenders. Wrong, Mr. Speaker, dead wrong.

Our prisons, and some 90 percent of all the prison population is housed at the State level, are full of people who are there following earlier convictions or because of violent activities. Ninety-four percent of all of those in the state level penitentiaries and prisons are there because of violent crimes or because they are serving sentences following earlier crimes. Only 6 percent of these people are first-time offenders.

In the Federal prisons, 35,000 were admitted in 1991, and only 2 percent of them, 700, were there because of mere drug possession or simple drug possession. Otherwise, they are violent people or have earlier convictions.

So we cannot forget, Mr. Speaker, as we deal with crime control, that one of the aspects, one of the very important factors is to have adequate prison facilities to take care of these violent offenders, to keep them off the streets and to keep them from marauding and terrorizing all of us.

THE CLINTON HEALTH CARE PLAN, BAD NEWS FOR WOMEN

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, the bad news for women just keeps coming with the Clinton health plan. First, mandatory health alliances threatened our choices of ob-gyn's and family doctors.

Next, talk of their drug price controls hurt the research and development of new drugs to treat breast and ovarian cancer and osteoporosis.

Now, triggered employer mandates are the latest threat, this time to women's jobs.

Mr. Speaker, women make up the bulk of our workforce in retail sales, education services, the food industry, and household services. These industries will bear two-thirds of the job losses that will result from employer mandates. 300,000 women would lose their jobs in the retail sector alone.

If Congress adopts employer mandates, it will in essence be replacing the glass ceiling with concrete.

Mr. Speaker, working women need a health care plan that provides access to portable, affordable, and private health insurance. What they do not need is an employer mandated plan that will cost hundreds of thousands of women their jobs.

□ 1030

CONGRESS NEEDS TO PUT CHILDREN FIRST

(Ms. FURSE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FURSE. Mr. Speaker, we in the Congress are always asked to solve so many problems, and of course we have been elected to govern, but so many problems exist that I want to talk about two companies in my State of Oregon who decided to do something about those problems on their own. These two companies received the Child Help USA Awards, and I want to tell the Members what they did.

Smith Home Furnishings put up a program on Christmas trees that raised \$30,000 for at-risk children. They got canned food for 5,000 families in Portland, OR. They just instituted a new program where parents can come in and do a 2-minute video. In case their child is lost, the police can use this video to help find those children.

U.S. Bancorp also received a Child Help Award. They raised \$15 million for at-risk children in the State of Oregon. Mr. Speaker, these companies did not wait for us. They went out on their own to do this. They put children first. Mr. Speaker, I think we in the Congress need to put children first.

LISTENING TO THE PEOPLE

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

Mr. GOSS. Mr. Speaker, as the majority holes up behind closed doors to hammer out a 218-vote strategy for passing a health care bill, I urge them to open a window and listen to the people. Health care reform is not about short-term political gain; it is not about winning elections; and it is not about saving the Clinton Presidency. Health care reform is about millions of American families and businesses—real people who have a pretty good idea about what works in our current system and what needs fixing. Southwest Floridians have been clear in their opposition to the big government, job killing Clinton approach. Of 5,800 people who contacted me in unsolicited commentary, 5,400 said "no" to the Clinton plan. Democrats should come out from their closed door, back room meetings and listen to the people. They say "no" to the Clinton health plan because they know there are better choices out there, and they want us to work on them.

JOHN LEWIS AND THE FREEDOM RIDERS

(Ms. HARMAN asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. HARMAN. Mr. Speaker, I rise to commend my friend and colleague JOHN LEWIS for the special order he organized last night on the 30th anniversary of freedom summer.

"Hero" is a term that is often used too lavishly in political arenas. Everyone from sports stars to cartoon characters are called heroes on the floor. But JOHN LEWIS and the freedom riders are true American heroes. The courage to find peaceful methods, to stand with conviction in the face of overwhelming forces, and to accept violence and punishment as the price for exposing bigotry is by any definition heroism.

Today we take for granted the notion that there are legal protections against racial discrimination. Those protections were passed on this floor only after JOHN LEWIS and others demonstrated what the lack of those protections meant.

In this era of tremendous cynicism about Congress, it is heartening to know that JOHN LEWIS serves as a Member of this body. Thirty years ago, JOHN stood up by sitting down. It says something special about Georgia's Fifth District and the country as a whole that he now works to enhance the laws that he helped create.

BUYER AMENDMENT TO THE HEALTH SECURITY ACT

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

Mr. BUYER. Mr. Speaker, Members should go the Lincoln Memorial, and printed on the inside north wall is Abraham Lincoln's Second Inaugural Address:

Let us strive on to finish the work we are in; to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow, and for his orphan * * *

One of the most sacred commitments that this Government has is that of caring for those who have been wounded in combat defending this Nation against its enemies.

The Clinton administration has abrogated this sacred commitment with the submission of H.R. 3600, the Health Security Act.

This bill has an employer mandate that places the burden of paying for our wounded vets not with the Government, where it rightly belongs, but with the employers of this Nation. It does so by requiring employers to pay 80 percent of the premium for those veterans who choose the VA as their health care provider.

I find this concept unacceptable. To quote Mr. Gorham, of the Disabled American Veterans, who testified at the Veterans Affairs Committee on March 8, 1994:

IBM, Kodak, or General Motors do not make veterans. The Federal Government and

its policies make veterans and therefore the Federal Government has the responsibility to continue to fund the cost of service-connected disabilities.

In that same hearing, my colleague from New Jersey, CHRIS SMITH, went on to question each of the veteran service organization representatives present on this idea of responsibility for the service-connected disabled. Each and every one, to include the American Legion, Paralyzed Veterans of America, AMVETS, Vietnam Veterans of America, Blinded Veterans of America, and the Veterans of Foreign Wars concurred that this obligation should not be borne by employers.

CBO states that H.R. 3600 will save \$7.9 billion by shifting the cost of veterans care off to employers. The Montgomery-Rowland amendment modifications will cost \$4.5 billion, reducing the net savings of H.R. 3600 to \$3.3 billion. My amendment will cost \$4.1 billion, causing the veterans portion of H.R. 3600 to cost \$790 million. I will offer an amendment for our Government to discharge its responsibility to the veterans of this Nation.

Whether we call our troops peacekeepers, peace enforcers, or just plain combat soldiers one fact remains—American lives will be at risk from hostile fire. If wounded serving this Nation, they deserve to be cared for by this Nation.

CELEBRATION FOR THE GI BILL

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

Mr. MONTGOMERY. Mr. Speaker, I yield to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I think the amendment of the gentleman from Mississippi [Mr. MONTGOMERY] tried to in fact correct what occurred, but I think that we have to strike the employer mandate. I will have offering that amendment, Mr. Speaker.

Mr. MONTGOMERY. Mr. Speaker, the gentleman from California [Mr. FILNER], the gentleman from Texas [Mr. GENE GREEN], and also the gentleman from Florida [Mr. BILIRAKIS] mentioned the 50th anniversary of the GI bill. It is today, June 22, that President Roosevelt, at the White House, signed this bill that changed America. It gave the opportunity for middle-class, young veterans to get a college education, people who would have never gotten anything but a high school education. It gave the veterans the opportunity to buy a home. I bought a home under the GI bill, and I still live there in that home in Meridian MS.

It is a great day, Mr. Speaker, and President Clinton and Secretary Brown

will be downtown today at 1 o'clock in front of the Veterans Department having the celebration on the GI bill.

PAPERWORK ESCALATION WITH EMPLOYER MANDATES IS FURTHER THREAT TO SMALL BUSINESS

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

Mr. GOODLATTE. Mr. Speaker, many bureaucrats and politicians in Washington, who have never owned or operated a small business or even held a private sector job, believe the simplest way to pay for their new health care bureaucracy is to make businesses pay for it.

Ideas that appear simple do not always translate into simple programs.

This is especially true in the case of employer mandates and health care reform. These mandates will hang many businesses not only because they will drive many businesses under, but also because employers would have new, far-reaching, federally mandated record keeping and reporting requirements.

Worst of all, this paperwork increase will cost American business billions of dollars each year, forcing them to lay off workers.

If this Congress, at the request of the President includes employer mandates in health care reform legislation, it may as well slip the noose around the neck of small business and kick the chair out from under them, because the paperwork increase will kill them anyway.

DEMOCRATS URGED TO ACCEPT A COMMONSENSE BIPARTISAN APPROACH TO HEALTH CARE REFORM

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

Mr. HASTERT. Mr. Speaker, one of the biggest differences between those who believe in a commonsense approach and President Clinton in the health care debate comes with the employer mandate.

President Clinton believes that forcing small businesses to pay 80 percent of an employee's health care insurance will help him reach a goal of universal coverage.

We have a different view. As the son of a small restaurant owner, I have seen firsthand how small businesses must struggle under the crushing burden of unfunded Federal mandates. The employer mandate will have a devastating impact on those same small businesses. It will mean an 8 percent payroll tax on most workers. And it will kill at least a million jobs.

Mr. Speaker, sacrificing jobs for a government-run health care system is not worth the price.

We need to fix the problems in our health care system without resorting to government-run health care schemes and job-killing employer mandates.

I urge my Democratic colleagues to turn away from the employer mandate and turn to a commonsense bipartisan approach to health care reform.

PREJUDICE REMAINS PREJUDICE

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

Mr. SMITH of Texas. Mr. Speaker, yesterday afternoon a member of the Democratic leadership went before the Nation's media to attack what he termed the "religious right."

Later the same afternoon, members of the Democratic leadership came to this floor to commemorate three civil rights workers slain in Mississippi 30 years ago.

Thirty years and one day ago, people were slain for trying to put an end to prejudice based on the color of a person's skin.

Sadly, just 1 day ago, we find that those who were able to recognize that symbol, were unable to grasp its meaning and felt it correct to turn and attack people on the basis of their religious beliefs.

The lesson learned 30 years ago should not have been forgotten 1 day ago. Prejudice remains prejudice, just as surely as it remains wrong. And Democrats will discover in November that religious prejudice is not a political asset.

HEALTH CARE EMPLOYER MANDATES

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

Mr. GRAMS. Mr. Speaker, by now we are all familiar with the exchange between Herman Cain, CEO of Godfather's Pizza, and President Clinton regarding the impact of employer mandates on jobs. While most people focused on the nature of Mr. Cain's concern, little attention was paid to the President's response.

Mr. Cain said, "If I'm forced to do this, what will I tell those people whose jobs I will have to terminate?"

The President responded, and I quote, "Would that really cause you to lay a lot of people off, if all your competitors had to do it too?" In other words, he said "Raise prices."

Unbelievably, the President is suggesting that if we equally disadvantage everyone, then relatively speaking no one business is at a disadvantage. This is a perversion of logic and demonstrates that the President, who has

always received a paycheck from the government, has zero understanding of the free market, economics, and competition.

It should not, it must not, be the role of any government to handcuff people and businesses with oppressive, unjustified job-killing regulations. The employer mandates contained in the President's plan, and other plans, will destroy hundreds of thousands of jobs—plain and simple.

As we try to help those without health care, let us not jeopardize the job security of millions of people.

□ 1040

THE 50TH ANNIVERSARY OF THE GI BILL

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

Mr. BILIRAKIS. Mr. Speaker, earlier this month, we commemorated the 50th anniversary of D-day. But 1994 also marks the 50th anniversary of another historic event—the enactment of the Servicemen's Readjustment Act. Better known as the GI bill, and now known as the Montgomery GI bill, this law was intended to help thousands of demobilizing soldiers readjust to civilian life.

Although there have been many changes to GI bill benefits over the last 50 years, it is clear that this legislation has had a tremendous impact on U.S. society. For example, it has made a college education and vocational training affordable for millions. Since its enactment, more than 20 million veterans have received an education through the GI bill. The law has also made possible the loan of billions of dollars to purchase homes for 14 million veteran families—helping to bring them homeownership.

Mr. Speaker, I urge my colleagues to join me in saluting the GI bill. I would also like to commend the American Legion for taking the initiative 50 years ago to propose this important legislation.

WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4602, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 458 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 458

Resolved, That during consideration of the bill (H.R. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes, all points of

order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning on page 80, line 10, through line 19.

The SPEAKER pro tempore (Mr. FILNER). The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 458 is an open rule which provides for the consideration of H.R. 4602, the Department of the Interior and related agencies appropriations bill for fiscal year 1995.

The rule waives clause 2 of rule XXI against all provisions of the bill with one exception which is noted by page and line number in the resolution.

Clause 6 of rule XXI is also waived against all provisions in the bill.

Clause 2 of rule XXI prohibits unauthorized appropriations or legislative provisions in general appropriations bills, and clause 6 of rule XXI prohibits reappropriations in general appropriations bills.

Mr. Speaker, I would like to commend Chairman SID YATES, ranking Republican RALPH REGULA, and the Interior Subcommittee members for once again bringing a very difficult and complex piece of legislation to the floor.

Chairman YATES and his subcommittee held 33 days of hearings and received testimony from over 800 witnesses which is recorded in 13 published volumes totaling over 13,000 pages.

H.R. 4602 is the product of hard work, long hours, and careful consideration of the facts and issues surrounding many diverse and intricate subjects.

Chairman YATES and the subcommittee are responsible for funding programs and initiatives which range from alternative fuels research to the strategic petroleum reserve to national park land acquisition to the John F. Kennedy Center for the Performing Arts and the Smithsonian Institution to managing our Nation's forests and streams to funding health and education programs for native Americans.

This year all of this had to be done with drastically reduced resources. There was no getting around it. The subcommittee members had to roll up their sleeves, sharpen their pencils, weigh the options, and make the tough choices. I want to commend them for doing a tough job well.

Preserving this country's natural, historical and cultural assets for future generations—as our parents and grandparents did for us—is very important. Chairman YATES shares this commitment.

Tourists are visiting our national parks and battlefields with increasing frequency. Visitations were in excess of 265 million in 1993 and are expected to top 281 million in 1995. While increased attendance is good news, the human and natural resources which make up the National Park Service are starting to strain at the seams.

The subcommittee with the chairman's leadership made some tough choices this year to increase operating expenses. As the subcommittee report so aptly states, "the need is real; but the money is limited."

I would like to once again congratulate Chairman YATES, ranking Republican RALPH REGULA, and the subcommittee's staff for putting in the long hours, listening to all of the demands for increased funding, and making the tough choices.

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

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this is a typical rule for fiscal year 1995 appropriation bills. It is open and it waives points of order against reappropriations, unauthorized appropriations, and legislation in an appropriations bill, with the one exception. Although I do not favor these sweeping waivers, it is important to pass all appropriation bills as speedily as possible.

H.R. 4602, making appropriations for the Department of the Interior and related agencies, is the eighth of the 13 appropriation bills to be considered by the House. As usual the Committee on Appropriations has set a fine example of how bipartisan cooperation can result in a fiscally responsible bill. This bill is about \$195 million below last year's level and \$230 million below the President's request.

Mr. Speaker, the bill funds many important agencies, such as the Interior Department, the U.S. Forest Service, the Bureau of Indian Affairs, the Smithsonian Institution, the National Gallery of Art, and the National Foundation on the Arts and Humanities, and others. While all of us may not agree on the funding levels for these various agencies established by this bill, the rule does not restrict any Member's right to fully participate in the amending process or to offer motions to strike or reduce funding.

Mr. Speaker, I am disappointed that an amendment proposed by the gentleman from Louisiana [Mr. TAUZIN] was not allowed under this rule. This amendment would help protect private property rights, an effort I strongly support. I realize the amendment would have required special protection under the rules of the House, but in this case I think it was the right thing to do. A motion was offered to make this amendment in order, but it was defeated on a party line vote.

Mr. Speaker, I include for the RECORD the results of rollcall votes taken in the Committee on Rules' meeting yesterday, as follows:

ROLLCALL VOTES IN THE RULES COMMITTEE ON AMENDMENTS TO THE PROPOSED RULE ON H.R. 4602—INTERIOR APPROPRIATIONS, FISCAL YEAR 1995

Clinger: (A) An amendment to give preference in allocating resources to national forests where revenues from timber sales outweigh the cost of timber programs; and (B) An amendment to provide that if the U.S. Forest Service shifts resources, they must send Congress a study. Vote: (Defeated 3-5): Yeas—Quillen, Dreier, Goss. Nays—Moakley, Derrick, Bellenson, Hall, Gordon. Not Voting: Frost, Bonior, Wheat, Slaughter, Solomon.

Tauzin: An amendment to provide that funds appropriated for implementation of the Endangered Species Act could not be used in a manner that results in an interpretation of the act not consistent with the decision in Sweet Home Chapter of Communities for a Greater Oregon v. Babbitt. Vote: (Defeated 3-5): Yeas—Quillen, Dreier, Goss. Nays—Moakley, Derrick, Bellenson, Hall, Gordon. Not Voting: Frost, Bonior, Wheat, Slaughter, Solomon.

Mr. Speaker, again I support the adoption of this rule with misgivings. I think it is unfair that the Rules Committee waived the rules on certain provisions in the bill but refused to waive points of order on amendments of both Republicans and Democrats on a partisan basis. Be that as it may, we are where we are. The bill needs to be passed.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

□ 1050

Mr. CLINGER. Mr. Speaker, I rise this year, as I did last year, to express my deep frustration about the lack of funding for this Nation's timber sale program in our national forests. Once again we are providing a wholly inadequate amount to support our national timber program. By doing so, we are undermining our chances for a strong economic recovery as well as jeopardizing millions of jobs. We can just about count on yet another major domestic industry going down the tubes. Every year there are several of us that stand here and raise the red flag—as a strong signal to our colleagues that serious problems lie ahead—but it is clear that very few are listening. Before you know it, it will be just too late.

Let us just take a quick look at the facts. This Nation's district, the Allegheny National Forest in Pennsylvania. This forest is an above cost forest, one that returns funds to the U.S. Treasury every year. In fact, last year the forest returned over \$9 million. I am pleased that for every dollar spent in the Allegheny, \$4 is returned. Yet this steady decrease in budget funds along with new administration policies means that the timber program in the Allegheny will be seriously hurt—even

though it is fiscally and environmentally well managed and makes money for the Federal Government.

In addition, to the very scarce resources being appropriated, we may potentially be facing yet another problem which is the shifting of funds by the Forest Service between regions and forests. Basically, it is robbing Peter to pay Paul even if the forest, such as the Allegheny, has a successful and cost-effective timber program. This makes no sense and is unfair. To address this issue, I offered amendments in the Rules Committee which would require that some recognition be given to forests that are consistently above cost and that if funds are shifted between forests and regions we should understand the fiscal ramifications of doing so with a report to timber sale program has rapidly declined over the past 5 years. During the late 1980's, the Forest Service Timber Sale Program received full funding to sell about 11 billion board feet annually. For fiscal year 1994, we have a program resulting in 4.6 billion board feet—more than halved in just the past 5 years. President Clinton's fiscal year 1995 budget reduces the program to 4.4 billion board feet with further cuts by the Appropriations Committee. We are now at the lowest level since the 1950's. Should we anticipate that within the next few years the program will be cut to zero?

What does this mean? Simply put, it means fewer jobs. It means higher lumber prices. It means higher housing prices. It means a slower economic recovery. In fact, it means inflation probably followed by higher interest rates which are likely to be followed by recession. Lumber prices are skyrocketing as our supply continues to tighten and the cost of the average single family home has increase \$5,000.

I am one of many Members that have a Federal forest in my district, the Allegheny National Forests in Pennsylvania.

Mr. Speaker, this forest is an above-cost forest, one that returns funds to the U.S. Treasury every year. In fact, last year the forest returned over \$9 million. I am pleased that for every dollar spent in the Allegheny, \$4 is returned. This steady decrease in budget funds, along with new administration policies, means that the timber program in the Allegheny will be seriously hurt, even though it is fiscally and environmentally well managed and makes money for the Federal Government.

In addition, Mr. Speaker, to the very scarce resources being appropriated, we may potentially be facing yet another problem, which is the shifting of funds by the Forest Service between regions and forests. Basically it is robbing Peter to pay Paul. Even if forests such as the Allegheny have a successful and cost-effective timber program, this makes no sense and is totally unfair.

To address this issue, I offered amendments in the Committee on Rules which would require some recognition be given to forests that are consistently above cost, and that if funds are shifted between forests and regions, we should understand the fiscal ramifications of doing so with a report to Congress by the Forest Service.

Mr. Speaker, I believe that this is not the direction that we should be moving. Just ask those who are trying to buy a new home for the first time. Just ask those living in the rural communities surrounding our national forests. Just ask those who are unemployed simply because there is not enough money to fund the timber program. I urge my colleagues to take heed before it is too late—although many would think we have already passed that point.

I must reluctantly oppose this rule because my amendments were not made in order.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. REGULA], the ranking member of the committee.

Mr. REGULA. Mr. Speaker and my colleagues, I simply want to say that I think this is a fair rule. I understand the concern of the gentleman from Pennsylvania, and I share that, but that was a policy issue that was fought out in the subcommittee, and there are, of course, forces on both sides as to the question of how much timber we should sell, and on top of that, we have the impact of the Endangered Species Act, which has slowed the harvesting of timber considerably.

He is right that many first-time homebuyers are finding they have to pay an extra estimated \$3,000 to \$4,000 as a result of a shortage of lumber, or at least a shortage to the point that the price is going up.

I want to simply say again this is an open rule. The only thing that we protected are the unauthorized features of the bill such as the endangered species and the Bureau of Land Management.

BLM has not been authorized since 1982, and we hope that the authorizing committee will address these concerns in terms of permanent authority. But I recognize that there is some difficulty oftentimes on the other side of the Capitol in getting a conclusion to the authorizing bills.

The rule is as open as it possibly can be as far as the amount of funding for any of the specific programs. They are subject to amendments. People will have ample opportunity to make changes that will reflect different priorities in the expenditure of funds.

I would point out, as has been mentioned earlier, that we are addressing problems with almost \$200 million less than we had in fiscal 1994, and even though the parks, and the forests have had great increase in visitor usage. As a result, we are not able to do visitor

centers that would enhance the experience for those that go to our national parks and forests.

We have not been able to do as much maintenance as we should on facilities, and I would hope that in the future we can have more available in the way of funding to meet those needs.

We have had to deny some of the requests that Members have made that are good projects, but with \$200 million less than last year, it was impossible to stretch the budget out to meet all of these requirements.

I certainly urge my colleagues to support the rule. There will be plenty of opportunity to address policy questions by way of amendments.

Mr. GORDON. Mr. Speaker, for the purposes of debate only, I yield 4 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I rise in strong support of this rule, and in strong support of the bill. Once again, this excellent committee of the Congress has had to make some very difficult choices in a number of areas.

As chairman of the Subcommittee on Native American Affairs, I have carefully reviewed that portion of the bill affecting the Indian tribes and Alaska Native villages of this country.

The problems of Indian country are many. The funding is never enough. But I commend the chairman, the gentleman from Illinois [Mr. YATES], and the committee for making those very hard choices.

One critical need was to provide adequate funding for Indian health care. I believe the committee has responded to this need and made this a priority, as do I.

Let me mention the Subcommittee on Native American Affairs and the Committee on Natural Resources, chaired by the gentleman from California [Mr. MILLER], the chairman, will also be providing the authorization for the Indian health care bill, but I particularly want to commend the chairman, the gentleman from Illinois [Mr. YATES], for the very substantial funding that continues a number of successful and innovative measures, not just in the Indian Health Service but in many parts of Indian country that are administered by the Bureau of Indian Affairs, the Indian Health Service, and other Federal agencies, as well as by tribes and tribal organizations.

Needless to say, I would like to thank the chairman for funding a large number of Indian tribes in the State of New Mexico. As my colleagues know, the gentleman from Oklahoma [Mr. SYNAR] and I have the largest Native American populations of every Member of this body, and what I was specifically concerned about was the funding and staffing of the Ship Rock Hospital located on the Navajo nation as well as the funding of irrigation projects of the Cochiti Jemez and Isleta Pueblos. I am

confident inclusion of these funds for these programs and others will greatly assist tribal efforts to promote self-determination as well as protect health, safety, and welfare of their members.

Finally, we need to pass this rule to ensure that we do not have harmful amendments that would gut the Endangered Species Act and turn back the clock on environmental protection.

Mr. Speaker, I would also like to comment briefly on a more provincial issue involving the National Park Service and its efforts at reorganization. While it is well known that the Park Service has been evaluating different alternatives for several months, there have been a number of rumors that certain offices are going to be shut down, including the Southwest regional office in Santa Fe. While I recognize that several options will be looked at, and that it is only speculation at this point, as somebody who represents Santa Fe, NM, and the western region of the Park Service, I would just like to make note that it is critically important that this not happen.

The Southwest region of the National Park Service is at a crucial point in the implementation of several legislative initiatives in New Mexico and other states in the region. Should the region office in Santa Fe be shut down or significantly restructured, I am fearful that these initiatives would suffer to a great degree. Additionally, the regional office in Santa Fe has made great strides in the hiring of women, minorities, and handicapped individuals. Any dissolution or major restructuring will clearly be a setback to this progress.

To conclude on this particular issue, Mr. Speaker, let me say that I do not oppose streamlining of Federal agencies, including the National Park Service. However, we must look at the most prudent use of our resources in the context of the structure and mission of those agencies, and hopefully make wise decisions in that regard.

Mr. Speaker, this bill funds our public lands, the BLM, the Park Service, the Bureau of Reclamation. This bill funds also the National Endowment for the Arts.

I think that the chairman, the gentleman from Illinois [Mr. YATES], once again has risen to the challenge on a number of issues.

I think the minority has done equally well, too, in ensuring that on many of these issues the concerns of those with the National Endowment for the Arts, that we proceed with art that is mainstream, are taken care of.

Again, Mr. Speaker, I mainly am here to voice my strong support for the provisions affecting Native Americans that have been funded in this bill. Once again, it is a good bill, a tribute to the chairman, the gentleman from Illinois [Mr. YATES]; the men and women of Indian country owe him enormously. He

silently over the years has made sure that while the rest of the Nation has forgotten Indian country, that he has not, and he is to be thanked.

□ 1100

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

Mr. GORDON. Mr. Speaker, in conclusion, let me say this is a very important bill that deals with the preservation and restoration of our natural resources and our historic, cultural, architectural resources. It is important that we move forward with this bill.

This is an open rule, Mr. Speaker.

Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YATES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4602, which we are about to consider, and that I may be permitted to include tables, charts, and other material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

H.R. 4602, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. YATES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Ohio [Mr. REGULA] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. YATES].

The motion was agreed to.

□ 1102

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 consideration of the bill, H.R. 4602, with Mr. GLICKMAN in the chair.

The Clerk read the title of the bill. By unanimous consent, the bill was considered as having been read the first time.

Under the unanimous-consent agreement, the gentleman from Illinois [Mr. YATES] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. REGULA] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. YATES].

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

Mr. Chairman, the Subcommittee on Interior and Related Agencies appropriations, which has approved this bill, brings it today to the House of Representatives with appropriations for fiscal year 1995 for the Department of the Interior and various related agencies.

The recommendations of the committee are within our 602(b) allocations for both budget authority and for outlays. In order to stay within our allocation, we have recommended \$230 million less than was requested by the administration.

The recommended discretionary budget authority, including scorekeeping adjustments, is \$13.5 billion. The budget that is comparable to that for last year was \$13.7 billion. So the amount that we recommend in this bill is approximately \$200 million less than the bill that was enacted last year.

Offsetting the amount of expenditures, Mr. Chairman, is approximately \$8.1 billion, which it is expected the Federal Government will collect during the next fiscal year in fees, in royalties, and in various kinds of income that are paid to the various agencies in the bill.

Despite the overall decrease recommended in this bill, we have recommended increases for selective programs, such as the President's Northwest forest plan; the climate change action plan; the South Florida Ecosystem Initiative; and costs made necessary because of the implementation of NAFTA, for which \$6.3 million of the \$10.8 million request was provided.

The committee has provided almost \$46 million of the \$57 million requested for the South Florida Ecosystem Initiative. The problem here requires our very serious and very immediate attention. Because of these pressures and the resulting impacts on water quality and quantity, the Everglades are now less than half their original size, invasive plant species have altered the landscape, wading birds have declined by more than 90 percent, and Florida Bay is experiencing severe declines in fishery resources.

The ecosystem initiatives that we have placed in this bill will take care of only a portion of the needs in that important area.

Other important initiatives included in the committee's recommendation

include the funding for the President's Northwest forest plan. The plan offers a new approach to managing old growth forests and their biological diversity based on sound science and a commitment to existing law.

The funding included in the bill will allow timber sales under the plan to go forward as well as provide for the Jobs in the Woods Ecosystem Restoration Projects, watershed assessments, consultation and research.

In addition to reductions made by the committee in order to stay within our 602(b) allocation, the agencies in this bill, like those throughout the Government, will have to share in the reductions and cost adsorptions mandated for all Government programs in 1995.

For example, the agencies in the Interior bill will have to achieve \$62 million in administrative savings and almost \$38 million due to FTE reductions. These agencies will also absorb over \$63 million dollars in costs related to pay increases, and potentially additional amounts for the pay increases recently approved in the Treasury bill.

In total, the agencies in the Interior bill will have to reduce or absorb about \$180 million in addition to the specific reductions recommended by the committee.

To meet our 602(b) allocation, the committee was faced with eliminating and significantly downsizing several programs. The rural abandoned mine program has been eliminated. We did not like to do it. It is a program that has helped the areas where it has expended funds, but we had no choice.

As to the natural resource agencies included in the bill, we have recommended funding levels which reflect a total decrease of \$57 million from the 1994 level. These agencies provide for operations on the public lands in the West as well as all of our national parks, wildlife refuges, and national forests. The committee did provide increased levels for operating programs to address some of the chronic underfunding of operating the parks and managing other public lands, but was not able to provide the amounts requested by the administration. There just was not enough money in our allocation.

The committee has provided a 19 percent increase for energy conservation programs. The items recommended for the climate plan are those expected to yield the largest reductions in greenhouse gas emissions. The overall increase for energy conservation is \$134 million, which is about \$152 million less than requested by the administration.

The committee was faced with a very difficult situation when the President's budget reduced the Indian health programs by \$250 million below the 1994 level.

□ 1110

Even after a budget amendment of \$125 million was provided to our committee by the administration, the request was still \$125 million below the current level. That is a huge, huge disparity. The committee recommendation of almost \$1,960,000,000 provides only for essential operations for Indian Health which is unfortunate, Mr. Chairman, because the Indian people as a group are in much poorer health than any other group of people in our country.

The committee has included a total of \$230 million for land acquisition in fiscal year 1995, which is a decrease of \$24 million below the 1994 level. A majority of the accounts in this bill are recommended for funding below current levels. They include, in addition to the agencies already discussed, the U.S. Geological Survey, the Minerals Management Service, the Bureau of Mines, the Office of Surface Mining, the Bureau of Indian Affairs, Territorial Affairs, Departmental Offices of the Department of the Interior, Naval Petroleum and Oil Shale Reserves, the Kennedy Center, the National Endowment for the Humanities, the Institute for Museum Services, the National Capital Planning Commission—numbers of agencies, even some that I have not mentioned.

We have provided for moratoria on OCS oil and gas leasing and related activities, just as we did last year. This would provide prohibitions against offshore leasing along the entire Atlantic and Pacific Coasts, the entire Gulf of Mexico off Florida, and Bristol Bay in Alaska.

There was an addition of \$1 million for the National Endowment for the Arts, concerning which there will be some explanation later on, but the committee felt this was necessary in order to advance Arts and Education, to provide Arts Education for the younger people in our country. We will go into that to a greater extent later on in the discussion of this bill.

Finally the committee recommended \$77,281,000 for Endangered Species activities.

So, Mr. Chairman, this has been a broad general summary of what our committee did. I want to acknowledge the excellent and unique cooperation that I have had from the ranking Republican member, the gentleman from Ohio [Mr. REGULA], not only this year but over all the years that I have been chairman and he has been our ranking member. There is not a finer member of the House than Mr. REGULA, nor is there one who is more knowledgeable of the fields in which this bill is engaged. It is a pleasure to work with him.

I also want to acknowledge the fine work done by our Appropriations Subcommittee staff on both sides of the aisle. I want particularly to pay tribute to the clerk of our subcommittee,

Mr. Neal Sigmon, whose work has been outstanding through the years.

In printing the committee report, one amendment adopted by the committee was not accurately reflected in House Report 103-551. That amendment relates to the northwest forest plan in the endangered species program. On page 18 of the report, after the table explaining the resource management account, the following is the correct delineation of the committee's action:

Endangered species.—The committee recommends \$77,281,000 for endangered species activities within the Fish and Wildlife Service Enhancement Program. The budget request included net program increases of \$23,435,000 for endangered species within the resource management account. Of that requested increase the committee has provided \$19,305,000. The following table shows the distribution of the pro-

grammatic increase over fiscal year 1994 recommended by the committee:

Prelisting	+280,000
Listing	+860,000
Consultation	+4,480,000
Permits	+625,000
Recovery	+13,060,000
Total	+19,305,000

Within the amounts provided are increases of \$11,250,000 for the forest plan including \$700,000 in listing, \$2,300,000 for consultation and \$8,250,000 for recovery. For south Florida, increases include \$80,000 for prelisting, \$10,000 for listing, \$100,000 for consultation and \$500,000 for recovery. NAFTA related increases are \$200,000 for prelisting, \$150,000 for listing, \$200,000 for consultation, \$125,000 for permits and \$680,000 for recovery.

I would like to make one comment about a specific project which is of par-

ticular interest to Congressman GORDON: Stones River National Battlefield. The gentleman from Tennessee approached me and asked that any excess land acquisition funds which have been appropriated for the historic river trail be made available for general battlefield land acquisition, and vice versa should there be a shortfall in the river trail land acquisition account.

I realize how important the free flow of funds between the two accounts is to the timely acquisition of land which is threatened by commercial and residential development. I will work with the Senate to include language in the conference report which will allow for this arrangement.

At this point I ask that a table detailing the accounts in the bill be submitted in the RECORD.

[The following table is extremely faint and largely illegible. It appears to be a detailed breakdown of the \$19,305,000 increase mentioned in the text, organized into columns and rows. The text above provides a summary of the totals.]

FY 1995 INTERIOR APPROPRIATIONS BILL (H.R. 4802)

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources.....	599,860,000	605,099,000	596,346,000	-3,511,000	-8,750,000
Fire protection.....	117,143,000	114,988,000	114,988,000	-2,175,000	
Emergency Department of the Interior firefighting fund.....	116,674,000	121,178,000	121,178,000	+4,502,000	
Central hazmat account.....		14,050,000	13,435,000	+13,435,000	-615,000
Construction and access.....	10,467,000	3,836,000	3,836,000	-6,631,000	-100,000
Payments in lieu of taxes.....	104,108,000	104,106,000	104,106,000		
Land acquisition.....	12,122,000	21,173,000	17,060,000	+4,936,000	-4,113,000
Oregon and California grant lands.....	82,082,000	106,890,000	100,880,000	+18,808,000	-5,000,000
Forest ecosystems health and recovery.....	1,500,000			-1,500,000	
Range improvements (indefinite).....	10,025,000	10,350,000	10,350,000	+325,000	
Service charges, deposits, & forfeitures (indefinite).....	7,932,000	8,900,000	8,900,000	+968,000	
Miscellaneous trust funds (indefinite).....	7,505,000	7,805,000	7,805,000	+100,000	
Total, Bureau of Land Management.....	1,099,368,000	1,117,225,000	1,086,647,000	+29,259,000	-18,578,000
United States Fish and Wildlife Service					
Resource management.....	481,823,000	539,083,000	514,850,000	+33,027,000	-24,433,000
Construction.....	73,585,000	35,095,000	25,264,000	-48,301,000	-9,831,000
Natural resource damage assessment and restoration fund.....	6,700,000	7,752,000	6,700,000		-1,052,000
Land acquisition.....	82,865,000	86,182,000	82,300,000	-20,365,000	-23,862,000
Cooperative endangered species conservation fund.....	9,000,000	10,571,000	9,000,000		-1,571,000
National wildlife refuge fund.....	12,000,000	13,748,000	12,000,000		-1,748,000
Rewards and operations.....	1,189,000	1,188,000	1,188,000		
North American wetlands conservation fund.....	12,000,000	13,952,000		-12,000,000	-13,952,000
Wildlife conservation and appreciation fund.....	1,000,000	1,000,000	1,000,000		
Total, United States Fish and Wildlife Service.....	679,712,000	708,532,000	632,083,000	-47,629,000	-76,449,000
National Biological Survey					
Research, inventories, and surveys.....	187,209,000	178,450,000	187,209,000		-9,241,000
National Park Service					
Operation of the national park system.....	1,061,623,000	1,124,715,000	1,083,973,000	+22,150,000	-40,742,000
National recreation and preservation.....	42,585,000	40,479,000	38,946,000	-5,639,000	-3,533,000
Historic preservation fund.....	40,000,000	42,000,000	41,000,000	+1,000,000	-1,000,000
Construction.....	201,724,000	148,568,000	171,417,000	-30,307,000	+22,849,000
Urban park and recreation fund.....	5,000,000	5,000,000	10,000,000	+5,000,000	+5,000,000
Land and water conservation fund (reclamation of contract authority).....	-30,000,000	-30,000,000	-30,000,000		
Land acquisition and state assistance.....	95,250,000	82,896,000	88,598,000	-6,654,000	+5,900,000
Illinois and Michigan Canal National Heritage Corridor Commission.....	250,000			-250,000	
Total, National Park Service (net).....	1,418,632,000	1,413,458,000	1,401,932,000	-14,700,000	-11,526,000
United States Geological Survey					
Surveys, investigations, and research.....	584,685,000	580,880,000	576,775,000	-7,910,000	-3,905,000
Minerals Management Service					
Royalty and offshore minerals management.....	193,187,000	193,906,000	190,208,000	-2,991,000	-3,700,000
Oil spill research.....	5,331,000	6,452,000	6,452,000	+1,121,000	
Total, Minerals Management Service.....	198,528,000	200,358,000	196,658,000	-1,870,000	-3,700,000
Bureau of Mines					
Mines and minerals.....	189,438,000	148,919,000	152,269,000	-17,187,000	+3,350,000
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology.....	110,552,000	110,068,000	110,206,000	-346,000	+200,000
Receipts from performance bond forfeitures (indefinite).....	1,190,000	1,190,000	1,190,000		
Subtotal.....	111,742,000	111,198,000	111,396,000	-346,000	+200,000
Abandoned mine reclamation fund (definite, trust fund).....	190,107,000	186,704,000	172,404,000	-17,703,000	+5,700,000
Total, Office of Surface Mining Reclamation and Enforcement.....	301,849,000	277,900,000	283,800,000	-18,049,000	+5,900,000
Bureau of Indian Affairs					
Operation of Indian programs.....	1,480,805,000	1,486,430,000	1,527,786,000	+36,981,000	+29,356,000
Construction.....	196,979,000	82,973,000	131,030,000	-35,949,000	+48,057,000
Indian land and water claim settlements and miscellaneous payments to Indians.....	103,259,000	174,045,000	82,898,000	-20,363,000	-91,149,000
Navajo rehabilitation trust fund.....	2,486,000			-2,486,000	
Technical assistance of Indian enterprises.....	1,970,000	1,970,000	1,970,000		
Indian direct loan program account.....	2,484,000		2,484,000		+2,484,000
(Limitation on direct loans).....	(10,890,000)			(-10,890,000)	
Indian guaranteed loan program account.....	9,880,000	9,880,000	9,880,000		
(Limitation on guaranteed loans).....	(98,000,000)	(48,900,000)	(48,900,000)	(-22,100,000)	
Total, Bureau of Indian Affairs.....	1,777,653,000	1,767,108,000	1,755,856,000	-21,797,000	-11,252,000

FY 1995 INTERIOR APPROPRIATIONS BILL (H.R. 4602)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Territorial and International Affairs					
Administration of territories.....	54,187,000	50,919,000	55,419,000	+1,232,000	+4,500,000
Northern Mariana Islands Covenant.....	27,720,000	27,720,000	27,720,000		
Subtotal.....	81,907,000	78,639,000	83,139,000	+1,232,000	+4,500,000
Trust Territory of the Pacific Islands.....	23,838,000	900,000	2,900,000	-20,938,000	+2,000,000
Compact of Free Association.....	12,102,000	13,258,000	17,758,000	+5,656,000	+4,500,000
Mandatory payments.....	10,000,000	14,900,000	14,900,000	+4,900,000	
Subtotal.....	22,102,000	28,158,000	32,658,000	+10,556,000	+4,500,000
Total, Territorial and International Affairs.....	127,847,000	107,697,000	115,897,000	-9,150,000	+11,000,000
Departmental Offices					
Office of the Secretary.....	64,111,000	62,599,000	62,599,000	-1,512,000	
Ecosystem restoration funds.....	7,000,000			-7,000,000	
Office of the Solicitor.....	33,359,000	35,374,000	35,374,000	+2,015,000	
Office of Inspector General.....	24,283,000	23,988,000	23,988,000	-295,000	
Construction Management.....	2,384,000	2,133,000	2,000,000	-384,000	-133,000
National Indian Gaming Commission.....	1,000,000	1,481,000	1,000,000		-481,000
Total, Departmental Offices.....	132,147,000	125,572,000	124,958,000	-7,189,000	-614,000
Total, title I, Department of the Interior (net).....	8,625,086,000	8,623,899,000	8,506,884,000	-118,202,000	-115,015,000
Appropriations.....	(8,665,086,000)	(8,663,899,000)	(8,538,884,000)	(-118,202,000)	(-115,015,000)
Recession.....	(-30,000,000)	(-30,000,000)	(-30,000,000)		
(Limitation on direct loans).....	(10,890,000)			(-10,890,000)	
(Limitation on guaranteed loans).....	(69,000,000)	(48,900,000)	(48,900,000)	(-22,100,000)	
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest research.....	193,083,000	203,280,000	201,780,000	+8,697,000	-1,500,000
State and private forestry.....	185,315,000	158,185,000	158,684,000	-6,651,000	+479,000
Emergency pest suppression fund.....	(15,000,000)		(17,000,000)	(+2,000,000)	(+17,000,000)
International forestry.....	6,966,000	9,972,000	7,000,000	+4,000	-2,972,000
National forest system.....	1,306,823,000	1,355,312,000	1,336,182,000	+27,336,000	-19,150,000
Forest Service fire protection.....	185,188,000	156,590,000	180,590,000	-24,578,000	+4,000,000
Emergency Forest Service firefighting fund.....	190,222,000	226,200,000	226,200,000	+35,978,000	
Construction.....	232,802,000	221,791,000	191,740,000	-61,062,000	-30,051,000
Timber receipts transfer to general fund (indefinite).....	(-48,289,000)	(-51,828,000)	(-51,828,000)	(-3,539,000)	
Timber purchaser credits.....	(90,000,000)	(50,000,000)	(50,000,000)	(-10,000,000)	
Land acquisition.....	84,250,000	84,241,000	62,131,000	-2,119,000	-2,110,000
Acquisition of lands for national forests, special acts.....	1,212,000	1,252,000	1,252,000	+40,000	
Acquisition of lands to complete land exchanges (indefinite).....	203,000	210,000	210,000	+7,000	
Range betterment fund (indefinite).....	4,800,000	4,584,000	4,584,000	-16,000	
Gifts, donations and bequests for forest and rangeland research.....	96,000	89,000	89,000	-7,000	
Total, Forest Service.....	2,372,770,000	2,401,706,000	2,350,402,000	-22,368,000	-51,304,000
DEPARTMENT OF ENERGY					
Clean coal technology.....	-175,000,000	-337,879,000	-337,879,000	-162,879,000	
Fossil energy research and development.....	430,674,000	451,130,000	429,544,000	-2,130,000	-22,586,000
(By transfer).....		(17,000,000)	(17,000,000)	(+17,000,000)	
Alternative fuels production (indefinite).....	-4,798,000	-4,250,000	-4,250,000	+548,000	
Naval petroleum and oil shale reserves.....	214,772,000	199,456,000	193,956,000	-20,816,000	-5,500,000
Energy conservation.....	690,375,000	978,856,000	824,585,000	+134,210,000	-152,271,000
Economic regulation.....	12,984,000	12,437,000	12,437,000	-547,000	
Emergency preparedness.....	8,901,000	8,249,000	8,249,000	-652,000	
Strategic Petroleum Reserve.....	206,810,000	153,247,000	153,247,000	-53,563,000	
(By transfer).....		(90,784,000)	(90,784,000)	(+90,784,000)	
Energy Information Administration.....	66,553,000	84,728,000	84,728,000	-1,825,000	
Total, Department of Energy.....	1,471,281,000	1,543,974,000	1,363,617,000	-107,664,000	-180,357,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services.....	1,645,877,000	1,651,886,000	1,706,102,000	+60,225,000	+54,213,000
Indian health facilities.....	296,982,000	167,079,000	253,892,000	-43,090,000	+86,813,000
Total, Indian Health Service.....	1,942,859,000	1,818,965,000	1,959,994,000	+17,135,000	+141,026,000
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education					
Indian education.....	83,500,000	86,000,000	83,500,000		-2,500,000
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses.....	26,936,000	28,897,000	26,936,000		-1,961,000
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute.....	12,563,000	9,812,000	12,713,000	+150,000	+2,901,000

FY 1995 INTERIOR APPROPRIATIONS BILL (H.R. 4602)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Smithsonian Institution					
Salaries and expenses.....	302,348,000	318,579,000	314,454,000	+12,105,000	-4,125,000
Construction and improvements, National Zoological Park.....	5,400,000	5,000,000	5,000,000	-400,000	
Repair and restoration of buildings.....	24,000,000	25,300,000	24,000,000		-1,300,000
Construction.....	10,400,000	50,000,000	30,000,000	+19,600,000	-20,000,000
Total, Smithsonian Institution.....	342,148,000	398,879,000	373,454,000	+31,305,000	-25,425,000
National Gallery of Art					
Salaries and expenses.....	51,968,000	53,418,000	53,003,000	+1,065,000	-415,000
Repair, restoration and renovation of buildings.....	2,831,000	4,431,000	4,431,000	+1,800,000	
Total, National Gallery of Art.....	54,799,000	57,849,000	57,434,000	+2,865,000	-415,000
John F. Kennedy Center for the Performing Arts					
Operations.....	7,932,000	10,343,000	10,343,000	+2,411,000	
Repair and rehabilitation.....	12,897,000	9,000,000	9,000,000	-3,897,000	
Total, John F. Kennedy Center for the Performing Arts.....	20,829,000	19,343,000	19,343,000	-1,286,000	
Woodrow Wilson International Center for Scholars					
Salaries and expenses.....	6,352,000	9,878,000	9,878,000	+3,526,000	
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration.....	140,836,000	140,950,000	141,950,000	+1,114,000	+1,000,000
Matching grants.....	29,382,000	29,150,000	29,150,000	-242,000	
Total, National Endowment for the Arts.....	170,228,000	170,100,000	171,100,000	+872,000	+1,000,000
National Endowment for the Humanities					
Grants and administration.....	151,300,000	151,420,000	151,420,000	+120,000	
Matching grants.....	26,191,000	25,983,000	25,983,000	-226,000	
Total, National Endowment for the Humanities.....	177,491,000	177,383,000	177,383,000	-108,000	
Institute of Museum Services					
Grants and administration.....	28,777,000	28,770,000	28,770,000	-7,000	
Total, National Foundation on the Arts and the Humanities.....	378,496,000	378,253,000	377,253,000	+757,000	+1,000,000
Commission of Fine Arts					
Salaries and expenses.....	805,000	834,000	834,000	+29,000	
National Capital Arts and Cultural Affairs					
Grants.....	7,500,000	6,648,000	7,500,000		+852,000
Advisory Council on Historic Preservation					
Salaries and expenses.....	2,969,000	2,947,000	2,967,000	+8,000	+20,000
National Capital Planning Commission					
Salaries and expenses.....	5,688,000	5,655,000	5,655,000	-213,000	
Franklin Delano Roosevelt Memorial Commission					
Salaries and expenses.....	49,000	48,000	48,000	-1,000	
Pennsylvania Avenue Development Corporation					
Salaries and expenses.....	2,738,000	2,965,000	2,738,000		-127,000
Public development.....	4,289,000	4,184,000	4,084,000	-205,000	-100,000
Land acquisition and development fund.....	7,193,000			-7,193,000	
Total, Pennsylvania Avenue Development Corporation.....	14,220,000	7,049,000	6,822,000	-7,398,000	-227,000
United States Holocaust Memorial Council					
Holocaust Memorial Council.....	21,679,000	25,680,000	26,680,000	+4,981,000	+1,000,000
Total, title II, Related Agencies.....	6,763,354,000	6,800,400,000	6,885,010,000	-78,344,000	-115,390,000
(Timber receipts transfer to general fund, indefinite).....	(48,289,000)	(51,828,000)	(51,828,000)	(3,539,000)	
(Timber purchaser credits).....	(80,000,000)	(50,000,000)	(50,000,000)	(10,000,000)	
Grand total:					
New budget (obligational) authority (net).....	13,388,440,000	13,424,299,000	13,193,894,000	-194,546,000	-230,405,000
Appropriations.....	(13,418,440,000)	(13,454,299,000)	(13,223,894,000)	(194,546,000)	(230,405,000)
Rescission.....	(30,000,000)	(30,000,000)	(30,000,000)		
(Timber receipts transfer to general fund, indefinite).....	(48,289,000)	(51,828,000)	(51,828,000)	(3,539,000)	
(Timber purchaser credits).....	(80,000,000)	(50,000,000)	(50,000,000)	(10,000,000)	
TITLE I—DEPARTMENT OF THE INTERIOR					
Bureau of Land Management.....	1,089,388,000	1,117,225,000	1,098,647,000	+29,259,000	-18,578,000
United States Fish and Wildlife Service.....	679,712,000	708,532,000	632,083,000	-47,629,000	-76,449,000
National Biological Survey.....	167,209,000	178,450,000	167,209,000		-9,241,000
National Park Service.....	1,415,632,000	1,413,458,000	1,401,632,000	-14,700,000	-11,828,000
United States Geological Survey.....	584,685,000	560,880,000	578,775,000	-7,910,000	-3,805,000
Minerals Management Service.....	198,528,000	200,358,000	198,658,000	-1,870,000	-3,700,000
Bureau of Mines.....	169,436,000	148,919,000	152,289,000	-17,167,000	+3,350,000

FY 1995 INTERIOR APPROPRIATIONS BILL (H.R. 4602)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Office of Surface Mining Reclamation and Enforcement.....	301,849,000	277,900,000	283,800,000	-18,049,000	+5,900,000
Bureau of Indian Affairs.....	1,777,853,000	1,787,108,000	1,755,856,000	-21,797,000	-11,252,000
Territorial and International Affairs.....	127,847,000	107,897,000	118,897,000	-9,150,000	+11,000,000
Departmental Offices.....	132,147,000	125,572,000	124,958,000	-7,189,000	-814,000
Total, Title I - Department of the Interior.....	6,825,086,000	6,823,899,000	6,508,684,000	-118,202,000	-115,015,000
TITLE II - RELATED AGENCIES					
Forest Service.....	2,372,770,000	2,401,706,000	2,350,402,000	-22,368,000	-51,304,000
Department of Energy.....	1,471,281,000	1,543,974,000	1,363,817,000	-107,884,000	-180,357,000
Indian Health.....	1,942,859,000	1,818,968,000	1,859,984,000	+17,135,000	+141,026,000
Indian Education.....	83,500,000	88,000,000	83,500,000	.....	-2,500,000
Office of Navajo and Hopi Indian Relocation.....	28,936,000	28,897,000	28,936,000	.....	-1,981,000
Institute of American Indian and Alaska Native Culture and Arts Development.....	12,583,000	9,812,000	12,713,000	+150,000	+2,901,000
Smithsonian.....	342,149,000	398,879,000	373,454,000	+31,305,000	-25,425,000
National Gallery of Art.....	54,739,000	57,849,000	57,434,000	+2,895,000	-415,000
John F. Kennedy Center for the Performing Arts.....	20,829,000	19,343,000	19,343,000	-1,286,000	.....
Woodrow Wilson International Center for Scholars.....	8,352,000	9,878,000	9,878,000	+3,528,000	.....
National Endowment for the Arts.....	170,228,000	170,100,000	171,100,000	+872,000	+1,000,000
National Endowment for the Humanities.....	177,491,000	177,383,000	177,383,000	-108,000	.....
Institute of Museum Services.....	28,777,000	28,770,000	28,770,000	-7,000	.....
Commission of Fine Arts.....	805,000	834,000	834,000	+29,000	.....
National Capital Arts and Cultural Affairs.....	7,500,000	6,848,000	7,500,000	.....	+852,000
Advisory Council on Historic Preservation.....	2,959,000	2,947,000	2,967,000	+8,000	+20,000
National Capital Planning Commission.....	5,888,000	5,655,000	5,655,000	-213,000	.....
Franklin Delano Roosevelt Memorial Commission.....	49,000	48,000	48,000	-1,000	.....
Pennsylvania Avenue Development Corporation.....	14,220,000	7,049,000	8,822,000	-7,398,000	-227,000
Holocaust Memorial Council.....	21,879,000	25,660,000	26,680,000	+4,981,000	+1,000,000
Total, Title II - Related Agencies.....	6,763,354,000	6,800,400,000	6,685,010,000	-78,344,000	-115,390,000
Grand total.....	13,388,440,000	13,424,299,000	13,193,694,000	-194,546,000	-230,405,000

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

Mr. Chairman, I rise in strong support of the Interior Appropriations bill, and I want to join the chairman of the subcommittee, the gentleman from Illinois [Mr. YATES], in recommending this bill to all the Members.

Each year this bill seems to present a challenge. Unlike many years when we have wrestled with tough policy decisions, this year our biggest hurdle was a fiscal one. But that is as it should be in the Appropriations Committee.

As always, the chairman of the subcommittee has done a super job of balancing our fiscal responsibilities and our commitment to properly manage and protect our Nation's natural resources. Somehow we have brought a bill to the Members that is within our 602(b) allocation, but it has not been without pain and hardship. Specifically, this bill is below—and I emphasize this—the administration's request by \$193 million and below last year's level by \$206 million. And we are below the outlay allocation by \$1 million and below in budget authority by about \$4 million.

What I am saying to all the Members is that this is a lean bill because while the amount of money provided in this bill is less, at the same time the demands on our public lands have grown exponentially and, therefore, it poses a great challenge to meet all these needs while at the same time reducing expenditures. I want to assure my colleagues, especially those on my side of the aisle, that this is a lean bill.

I did a little calculation last night just to remind all of us how much bang for the buck the people get from this legislation. Few people realize that this bill will generate an estimated \$8.1 billion in receipts in fiscal year 1995 from OCS, grazing and mineral leases, forest timber sales, and sales of oil from the naval petroleum reserves. If you subtract the receipts from the expenditures, you have a net cost of about \$4.4 billion. That is about \$20 per person for the people of the United States. For that \$20, think what we get. We get the 367 National Parks available to the public, encompassing 80 million acres, with parks in 49 States and some of the territories and the District of Columbia. We get 270 million acres of BLM lands which again are used by the public in many instances. We get 92 million acres of Fish and Wildlife Service lands, again available to the public to visit for educational purposes, recreation, and so on.

In addition, we have the forestlands, the tremendous acreages in National Forests that produce the timber which allows that first-time home buyer to have an opportunity to get a new home at reasonable cost.

All of this we get for \$20 per person net cost. I think it is a tremendous

bargain, and that is what we have tried to achieve in this bill.

We did accommodate the administration's initiatives, including the south Florida ecosystem that deals with Everglades. It is kind of ironic. We are going back and fixing the things that we have done in the past, the canals that were part of that system down there, the drainage of the Everglades. We have discovered that when we tamper with nature, we create huge problems. So now we are going to spend money repairing things that have been done in previous years. I think that is why it is so important that we always be sensitive to the impact of our activities.

With respect to the activities of the new National Biological Survey in our bill, which is somewhat contentious, we make it clear that the agency is to continue to operate within the guidelines that are set forth in the bill, and we currently provide these with respect to research and other activities.

I know that many of the Members have a concern about this, and we have made it as tight as possible, given the fact that under executive order the Secretary of the Interior has created the NBS. I know that many would wish that we could go further, but this is all that is within the jurisdiction of our committee. There are a number of things here that ought to be addressed in the authorizing process, but they have not been, and, therefore, we need to express our concern and do as well as we can under the circumstances.

□ 1120

I wanted to take a few minutes to talk about the provision in the bill that I think one of my colleagues will also want to address, and that is the moratorium on patenting mining claims on Federal lands. We have carried the provision, at my request, for the past 4 years, and each year we have allowed this provision to be stricken during the conference.

This year, we had hoped that the comprehensive mining reform legislation would be enacted, as bills have passed both Houses. But as yet the conference has not taken place, and we have become increasingly less optimistic that reform of the antiquated mining law will occur in the 103d Congress. For that reason, the subcommittee has seen fit to again include a moratorium. I am hopeful we can retain that provision in conference, absent final action on the mining reform bill.

Just last week the Mineral Policy Center released a report, and I urge all of my colleagues to read this. They issued a report which echoed the concerns that we have expressed on this issue for some time. It is entitled "Golden Patents, Empty Pockets." That is what happens to the Federal Government, that is what happens to the people of these United States that

own this land. We get empty pockets with golden patents.

The report concludes that unless Congress takes action during the 103d Congress, title to more than \$34 billion in mineral resources belonging to the American public will be signed over to private mining companies for no more than \$800,000. What a bargain. We are potentially giving away \$34 billion of mineral resources for \$800,000, and no royalties and no assurance it will be reclaimed in a proper way.

Many of these companies with pending patent applications are not even American companies. We are literally giving away our rich mineral resources, gold, silver, platinum and others, to foreign interests, at bargain basement prices. It is possibly the biggest travesty in Government, and yet it is happening under the antiquated law passed in 1872. We are still living under the terms of that law.

The Mineral Policy Center that did this report estimates that since 1872, the Federal Government has given away more than \$231 billion of mineral resources belonging to the American public, either by patent or by royalty-free mining on public lands. Just recently, and it was in the news, the Secretary of the Interior was forced to approve by a court under the law, the 1872 law, a patent application of American Barrick Resources, a Canadian corporation, for 1,038 acres. A patent is the equivalent of a deed. These lands hold mineral resources valued at more than \$10 billion. Barrick took title to the land for \$5,190. They now own 10 billion worth of resources for \$5,190. No bargain for the taxpayer. And they will pay no royalty on the mineral resources.

Patent applications have increased as Congress has tried unsuccessfully in recent years to reform the mining law. Currently 613 patent applications are being processed by BLM. The longer Congress avoids mining reform, the more likely all of the mineral resources are to leave public ownership at the bargain rate of \$2.50 to \$5 per acre with no chance of gathering royalty payments on these resources.

While many of the 613 applications are too far along in the process to be affected by the amendment in the bill, the moratorium, at least if we adopt it, will show that the giveaway and maybe the continued giving of our resources can be stopped and we can get both sides to the bargaining table and achieve mining reform. I think the moratorium is essential to get a mining reform bill out of the Congress.

The Mineral Policy Center recommends an immediate patent moratorium, and estimates this would save more than \$10 billion in recoverable minerals reserves from being privatized by mining companies.

In short, this is a lean bill. It tries to balance the needs of our native Americans, and we have heard some comments on that before, our natural resources, and our energy policy, with the fiscal constraints we continue to face.

I want to say also, as part of the minority, this is truly a bipartisan bill. The chairman gives all the Members an opportunity to participate. I think he is extremely fair. He gives great leadership to the subcommittee, backed by a good staff. As a result, what we produce here is very bipartisan.

I know that we have had dozens of Member requests for projects, and all of those requests are treated equally by the chairman and the members of the committee without any regard to any partisan label. We try to respond to requests based on the priorities that we have to establish and the policy issues we have to address, simply because of the fiscal restraints that go with it. I think we are very fortunate to have the leadership of Chairman YATES and the fairness that he brings to this activity, because this bill, perhaps more than any other, touches the jewels of this Nation, the public lands, our parks, our forests, our streams.

I might add, and I have not really discussed this, that as we live in an era of diminishing energy resources, the research and the management of our energy assets in the United States are covered also by activities in this bill. We have tried to again have policies that will ensure adequate energy for the years ahead, and to use the resources in a very responsible way.

I certainly urge all of my colleagues to support this bill. I think it is very responsible, very well-crafted, and certainly responds to the fiscal constraints that are part of what we are trying to do in reducing the deficit. This bill takes a good step in that direction.

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

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Chairman, I want to call the attention of the House to a very important provision in this legislation.

As the sponsor of the comprehensive House bill to reform the mining law of 1872, I commend the Appropriations Committee and in particular, RALPH REGULA, for including a moratorium on the processing and issuance of mining claim patent applications in this bill.

Who would not be justified in expressing shock and outrage upon learning that their government is currently being compelled to transfer title to \$34 billion worth of publicly owned minerals for a price averaging less than \$5 per acre.

That this paltry sum was all that the Federal Government is legally entitled to receive under the mining law of 1872.

Yet, this is exactly what is happening.

Under the mining law of 1872, the holder of a mining claim has the option to obtain title to public land, called a patent, for a mere \$2.50 or \$5.00 an acre depending on the type of claim.

We are talking about paying this paltry sum for public land that contains billions of dollars' worth of gold, of silver, and of other valuable hardrock minerals.

And now, with the passing of each month, each week, and each day of delay in the enactment of legislation to bring a halt to patenting, the opportunity of the American people to receive a fair return on billions of dollars of gold, silver, and other valuable minerals found on public lands is being lost.

Already, of the 34 billion worth of patent applications currently in the pipeline, only about \$10 billion of that amount can be salvaged if we pass mining law reform today.

Moreover, in the event Congress fails to enact reform legislation by the end of the current session, an untold quantity of public minerals not yet under patent application will be at risk.

Let me give some examples of what we are talking about.

There are patent applications pending for the Jerritt Canyon Mine in Nevada.

Who is applying for these patents?

An outfit called Anglo-American from South Africa owns 70 percent of this gold mine.

And in return for 1,113,200,000 worth of gold in the lands subject to the patent application, the Federal Government will receive \$5,080.

Now I know you are saying that you did not hear me right.

You heard me right.

\$1.1 billion worth of gold underlying public lands owned by all Americans will be given to this company for \$5,080.

Incredible. Simply incredible.

And the list goes on, and on. It is all here in a report by the Mineral Policy Center. This report has been delivered to each of our offices. Read it.

Wake up America.

Where is the media.

Everybody talks about scandals.

You want to hear about a scandal?

Well, by golly, this is it. This makes Teapot Dome look like chump change.

This should be on the front page of every newspaper in America every day until Congress does something about it.

I will say this. Last year the House, by a 3-to-1 margin, passed the comprehensive mining law reform bill I sponsored. This bill would eliminate the patent.

And I would note that Mr. REGULA has on, I believe, three other occasions included his patent moratorium in the Interior appropriation bill.

Yet, each and every time it has been defeated by the other body.

Enough is enough. Let us have comprehensive mining law reform. But as a stop-gap measure, this patent moratorium is necessary and very much in the public interest.

□ 1130

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. BOUCHER) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

The Committee resumed its sitting.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Arizona [Mr. KOLBE], one of the excellent members of our subcommittee.

Mr. KOLBE. Mr. Chairman, I rise in support of the fiscal year 1995 Interior appropriations bill. I want to thank Chairman YATES and the ranking Republican on the subcommittee, RALPH REGULA, for their hard work and attention to this country's natural resource needs. This year's bill has been an especially painful exercise because the subcommittee had to find a way to cut \$200 million from the fiscal year 1994 enacted spending level. Somehow, this \$13.6 billion bill achieves that most difficult requirement. The result is a responsible bill that is fair and evenly balanced. It is one that we can be comfortable supporting.

Certainly, this bill is not perfect. There are provisions in here that I disagree with. I strongly oppose the 1-year moratorium on mining patents included in the bill. Mining patents should be limited—perhaps even abolished—but that issue should be, and is being addressed in the proper venue—the authorizing committees. The House and Senate are set to go to conference on mining reform and they should be allowed to perform their work without the interference of the Appropriations Committee.

I also have concerns about reductions in the Timber Sales Program. Although the bill does not reduce that program by 6 percent as the administration requested, it still does not provide adequate funding for the Timber Sales Program. The administration requested funds to harvest 4.38 billion board feet; that is almost 60 percent less than the program allowed in the

early 1990's. Fiscal year 1994 funding represents a 16-percent cut from the already low fiscal year 1993 level. This bill would permit approximately 4.5 billion board feet to be harvested—not enough, but an improvement over the budget submission.

I want to thank the chairman for his willingness to work with me and other members on issues of funding for the National Biological Survey. This bill freezes funding for the NBS and includes some important private property rights protections that were adopted by the House when the NBS authorization was considered by the House. I continue to have real, not imaginary, concerns about the direction of the National Biological Survey, but this report and bill language at least preserves the position previously adopted by the House.

I continue to be concerned about forest health in my State of Arizona. A recent report by the Forest Service, environmentalists, and scientists concludes that wildfire and disease could destroy most of the forests in Arizona and the West within the next 15-30 years. I know the chairman and subcommittee share my concerns and I will continue to work with them on this pressing issue.

This appropriation bill also includes \$6.5 million for land acquisition at the east unit of the Saguaro National Monument. This fully authorized project is one of the highest priorities of the National Park Service. The monument is facing an imminent threat from development and this funding is essential if we are to preserve this irreplaceable national ecological treasure.

I commend the chairman and members of the subcommittee for producing a good bill in a very difficult year. I urge support for the fiscal year 1995 Interior appropriations bill.

Mr. YATES. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I take this time to discuss one of the amendments that is scheduled to be filed against our bill later in the debate. It pertains to the appropriations for the National Endowment for the Arts.

No agency has suffered from distortion and unfair criticism more than has the National Endowment for the Arts. Even under the excellent administration of its present chairman, Jane Alexander, the critics are using distortion, untruths, and anything that will cut the appropriations for the agency.

All of this, of course, revolves around the question, what is art? I suspect that this controversy goes back even to the wall drawings in the caves of prehistoric man, where I am sure the drawings were criticized by other Members of the group.

Michelangelo, one of the great, great artists in the history of the world, was criticized by Pope Julius the 2d about

his work on the Sistine Chapel. And he had to change it. His heavenly and beautiful sculpture of David was criticized by the church because he had failed to place a fig leaf at an appropriate place on David.

The fact is, artists have always rebelled against the academicians because the academicians required little deviation from their established norms, their landscapes, their portraits. The rebels, like the Impressionists in their time, were called the Fauves, the made dogs. And then the Impressionists, of course, were followed by the Expressionists and then they were followed by the abstract Impressionists.

The point, of course, is that art is not static. It is always moving. It has its rebels. It has its detractors.

It is said that when President Harry Truman was shown one of the WPA paintings, which later sold for hundreds of thousands of dollars, I am sure, he said, "If that is art, I am a Hottentot."

Well, President Truman, while he played the piano, was not reckoned to be one of the great art critics of this time.

Under attack are all forms of art: The theater, the ballet, music, books. We remember the phrase, "Banned in Boston." Ulysses by the great Irish writer James Joyce, was banned by Customs inspectors and the case came up in court.

□ 1140

It was alleged that the book was pornographic. I would like to quote from the decision of a very enlightened judge in 5 Fed. Supp. 182. This is what the judge said in the decision about the "Ulysses."

He says, "The question is whether or not this book is pornographic. If it is, it has to be banned."

He says, "And it also explains another aspect of the book which I have further to consider; namely, Joyce's sincerity and his honest effort to show exactly how the minds of his characters operate."

Then the quote goes on to say, "For his attempts sincerely and honestly to realize his objective has required him incidentally to use certain words which are generally considered dirty words and has led at times to what many think is a too poignant preoccupation with sex in the thoughts of his characters."

"The words which are criticized as dirty are old Saxon words known to almost all men and, I venture, to many women, and are such words as would be naturally and habitually used, I believe, by the types of folk whose life, physical and mental, Joyce is seeking to describe."

Then it says, "If one does not wish to associate with such folks as Joyce describes, that is one's own choice. In order to avoid indirect contact with

them one may not wish to read 'Ulysses'; that is quite understandable. But when such a great artist in words, as Joyce undoubtedly is, seeks to draw a true picture of the lower middle class in a European city, ought it to be impossible for the American public" to read that book?

The court concludes with this statement: "I am quite aware that owing to some of its issues 'Ulysses' is a rather strong draught to ask some sensitive, though normal, persons to take. But my considered opinion, after long reflection, is that whilst in many places the effect of 'Ulysses' on the reader undoubtedly is somewhat emetic, nowhere does it tend to be an aphrodisiac."

"Ulysses" may, therefore, be admitted into the United States."

Criticism has recently been aimed at one of the grants being given by the Walker Art Center, which in turn had received a grant from the National Endowment for the Arts, a grant to a person whose name is Ron Athey. The Walker Art Center, when we asked them about it, considered his performance to be serious, considered it to be artistic. According to the officials at the Walker Art Center, and this is performance art, let me say to the Members, and performance art expresses the deep emotions of those who are giving the performance.

Mr. Athey had as his prop another person, and he used acupuncture needles, perhaps a knife, to cut the back of another person. The newspapers that reported it said that the blood was flowing freely and had to be stopped by towels, and that many people left the performance.

This is what the Walker Art Center says about it, about the performance, he performed "his ritualistic work exploring modern day martyrdom as it relates to AIDS. Athey is HIV-positive." He is very unhappy about it, "but he has stated repeatedly that his co-performer whose blood was raised is not infected with HIV. Mr. Athey's work includes scarification and the use of acupuncture needles."

"According to officials at the Walker," the Center "used less than \$150 for this grant," a one-night performance, "less than \$150 in Endowment Fund funds to support the performance."

It goes on to say, "The Walker Art Center followed universal safety guidelines as developed by the U.S. Centers for Disease Control and provided to the Walker by the Minnesota AIDS Project. The Minnesota Department of Health has concurred. There was no threat to anybody or to members of the audience."

"Contrary to erroneous press accounts, there was no blood dripping from towels. Several paper towels were used to blot surface blood (akin to a shaving nick)," which most of the Members of the House have experienced. "This blood was not HIV-positive."

"* * * There was no panic among audience members nor a mad rush for the exits. A large majority of audience members stayed for the post-performance discussions.

"Walker officials recognized" that the theme might be controversial and it advised viewer discretion to those who were coming in to see the performance, and on calendars that advertised the performance. It told them that they were likely to be shocked by the performance. Those who went had that in mind.

Mr. Chairman, this case will be used, as were the cases of Mapplethorpe and Serrano, to try to cut the appropriations for the National Endowment for the Arts.

What is art? With my limited education in the history of art, I am not one to say what is art. I doubt that I would have gone to see Mr. Athey and his performance, but that fact does not mean that others did not want to see the performance of Mr. Athey. Should that performance have been banned so that other Americans who wanted to see it could not see it after being appropriately warned? I do not think so. I think that the American people are mature enough to know what they want to see after they have been appropriately warned. I do not think it ought to be censored.

Mr. Chairman, I am sure this will be brought up later. There will be plenty of time later to discuss this matter again.

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

Mr. YATES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I want to commend the chairman of the committee for his work on the Interior appropriation bill, and for the cooperation we have had these past years, which has been extraordinary, on subjects of interest.

The Walker Art Center in Minnesota is a proud cultural institution in my sister city of Minneapolis. I just want to say to the gentleman from Illinois [Mr. YATES] that there are many who would want to sweep under the rug many of the problems and issues that we have before this country. There seems to be a phenomenon, Mr. Chairman, to associate with the expression and revelations of problems that are occurring whether it is AIDS or other serious problems we have, in our Nation; to attribute that to, in fact, the arts, to attribute it to the Federal Government as actually causing the problems.

In essence, Mr. Chairman, we are trying to respond to such issues and claims. We are trying to protect free expression—some of which maybe uncomfortable. I think all of us believe in the free choice of men and the individual as one of the highest goals of our Western culture and society, which is

manifest in this Nation, and not in determinism; that is to say, that somehow the events and what people are exposed to shapes, in essence, their behavior.

We are responding to the serious problem of AIDS and HIV infection, and clearly these arts are talking about topics that are obviously not comfortable. They are controversial. They cause a lot of anxiety in me, and I suspect they do in many of our constituents and people across this Nation, but I think we want to deal with problems and face up to them, and we have to recognize that the artists are very often at the cutting edge of dealing with these serious social problems, whether they are issues of race relations, whether they are health problems, the whole myriad of things that make up this great pluralistic society that we call our Nation, America.

Mr. Chairman, I think the arts are in the forefront of that controversy. The small contribution we make here is much less than that which is provided by other nations to try to provide the crucible of thought and creativeness that characterizes American arts, and artists, which are one of our greatest exports and one of our finest expressions of freedom as a people.

I commend the gentleman, Mr. YATES, of his often solo defense of those efforts.

Mr. YATES. Mr. Chairman, I thank the gentleman for his contribution, for pointing out that today we live in a society and in a culture where there is too much evidence of blood and violence, and that there are protests; that those who suffer from one of the great diseases of the day, one that we still do not know how to control, AIDS, those who are suffering from HIV virus are protesting the fact that they find themselves in this kind of a milieu in our world.

I think we have to recognize they have a right to protest. We may not agree with them and we may not agree with the form it takes, but protest is the right of every American.

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

□ 1150

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. PACKARD], one of the excellent members of our subcommittee.

Mr. PACKARD. Mr. Chairman, I rise in support of the fiscal 1995 Interior funding bill. It signals a commitment to preserving both our natural and fiscal resources.

As we take up the Interior appropriations bill, I would like to take this opportunity to thank Subcommittee Chairman YATES and Ranking Member RALPH REGULA for their leadership on this legislation. As a member of the subcommittee I have certainly appreciated all of the hard work they and

their staffs have put into this bill. Their insight and tough scrutiny of Interior project funding requests indicates their commitment to fiscal responsibility.

While this year's budgetary constraints prompted a strict review of the entire bill, I am extremely pleased that my colleagues shared my view that the southern California programs funded in the bill are important investments for the entire Nation.

I especially appreciate the consideration of southern California's needs with the inclusion of what amounts to \$3 million for the national communities conservation plan. Money is slated for the State of California, San Diego, Orange and Riverside Counties. I also commend the inclusion of funding for an innovative project like the national fish and wildlife foundation's land acquisition program in San Diego, CA. The \$1 million provided in this bill will be matched by private donations, for a total of \$2 million, in a cost effective partnership between Government and private efforts. Programs like these are vital for the enhancement of our resource conservation efforts.

The Department of the Interior, charged with the preservation of our precious natural resources, naturally must include air quality improvement as part of their efforts. As a member, representing the southern California region, I have long championed the use of alternative fuels as a method of solving this region's air quality problems. For this reason, I applaud the inclusion of funds for the Department's innovative alternative fueled vehicles program. The Department is directed to consider Federal fleet purchases of all types of vehicles including alcohol, natural gas, propane, and electric vehicles. This measure also funds the Park Service's efforts to introduce electric and natural gas vehicles in both Yosemite National Park and the Grand Canyon.

In southern California, our water related resources are extremely precious. I am happy to see that the committee included funding for the bays and estuaries program in the southern California region. Residents of this region will continue to enjoy the benefits of the important program.

In addition, southern California's sharing a border with Mexico are uniquely impacted by the NAFTA agreement. For this reason increased funding for NAFTA-related law enforcement efforts will help to ensure that southern California's natural resources are not negatively impacted by the implementation of the trade agreement.

Our national parks represent this country's commitment to preserving our natural heritage for this and future generations. The inclusion of land acquisition and management funding for the San Bernardino National Forest

and the Cleveland National Forest is vital to the fulfillment of this goal. In particular, funding for Cleveland National Park will complete the acquisition of the beautiful Roberts Ranch area. Programs like these are vital for the enhancement of our resource conservation efforts.

However, I caution Members to remember that funding for national parks is scarce. As you continue to consider the Desert Protection Act, I urge you to keep in mind that these new parks designated in the bill will only siphon away scarce funds better spent maintaining existing monuments and parks. What good are national parks if they cannot be maintained at a level which makes them accessible.

Visitor centers are an important resource for the attending public and are part of what makes a park accessible to patrons. I wish to commend the committee's incorporation of funding for the planning of a visitor center for the Lassen Volcanic National Park. These funds will be matched by private donations and provided by the cooperation of public and private resources.

Furthermore, funding for the Quincy Library group demonstrates an important partnership between local and Federal agencies. This group is committed to finding consensus on issues surrounding forest health, the environment, and timber sales in local California communities affected by Federal regulation.

Finally, as a former dentist, I wish to recognize the inclusion of additional funds for Indian Health Service's Dental Service Program. This funding will help to pay for new and replacement dental units and services. Native Americans, served under this program, will benefit greatly.

The hard work of both full committee chairman, ranking members, and staff paves the way for meeting our Nation's interior needs.

I also support funding the bill for other California projects including land acquisition and management for the Big Sur/Los Padres National Forest, the Lake Tahoe Basin, North Fork American Wild and Scenic River, the Pacific Crest National Scenic Trail, Cache Creek, San Pedro National Park, Grasslands, the San Francisco Bay and Stone Lakes National Wildlife Refuges, Golden Gate, and for the Santa Monica mountains; the Stone Lakes National Wildlife Refuge Water Supply System; the replacement of Giant Forest Facilities and the general highway underground utilities in Sequoia National Park; and warehouse maintenance and electrical system rehabilitation in Yosemite National Park.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I rise in strong support of H.R. 4602, the fiscal year 1995 Interior appropriations bill. I

commend Chairman YATES and Mr. REGULA for their diligent efforts in creating a good bill under difficult budgetary circumstances.

Mr. Chairman, I would like to thank the Interior Subcommittee for addressing the needs of several important historic sites in the State of Georgia.

The committee has been kind enough to include funding to renovate facilities at the Kennesaw Mountain National Battlefield Park. These facilities have not been improved in almost three decades.

As the result of discussions between local nonprofit organizations, community leaders, and regional U.S. National Park Service officials, a plan to provide improvements to the facilities at Kennesaw Battlefield Park has been developed. Community groups have committed to contributing \$300,000 toward the total cost of this project.

Mr. Chairman, 130 years ago this week, the battlefield at Kennesaw Mountain was the site of important battle activity during General Sherman's Georgia campaign in 1864. On behalf of the citizens of Georgia's Seventh District, I thank the committee for its assistance in improving and preserving this important historic and cultural resource in Cobb County, GA.

Mr. Chairman, I would also like to thank the committee for its continuing assistance to other ongoing Georgia projects including, the protection of the Chickamauga and Chattanooga National Military Park, assistance in completing the National Prisoner of War Memorial facility at Andersonville, and development of the Pinhoti portion of the Appalachian Trail.

Mr. Chairman, I again commend the committee and urge support of the bill.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. MYERS], a member of the Committee on Appropriations.

Mr. MYERS of Indiana. Mr. Chairman, I thank my colleague for yielding me the time.

Mr. Chairman, I have been hearing from people in my congressional district about the proposed DOE rule on hot water heaters, outlawing the conventional resistance hot water heater and favoring only the heat pump water heater. A lot of my constituents are below the \$15,000 income. They have electric water heaters now, are not on gas lines, living in rural Indiana. I am sure that other Members of Congress have heard the same complaint. I see on page 97 of the report that the committee is aware of this potential rule and is going to be watching it.

Mr. Chairman, I hope that the committee will watch very closely and consider the number of people in the country that have water heaters now, the conventional electric water heater, resistance types, that would be outlawed and cannot afford the expensive hot water heater, or the heat pump water heater.

Mr. Chairman, I hope the committee will watch it very closely and make sure the DOE does the right thing.

Mr. REGULA. Mr. Chairman, if the gentleman will yield, we are very concerned and will try to protect this language.

Mr. MYERS of Indiana. I thank the gentleman.

Mr. YATES. Mr. Chairman, I yield the balance of my time to the gentleman from Washington [Mr. DICKS].

The CHAIRMAN. The gentleman from Washington [Mr. DICKS] is recognized for 1 minute.

Mr. DICKS. Mr. Chairman, I rise in strong support of H.R. 4602, the 1995 appropriations bill for the Department of the Interior and related agencies.

Mr. Chairman, I want to note that I have had the honor of serving for 18 years on this subcommittee. During that entire time, the gentleman from Illinois [Mr. YATES] has been the chairman of the subcommittee, has served there for 20 years and done an extraordinary job. I cannot think of a fairer, more evenhanded chairman than the gentleman from Illinois [Mr. YATES]. I want to compliment the gentleman from Ohio [Mr. REGULA], who has always been extraordinarily helpful and easy to work with.

Mr. Chairman, I would like to congratulate the chairman, Mr. YATES, and the ranking minority member, Mr. REGULA, for once again showing superb leadership in crafting this important appropriations bill for the Nation. The circumstances under which the subcommittee has developed the bill have been difficult, as we have had to cut \$230 million in budget authority from the administration's requested funding levels for programs under our jurisdiction in order to contribute to deficit reduction. I commend our chairman and ranking minority member for their evenhandedness in dealing with the constraints we have faced. Our bill reduces funding to the required BA and outlay levels, but does so in a manner that I believe is fair to all concerned.

I urge all Members to support the passage of this bill. H.R. 4602, the Interior appropriations bill, provides for multiuse management of our Federal lands—allowing for timber harvesting, recreation use, and wilderness designation. The bill ensures that there is adequate funding for the protection of endangered species and the surveying of vital habitat. It ensures the operation of our National Park System, supports the health, economic, and educational needs of native Americans, and invests resources to ensure that the United States stays ahead of the curve in investments in energy conservation. I am also proud that the Interior appropriations bill takes the lead in investing in our Nation's cultural institutions. This bill funds the National Endowment for the Arts, the National Endowment for the Humanities, the Kennedy Center, and the Smithsonian Institution.

As a Member from the Northwest, I have shared with my constituents a difficult and complex set of circumstances relative to the management of Federal forest lands. There is still a great deal to be done to help provide stability for workers, businesses, and communities that have been greatly impacted by the drastic reductions in timber harvest levels in the region. This bill will help. It includes critical funding to implement elements of the President's forest plan, which includes resources to move forward with economic assistance and regionwide watershed restoration activities. Judge Dwyer has lifted a long held court injunction on Federal lands, and now it is time to move things forward with new strategies such as adaptive management, and a greater reliance on ecological-sensitive silvicultural techniques such as salvage and thinning.

Again, I urge full support for the bill and its final passage.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Alaska [Mr. YOUNG], the ranking member of the authorizing committee, the Committee on Natural Resources.

Mr. YOUNG of Alaska. Mr. Chairman, I want to thank the gentleman from Ohio [Mr. REGULA] and the gentleman from Illinois [Mr. YATES] for their fine work.

Mr. Chairman, there is a good deal wrong with this bill. Specifically, it spends less money on the things important to me, and more money on things I do not think should be funded. Further, it causes all kinds of problems with job-creating industries in public land States. But, there are some good things the committee has done.

I was gravely concerned when the administration submitted its budget with a proposed \$300 million budget cut for the Indian Health Service for fiscal year 1995. This was a 50-percent cut in funding for health care for Indians and Alaska Natives, breaking a trust. After the President met with tribal leaders to smoke the peace pipe, they offered a small increase. The administration's proposed cuts affected new and replacement hospital projects currently under construction in Alaska. I would like to commend and thank Chairman YATES for his hard work and effort in reinstating critical and basic funding within the Indian Health Services' budget. Of utmost importance to my Alaska Native constituents is the completion of the Alaska Native Medical Center in Anchorage, AK. This statewide regional facility has needed replacement since the 1960's and I would like to thank Chairman YATES for reinstating the \$17 million to complete this important project.

In addition to the Alaska Native Medical Center, the Kotzebue hospital is in the final phase of completion. I, again, thank Chairman YATES and the committee for reinstating \$2,863,000 to

complete this facility. This much needed facility is currently undergoing construction during the short summer construction season of the far north and I appreciate the funding for this. The committee has also appropriated \$405,000 for operations of this new hospital and has also reinstated \$64,000 for completion of the Kotzebue staff headquarters in Kotzebue. This facility was also under construction when the administration cut this funding out of the Indian Health Service budget. Also appropriated for Kotzebue is \$933,000 for a dental clinic. This dental clinic serves native clients from throughout the Northwest Borough region and I thank the chairman for this funding.

Lastly, I appreciate the \$115,000 increase within the National Community Health Representatives Program. As you are aware, the Community Health Aide Program in Alaska is a vital and lifesaving program which serves my rural Alaska native constituents. The community health aides are the first to provide basic health and emergency care to all rural residents. I thank the members of the Appropriations Committee for the increase in this critical program.

With regard to the Bureau of Indian Affairs [BIA] budget, I want to thank the committee for again including language directing the BIA to require base funding for all self-governance programs. Last year, the BIA failed to provide full base funding to five of my southeast Alaska tribes and I thank the committee for their explicit language requiring full base funding for all self-governance programs.

I am also pleased that the committee chose to include an additional \$1,500,000 to restore the fish hatchery rehabilitation program to its 1994 level. As you are aware, last year, Alaska suffered one of its first and worst Chum Salmon fishery disaster on the Yukon and Kuskokwim Rivers and the Northwest region of my State. The bureau provided funding last year to begin addressing solutions to this disaster and I thank the chairman and committee for funding this program again this year.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Chairman, I thank the gentleman from Ohio for yielding me the time.

Mr. Chairman, I commend the Interior Subcommittee, and especially Chairman YATES and Mr. REGULA, for setting priorities and working within the constraints of our serious budget situation. I thank them for recognizing the national importance of Florida's natural resources, especially the troubled treasure of the Florida Everglades. Funding for our "river of grass" has been increased by nearly \$20 million in this bill—an investment in the long term health of this jewel that is well worth the expense.

In addition, with the strong support of the Florida delegation, this bill contains language continuing the prohibition on new leasing for offshore oil and gas rigs, and a moratorium on drilling in the waters surrounding the highly sensitive Florida Keys. By this action, we are protecting delicate environmental resources—resources that make up the backbone of Florida's economy. Of course, I wish we could avoid this annual stop-gap measure, by reaching consensus on a long-term energy strategy, and the role offshore oil and gas production will play. Toward this end my Florida colleague HARRY JOHNSTON and I have introduced H.R. 4312, which seeks to find a lasting balance between our energy priorities and environmental needs.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. GRAMS].

□ 1200

Mr. GRAMS. Mr. Chairman, one of the first and most important things children learn is to look both ways before they cross the street. It is good advice that Congress would be wise to accept and give when it passes legislation that impacts the viability of businesses and jobs.

Is it not interesting that before a builder can develop a tract of land the Environmental Protection Agency requires the submission of an environmental impact statement. This is the equivalent of "look before you cross."

But when it comes to legislation meant to protect the environment, rarely are cost-benefit or economic impact statements required; and even when they are required, they are typically ignored.

Looking after you cross the street is not too smart.

In 1988 Congress designated a 72-mile stretch of the Mississippi River as the Mississippi National River and Recreational Area, to foster an atmosphere that preserves the economic and social benefits this historic corridor provides.

The final plan was adopted last month and deserves praise, but it fails to answer all the concerns between environmental protection and jobs.

As it stands, the MNRRA plan calls for an economic impact statement to be conducted during implementation. That makes zero sense. Look before you cross.

Whether we are crossing the street or possibly hurting business and killing jobs we need to think before we act.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

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

Mr. Chairman, I would like to ask the chairman if he might be willing to engage in a colloquy with me, and to address the chairman, the gentleman

from Illinois [Mr. YATES], and the gentleman from Ohio [Mr. REGULA] with regard to a concern I have.

Mr. Chairman, I am very concerned that as resources become more scarce to fund our Nation's timber sale program that these resources may be inequitably distributed by the U.S. Forest Service between regions and forests. If this occurs, I am concerned that the timber sale programs for those forests which have cost effective and successful programs, such as the one in my district, may be negatively impacted—and there will not be the continuity or stability which is so critical to keeping these programs and their surrounding communities viable.

I would ask that for fiscal year 1995, the House Appropriations Committee closely oversee the distribution of appropriations funds between regions and within regions for the timber sale program to ensure that there is equity in the distribution of these very limited resources. In addition, I would ask that the House Appropriations Committee request that the Forest Service prepare a justification of how the funds specifically for the timber sale program will be distributed among all the regions.

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

Mr. CLINGER. I am happy to yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I understand the gentleman's concern with the possible negative impacts due to Forest Service decisions on the distribution of resources among the various Forest Service regions. While the gentleman has stated his concern with the timber program, the committee noted in its report a more general concern with the allocation of overall resources among the Forest Service regions, including, for example, recreation funding. We have asked the Forest Service to include in its budget request for fiscal year 1996 information describing the criteria used to allocate National Forest System funds among regions. I think the gentleman's concern can be addressed within the context of this information, which is more consistent with the Forest Service's move to ecosystem management, without placing the sole emphasis on one resource only, such as timber sales.

Mr. CLINGER. Mr. Chairman, I thank the chairman very much and appreciate your position and would be grateful for any assistance that you can provide. I thank the gentleman for all your work on this bill.

Mr. REGULA. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman and Members of the committee, the chairman has discussed the problem that arose in Minnesota with the Walker institution. I would simply point out that that was a decision that was made by the local community agency and not by the NEA, and I would like to quote from a letter

I received from Jane Alexander, the chairman of the NEA.

She says, and I quote:

I have been to 36 States so far and have seen the wonderful arts organizations the Endowment has made possible in areas of the United States from the most rural to the most dense inner city, organizations which build communities through the celebration of heritage or that address the needs of at-risk youth in after-school programs or that go into classrooms to teach music or painting. The National Endowment for the Arts is an unqualified success as an agency. For every dollar we award, we leverage \$11 to \$20 from other public and private sources in the community.

Then she closes in her letter with the statement,

I have devoted the first year of my chairmanship to turning around the reputation of the National Endowment for the Arts by engaging people all over the country in a dialog about all the very good projects that we support.

And so I think this is a point that the chairman is trying to make. I know that she is very concerned about what has happened in a few instances, but I do not think we should overlook the enormously productive work that is done by the NEA.

I know that we had testimony in the subcommittee from young people whose lives have been touched in a very, very positive way by their experience in neighborhood workshops where they have had an exposure to music that they might otherwise never have experienced, and in the process have become quite interested themselves. Several gave brief performances for the subcommittee, and it was extremely impressive.

I think those are some of the things that do not make the news but certainly are very constructive.

Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me say I rise generally in support of the bill. I think the committee has done an excellent job. I know how difficult it is to try to cover the needs that fall within this committee and this agency with the amount of money that is available.

I do want to comment, however, in general on a couple of things. One of them, of course, is the mining moratorium, and I just would comment a little bit on what might be termed by some as a little hyperbole in terms of mining, but more importantly, the system.

I guess it does distress me a little bit that we talk sometimes about the fact that there are 10 billion dollars' worth of gold nuggets lying out there on the ground and you simply pay \$800 or whatever it is and go out there and pick them up. That is not the case, of course.

In order to have something that is valuable out of that area, you have to invest \$1 billion. You have to create jobs for 30 years. You have to pay taxes. And you do some economic development kinds of things. So it is a little overstated to suggest that there are \$10 billion there. There are not \$10 billion there until somebody puts in the investment to be able to bring that product to a useful and valuable area.

But notwithstanding that, I do not disagree that there needs to be some change. As a matter of fact, the conference committee will begin today to talk about it. I do not know of any reason why it needs to be patented at all, quite frankly.

I am for some royalties. I think they are much too high in the House bill. But most of all, if we have a procedure here and we say there are authorizing committees and there are appropriating committees, then that is what we ought to do is we ought to authorize in one and appropriate in another.

It is pretty frustrating for those of us who are on the authorizing committee to go ahead and do it in the appropriating committees. I think that is wrong.

Let me shift just quickly to MMS, the Minerals Management Service. We talked about that at great length last year. We brought strong evidence to show the States do the very same thing, particularly in my State of Wyoming, and they collect the royalties. But they do it much cheaper. We need to change that.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS], a member of the subcommittee.

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

□ 1210

Mr. Chairman, I'd like to commend our subcommittee chairman, SIDNEY YATES, for his outstanding work on this bill. With issues ranging from natural resource management to the arts, Chairman YATES has applied his fair-minded direction to craft a bill that reflects hard choices made under tight budgetary constraints. I also want to recognize the exceptionally fine work of RALPH REGULA as our ranking Republican member.

This bill covers a lot of territory. It will result in the purchase and protection of wild lands, investments in energy conservation and efficiency research, more responsible land management, and much more. I am pleased that the fiscal year 1995 Interior appropriations bill includes several projects important to Colorado.

ENERGY CONSERVATION PROGRAMS

Happily the committee was able to increase funding for the Department of Energy's energy conservation programs by \$134 million over fiscal year 1994. A great deal of this work will be carried

out at the National Renewable Energy Laboratory [NREL] in Colorado. Money spent on energy conservation and efficiency research is an investment in our future. The development of greener and cleaner technologies will help us save money, reduce our dependence on foreign oil, and improve the environment.

COLORADO LAND ACQUISITION

The committee included \$7.9 million from the Land and Water Conservation Fund for land purchases in Colorado. This will ensure that some unique and precious areas of Colorado will be protected and preserved in their natural state for all to enjoy.

The land acquisitions include:

One and a half million dollars for East Portal tract, a 1,320-acre parcel of private land surrounded by the Arapaho-Roosevelt National Forest at the East Portal of the Moffat Tunnel. The area is an important hiking and skiing destination area in a roadless wilderness area.

Two million dollars for the Wilderness Protection Fund to purchase wilderness inholdings—privately-held lands in wilderness areas—in Colorado.

Two million dollars for Sangre/Kit Carson tract in the Rio Grande National Forest. This 8,500 acre tract is a well-known mountain climbing destination that's adjacent to recently designated wilderness.

Two million dollars to purchase 2,677 acres of the most spectacular scenery along the Unaweep/Tabeguache Scenic and Historic Byway. This land is a recreational area that also provides important winter range for big game, and peregrine falcon habitat.

Four hundred thousand dollars for acquisitions for Rocky Mountain National Park. Potential sites for acquisition include Circle C Church Ranch, a privately held tract that could be included in Rocky Mountain National Park, and "the Wedge", a private section of land adjoining the Kawuneeche Valley in the Arapaho National Forest.

FISH AND WILDLIFE LAW ENFORCEMENT

The committee secured second-year funding for a new Fish and Wildlife Service law enforcement program to combat illegal pollution that threatens wildlife. This program focuses particularly on unsafe cyanide leach mining operations and problems from other oil drilling and mining-related toxins.

The cyanide contamination from the Summitville mine was an ecological disaster that will end up costing taxpayers tens of millions of dollars. Beefing up law enforcement capabilities at Fish and Wildlife will help prevent future Summitvilles. The funds will be used to hire additional law enforcement agents for the Rocky Mountain area and to monitor, educate, and provide enforcement against the illegal use of a variety of contaminants that are killing migratory birds, eagles and endangered species.

ENDANGERED SPECIES RECOVERY

The bill includes \$1.3 million in funds for the Fish and Wildlife Service's endangered species recovery programs for the Platte River and Colorado River basins. Of that, \$500,000 will go for the Platte River Recovery Plan. This multi-State effort spearheaded by the Fish and Wildlife Service seeks to resolve conflicts between water development and fish and wildlife. The Fish and Wildlife Service will also receive \$624,000 for the Upper Colorado River endangered fish recovery program, and \$200,000 for the Upper Colorado River Basin recovery program.

FOREST SERVICE MANAGEMENT

Again this year, the committee directs the Forest Service to improve its management of the national forests in several respects.

The committee report on the bill requires the Forest Service to report to Congress on the extent of its authority for managing wilderness inholdings of subsurface mineral interests. The extent of the Forest Service's authority could have implications for wilderness lands throughout Colorado and the Nation. Clarification on this point is essential.

The committee also approved a directive that the Forest Service "avoid to the greatest extent possible entry into roadless areas" in selecting areas for timber harvests. Once roads are built in previously undeveloped areas, they destroy the wilderness value of lands, precluding later designation for wilderness protection. This is a modest effort to prevent unnecessary destruction of wilderness, and I hope the Forest Service will take a strong approach. My preference would be simply to eliminate new road construction in inventoried roadless areas of 5,000 acres or more.

Another provision in the committee report urges the Forest Service to give priority to completing its inventory of old-growth timber in the national forests and to exercise care to avoid including old-growth stands in areas put up for new timber sales.

The committee report also requests that the Forest Service report on the results of its inventory of wilderness inholdings, and it directs both the Forest Service and BLM to report on the status and funding requirements of its wild and scenic river studies and management plans.

ARTS, HUMANITIES, AND MUSEUMS

I am pleased with the committee's support for funding the National Endowment for the Arts [NEA], the National Endowment for the Humanities [NEH], and the Institute for Museum Sciences [IMS], which meets and, in the case of NEA exceeds, the administration's request. The arts and humanities are the exposition of the heart, soul, and mind of this society and of our wonderful mixture of different cultures. The modest expenditures we

make on the two endowments help to bridge the Nation's diversity and to identify shared values. NEA and NEH have made the arts and humanities more accessible to the American public, and they deserve our support.

Mr. SABO. Mr. Chairman, I rise today to voice my support for provisions of the fiscal year 1995 Interior appropriations report that are intended to strengthen our international efforts to protect endangered species. The illegal trade in endangered species is increasingly threatening tigers, rhinos, and other species, particularly in Asia. This initiative, which I offered in the Appropriations Committee, draws public attention to these conditions and creates a voluntary donation program associated with the endangered species exhibits at the National Zoo in Washington, DC. The U.S. Fish and Wildlife Service [USFWS] and the Smithsonian Institution would jointly sponsor this program.

The goal of the donation program is to supplement funding for USFWS education and law enforcement programs that combat poaching and trading of endangered species. The increasing demand for tiger and rhino parts to produce "traditional" medicines has placed terrific pressure on these species. Without improved efforts to protect them, tigers and rhinos will be faced with certain extinction.

With 3 million visitors each year, the National Zoo is a perfect environment to educate people about the plight of these endangered species. Although I sought an \$800,000 appropriation for additional Fish and Wildlife Service initiatives to halt illegal poaching and trading, budget constraints have prevented a direct appropriation for these efforts. As an alternative, this voluntary donation program will give zoo visitors an immediate avenue to help those species most at-risk. I believe zoo-goers will give graciously when they learn of the perilous circumstances of many wild animal populations.

If we are unable to halt illegal hunting and trade of these noble animals, they face ultimate extinction. Now is the time to act. I urge everyone who visits the zoo, young and old, to help save these species for future generations.

I thank the chairman of the House Interior Appropriations Subcommittee for his support for this initiative.

I would also like to include the March 28, 1994 Time magazine article "Tigers on the Brink" in the RECORD to further illustrate the urgent need for this effort.

TIGERS ON THE BRINK

(By Eugene Linden)

The great beast seems to materialize out of the dusk—a striped vision of might and mystery. Emerging from a thicket in southern India's Nagarhole National Park, the Bengal tigress is hungry and ready to begin another night's hunt. To nourish her 500-lb. body, she must kill a sambar deer, a boar or some other big animal every week of her adult life. Fortunately for her, Nature has given tigers the prowess to prey upon creatures far larger than the cats are. Her massive shoulders and forelimbs can grip and bring down a gaur, a wild, oxlike animal that may weigh more than a ton. Her powerful jaws and daggerlike teeth can rip the victim's throat or sever its spinal column, making quick work of the kill. But there will be

no killing at this moment. After padding along a park road for a mere 100 yds., the tigress abruptly melts into the brush—here one instant, gone the next. Watching her disappear, Indian biologist Ullas Karanth of New York's Wildlife Conservation Society, breaks into a knowing smile. "When you see a tiger," he muses, "it is always like a dream."

All too soon, dreams may be the only place where tigers roam freely. Already the Nagarahole tigress is not free. If she hunts during the day, she may run into a carload of tourists, cameras clicking. At night, it may be poachers, guns blazing. Once the rulers of their forest home, she and the park's 50 other tigers are now prisoners of human intruders. More than 6,000 Indians live inside the 250-sq.-mi. refuge. And crowning the borders are 250 villages teeming with tens of thousands more people who covet not only the animals that the cats need for food but also the tigers. Their pelts and body parts fetch princely prices on the black market. Were it not for the 250 guards on patrol to protect Nagarahole's tigers, none of them would survive.

Sadly, this precarious life is as good as it gets for tigers today. Outside protected areas, Asia's giant cats are a vanishing breed, disappearing faster than any other large mammal with the possible exception of the rhinoceros. Even inside the parks, the tigers are succumbing to poaching and the relentless pressure of human population growth. No more than 5,000 to 7,500 of the majestic carnivores remain on the planet—a population decline of roughly 95% in this century. Unless something dramatic is done to reverse the trend, tigers will be seen only in captivity, prowling in zoos or performing in circuses. The wild tigers of old will be gone forever, their glory surviving merely in storybooks, on film—and in dreams.

Preventing such a tragedy is supposed to be the main goal of the governing body of CITES, the Convention on International Trade in Endangered Species, which is meeting in Geneva this week. These biannual sessions usually come and go without attracting much attention, but the plight of the tiger has put a spotlight on the delegates this time around. Last September CITES warned China and Taiwan, two countries where the illicit trade in tiger and rhino parts is prevalent, to take steps to shut down their black markets or face possible trade sanctions. Both nations claim to have curbed the illegal commerce, but environmentalists have gathered evidence to the contrary. Now everyone who is worried about wildlife focuses on one question: Will the nations of CITES follow through on their threat against China and Taiwan?

Whatever the outcome, it may be too late to save the tigers. They once rambled across most of Asia, from Siberia in the north to Indonesia in the south to Turkey in the west. Now they are confined to small, shrinking pockets in their forest habitat. The Caspian subspecies became extinct more than a decade ago. So did the Balinese and Javan cats. The survivors are impossible to count with any precision, but fewer than 650 Sumatran tigers remain and maybe 200 of Siberia's Amur, the world's largest cat. China has a few dozen left, and these isolated individuals will soon die out.

India, with an estimated 60% of the world's tigers, perhaps as many as 3,750, is determined to protect them. But the country's ambitious system of 21 reserves has proved increasingly susceptible to human predators. Over the past five years, the park's tiger

populations have dropped 35% on average. In one notorious killing spree between 1989 and 1992, Ranthambore National Park in Rajasthan lost 18 tigers to poachers, even though 60 guards were patrolling the forest.

Ironically, what makes the tiger so vulnerable to humans is its unshakable grip on the human imagination. For millenniums, tigers have prowled the minds of mankind as surely as they have trod the steppes and forests of Asia. On the banks of Amur River in Russia, archaeologists discovered 6,000-year-old depictions of tigers carved by the Goldis people, who revered the tiger as an ancestor and as god of the wild regions. In Hindu mythology the goddess Durga rides the tiger. And Chang Tao-ling, a patriarch of the Chinese philosophy of Taoism, also mounts a big cat in his quest to fight evil and seek the essence of life. In the English-speaking world nearly every schoolchild who has ever studied poetry is familiar with William Blake's attempt to frame with words the tiger's "fearful symmetry." India's Valmik Thapar, a student of tiger lore, says British and Dutch colonists sometimes killed the beasts in Indonesia and China as a way of asserting their supremacy over local deities.

Now more than ever the tiger's mystique is its ticket to the boneyard. If Asian cultures no longer revere the tiger as a god, many still believe that the animal is the source of healing power. Shamans and practitioners of traditional medicine, especially the Chinese, value almost every part of the cat. They believe that tiger-bone potions cure rheumatism and enhance longevity. Whiskers are thought to contain potent poisons or provide strength; pills made from the eyes purportedly calm convulsions. Affluent Taiwanese with flagging libidos pay as much as \$320 for a bowl of tiger-penis soup, thinking the soup will make them like tigers, which can copulate several times an hour when females are in heat.

A beautiful tiger skin may bring its seller as much as \$15,000, but the bones and other body parts generate even more money, and they are much easier to smuggle and peddle. As incomes rise in Asia, people can afford to pay tens or hundreds of dollars for a dose of tiger-based medicine. And as the destruction of tigers decreases supply, the price of their parts rises further, creating ever greater incentive for poachers to kill the remaining animals.

The forces driving the black market are so strong that nothing—not public opinion, not political pressure, not the power of police—has halted the tiger's slide toward extinction. Can international trade sanctions against Asian nations succeed where all else has failed? There is no guarantee. The tiger's plight reveals the limits of conservation efforts and raises disturbing questions about humanity's ability to share the planet with other animals. Says Elinor Constable, an Assistant Secretary of State who leads U.S. diplomatic efforts to help the tiger: "If the concerted efforts of the world cannot save the tiger, what will that say about our ability to deal with more complex environmental problems?"

Only a few years ago, the tiger was considered a conservation success story. Centuries of legal tiger hunting and forest destruction had raised the specter of extinction, but in 1972 governments rallied to rescue the cats. Taking up the issue as a personal cause, Indian Prime Minister Indira Gandhi launched Project Tiger, which established the country's network of reserves. Western nations joined with several Asian countries to ban hunting and the trade in skins. By 1980 popu-

lations on the subcontinent had recovered to the point where B.R. Koppikar, then director of Project Tiger, could boast to the *New York Times*, "You can say that there is now no danger of extinction of the tiger in India."

The conservation community so desperately wanted to believe in the success story that it ignored signs that all was not well. No government program could stop encroachment on tiger habitat as human numbers kept increasing; India alone has grown by 300 million people since the last tiger crisis. Moreover, many of the animals counted in Indian censuses turned out to exist only in the imaginations of bureaucrats who wanted to show their bosses that they were doing a good job of saving the tiger. Most significant, the tiger's defenders failed to pay enough attention to the growing market for its parts.

The market was always there, but in the 1980s it posed little threat to most tiger populations. In previous years China had slaughtered thousands of its tigers, claiming the animal was a pest that endangered humans. The massacre created a temporary glut of tiger bone—more than enough to satisfy the traditional medicine market. Looking back on what happened next, Peter Jackson, chairman of the cat-specialist group at IUCN, the International Union for the Conservation of Nature, in Geneva, says ruefully, "We should have seen this coming." Only in the late 1980s, he notes, after the Chinese had exhausted their bone stockpiles, did conservationists begin to notice unusual trends in poaching.

Brijendra Singh, a member of India's Tiger Crisis Committee, recalls hearing the first reports in 1986 of poachers being apprehended with bags of tiger bones. Intrigued, Singh and other officials at Corbett National Park set out to exhume tiger carcasses that had been buried in previous years. The workers discovered that the skeletons had already been removed. Soon reports of poaching for tiger bones began to flood in from all over India.

Only last year, however, did officials realize the scale of the slaughter. A sting operation organized by TRAFFIC, an organization that monitors the wildlife trade for the World Wildlife Fund, uncovered a vast poaching network. In one bust last August, New Delhi police found 850 lbs. of tiger bone (equivalent to 42 tigers) and eight pelts. Sansar Chand, a dealer who surrendered last December, has nearly two dozen wildlife cases pending against him. Given the ease with which traffickers can manipulate India's glacial judicial system—where cases can drag on for decades—arrest is often only an inconvenience.

For all the tiger's power, it can be an easy animal to kill. Many cats in the Ranthambore park have died from poison that villagers sprinkled on animals that the tigers had killed and temporarily left on the ground. Other cats have fallen victim to the hunters of the Mogliya tribes, who pack high-powered rifles and shotguns. Middlemen pay them \$100 to \$300 per animal (a huge amount in an area where an average wage is \$1 a day).

Once killed, many tigers join the corpses of leopards, jackals and other animals in a grotesque procession by cart and truck that leads ultimately to a series of tenements along a narrow, filthy alley in Delhi's Sadar Bazaar. In one cluster of squalid apartments, the TRAFFIC sting operation discovered more than a dozen families engaged in the illicit wildlife trade. There the once magnificent animals are skinned, their prized parts

dried and packaged, and their bones cleaned and bleached. The skins travel west, often ending up in the homes of wealthy Arabs, while the bones make their way to the east, frequently on the backs of Tibetans who ferry the contraband across mountainous sparsely populated terrain to the Chinese border.

Indian conservationists have watched with dismay as this new round of poaching unravels the work of decades Sanjoy Debroy, a career wildlife officer, says that when he revisits a tiger reserve in Assam that he directed for a dozen years, the demoralized staff members can't talk to him without weeping. Their tigers are hunted by members of the Boro tribe, who are staging a rebellion against the government. They trade tiger parts for guns and ammunition to carry on their insurgency. The park had an estimated 90 tigers, but Debroy has heard that between 30 and 40 were killed in just four months. "I thought I had done something to restore the tiger," says Debroy, "but now I feel miserable as I watch my life's work go down the drain."

As bad as the situation is in India, it is far worse in eastern Russia's taiga. The Amur tiger that inhabits this 800-mile-long stretch of evergreen forest nearly disappeared once before—during the 1930s, when communist big shots would bag eight or 10 of the cats during a single hunt. But the state exercised iron control over the region, and when it decided to protect the tigers, their population recovered from roughly 30 to as many as 400 during the mid-1980s. Unfortunately for the Amur, tiger-bone prices began surging in the early 1990s, just when the fall of the Soviet Union led to a breakdown of law and order in the taiga.

The subsequent economic chaos has left the local wildlife departments broke and officials susceptible to bribes. Amid this collapse of enforcement, "the poacher owns the taiga," says Steven Galster, who monitors conservation efforts from Vladivostok for Britain's Tiger Trust. Not content with staking out areas frequented by the cats, some hunters stalk the Amur tiger on horseback with the help of dogs.

The losses have been staggering. Last winter, Russian officials estimated that between 80 and 96 tigers were killed, and the poaching continues unabated this year. A new study of tiger-population dynamics led by biologist John Kenney of the University of Minnesota suggests that even moderate poaching makes extinction a virtual certainty once a tiger census drops below 120. Unless the Russian government controls hunting, the Amur tiger will cross that threshold within two or three years.

Market demand drives poaching, and activists such as Sam LaBudde of the Earth Island Institute in San Francisco argue that the current crisis exposes the shortcomings of old-line conservation efforts. "The failure to address market demand means that tens of millions of dollars invested in past efforts to save the tiger have amounted to little more than a colossal subsidy for the Chinese traditional-medicine market," says LaBudde. Others point out that environmental groups have in fact achieved notable successes by attacking demand. Pressure on the fashion industry in the West, for instance, helped halt precipitous declines in spotted-cat populations during the 1970s, and international condemnation of ivory-consuming nations has granted the elephant at least a temporary reprieve.

Demand for tiger bone, however, originates in China, Korea and Taiwan, largely beyond

the reach of Western publicity campaigns. Moreover, tiger-bone remedies are so ingrained in these cultures that it is not certain their governments could control the trade in tiger parts. Whether they have the will to try is even more open to question. All three countries have a well-documented history of paying lip service to agreements protecting endangered species while continuing to do business as usual.

Korea openly imported tiger parts until July 1993, and its customs statistics offer rare insight into the size of the market. An analysis by Traffic International revealed that Korea was importing from 52 to 96 dead tigers a year between 1988 and 1992, even as cat populations were plunging around the world. Imports rose in 1990 and 1991, suggesting that bone dealers were stockpiling parts in anticipation of the trade being shut down. Indeed, fearful of international sanctions, Korea finally joined Cites last year and banned tiger imports. But the country has failed to enforce new laws designed to halt the internal trade in tiger parts.

Taiwan and China have ostensibly accepted Cites' rules for years, but that hasn't helped the tiger. China halted the state-sponsored production of tiger-bone remedies only in mid-1993. Taiwan has announced a series of measures over the past 15 years banning the use of tiger bone and other products from endangered species, but the actions were annoyances to the dealers rather than serious blows to their business.

In 1989 the London-based Environmental Investigation Agency called on nations to impose sanctions against Taiwan for failing to halt illicit trade in endangered species. EIA investigators offered evidence of the open sale of tiger parts, including skins, and a host of other banned animal products. Since then, illegal wares have disappeared from display shelves, but subsequent investigations by several environmental groups suggest that potions made from tigers, rhinos and other endangered species are still readily available. As recently as this February, an undercover probe sponsored by Earth Trust in four Taiwanese cities found that 13 of 21 pharmacies visited offered tiger-bone medicines.

Renowned biologist George Schaller of New York's Wildlife Conservation Society warns that if the tiger-bone trade is allowed to continue, it will threaten all large cats. Traditional medicine makers also use bones from other endangered felines, such as the snow leopard and golden cat. "If the price keeps going up, the search for bone will start affecting cats in Africa," says Schaller.

The situation is almost a replay of the battle between environmentalists and Asian nations over the ivory trade, which led to rampant poaching of African elephants during the late 1980s. Fearful that the promises made about tiger parts were as empty as the one made about ivory, 86 organizations, led by the Earth Island Institute (EIA) and Britain's Tiger Trust, took their case against China and Taiwan to the government committee of CITES in March 1993. The committee gave the two countries six months to start cracking down on the trade in tiger parts and rhino horn. The deadline had little effect: at a meeting in Brussels last September, CITES declared the measures taken by China and Taiwan to be inadequate and set the stage for trade sanctions to be imposed.

Alarmed at that prospect, the two offending nations have since announced still more steps to curb the tiger-part trade, but they have yet to satisfy their critics. Chinese authorities say that they have assigned 40,000

people to enforce laws aimed at the black market and that more than 1,000 lbs. of confiscated tiger bone have been burned. Conservationists don't trust either claim. China has considered raising tigers in captivity to supply the traditional-medicine market, but that may only legitimize a nasty business. Poachers could pass off the tigers they kill as "captive bred."

The Taiwanese government has trumpeted the creation of a task force on endangered species within the national police. It remains unclear, however, whether the unit has been staffed or even has a budget. Taiwan officials have variously said the unit will have 300, 45 and six officers. So far, the Taiwanese have not made a single arrest, and response to a government call for people to come forward and register tiger parts and rhino horn has been embarrassingly small. Allan Thorton of the EIA says past efforts to enforce the law consisted of uniformed police asking pharmacies whether they had tiger bone—something like having cops ask drug dealers whether they are carrying heroin.

Taiwan defends itself vigorously. Ling Shiang-nung, vice chairman of the Council of Agriculture, questions both the sincerity and accuracy of international environmental groups that argue that tiger parts are still widely available. "We feel so disappointed that we are doing so much and getting so little credit for it," says Ling. Ginette Henley of traffic usa admits that the Taiwanese have taken steps but fears that Taiwan and China will do just enough to stave off sanctions and then allow the markets to resume business.

The issue will come to a head at this week's CITES meeting in Geneva, as delegates debate whether enough has been done in recent months to slow the tiger trade. Since CITES has no enforcement powers of its own, only individual member nations can make the decision to impose trade sanctions. A key player to watch is the U.S., largely because of the strong stand taken by Interior Secretary Bruce Babbitt. An ardent environmentalist, he attended the Brussels meeting in September and played a major role in the effort to put pressure on China and Taiwan.

In particular, Babbitt announced a determination by the Clinton Administration that these countries were in violation of the so-called Pelly amendment, a once obscure section of the U.S. Fishermen's Protective Act that has the potential to become the world's most powerful piece of environmental legislation. It authorizes the use of trade sanctions against nations whose actions hurt endangered species. Just the threat of Pelly penalties a few years ago caused Japan to reduce the use of drift nets by its fishing boats and prompted Korea to join CITES.

This time the Clinton Administration in effect told China and Taiwan to clean up their act or face sanctions, and a March deadline was set. On the eve of the Geneva sessions, Babbitt remained firm. "All the CITES members will be taking signals from this meeting," said the Interior Secretary. "There may not be another chance to save the tiger."

According to Administration sources, the U.S. will encourage delegates to renew their September call to action. This would provide President Clinton with the diplomatic cover for imposing sanctions. Before he takes that step, though, Clinton advisers expect to encounter opposition from within the Administration, as concern for the tiger collides with a host of other issues that entangle the U.S., China and Taiwan.

For instance, having chosen not to impose sanctions on China for its persistent violations of human rights, ranging from its

treatment of Tibet to the torture and imprisonment of political dissidents, the Administration may find it hard to explain why it is acting now because of environmental wrongs. And at a time when the U.S. is trying to lower trade barriers, some members of the Administration argue that punitive sanctions against China or Taiwan will send the wrong message about U.S. commitment to free trade. A State Department official suggests that it's too soon for the U.S. to play its last card. "Once you impose sanctions," he asks, "what do you do then?"

Environmentalists respond that if the U.S. fails to act, the tiger will almost surely disappear in the wild. Noting that Taiwan and China have "been tried and convicted by CITES and the U.S.," Earth Island's LaBudde says, "A judgment of guilty with no penalty imposed hardly represents any deterrent." Thornton of the EIA agrees: "It is time for us to make it plain that we are not going to stand by and watch the last tiger disappear."

But the remedy is not that simple. Even if international pressure eliminated poaching, the tiger would still be in trouble. Its habitat is shrinking, and its food supply is dwindling as the territory claimed by humans inexorably expands. Can people be comfortable living in close proximity to hungry predators who on occasion eat humans? Says Geoffrey Ward, author of *The Tiger Wallahs*: "Poaching is murder, but crowding is slow strangulation."

Given the pressures on habitat, some zoologists maintain that captive breeding of tigers and their eventual reintroduction into the wild should be pursued as a way to keep the species alive. Schaller and many other conservationists dismiss this approach as both inefficient and unrealistic. Tigers learn from their mothers subtle details about hunting that would be difficult for human mentors to teach. And once tigers have disappeared from an area, Schaller notes, it becomes extremely difficult to convince villagers that they should welcome the animals back. "It would cost millions to breed and reintroduce tigers," says the biologist. "If Asian nations want tigers, they can have them far more cheaply by protecting the remaining wild tigers."

Oddly, the Siberian tiger—a critically endangered subspecies—may have the best chance of survival, but only if poaching is controlled. "The Amur tiger has 800 miles of unbroken habitat to move through," says Howard Quigley, who is co-director of the Siberian Tiger Project, a Russian-American conservation effort, "but unless poaching is stopped, there will be no tigers to move through it." The Tiger Trust and the World Wildlife Fund offered vehicles, training and supplemental pay for Russian wildlife rangers, but the killing of tigers continued as those proposals languished for months on the desks of bureaucrats in Moscow. Only last week did the first, unarmed patrol go out.

For the majority of tigers, India is where the battle for survival will be won or lost. It is not the best place to make a stand, given the extreme pressures of human population growth. Says Kamal Nath, the country's Environment Minister: "The threat to the tiger has never been so strong or so real." On the other hand, India has invested \$30 million during the 20 years of Project Tiger and has a culture in which many people still genuinely respect nature. Here is where the world will see if humans and tigers can live side by side.

The two species have coexisted for hundreds of thousands of years. Up until now,

the big cat has always been extraordinarily adaptable and resilient. "All a tiger needs," says Schaller, "is a little bit of cover, some water and some prey." But the tiger has finally run afoul of mankind, an evolutionary classmate that has proved to be even more resourceful killer. "What will it say about the human race if we let the tiger go extinct?" asks TRAFFIC's Ashok Kumar. "What can we save? Can we save ourselves?"

A SHOTGUN, A PROMISE OF \$5 AND A SKINNED CAT

The tiger hunter of yore was a maharajah or British aristocrat who would take potshots at roaring beasts while perched atop an elephant. Celebrated in prints and woodcuts, this blood sport looked manly but carried with it about as much risk as watching a professional football game from a skybox, since the cats wouldn't attack an elephant. Today the typical tiger killer is more like an Indian man named Raju: a diminutive, ragged farmer who does not even own a gun. Nonetheless, as a member of the Jenu Kuruba tribe, Raju knows how to hunt the big cats. In 1993 he downed a tiger in Nagarhole ark with a borrowed shotgun.

The gun's owner, a local landlord named Mahadeswara, had hired Raju to poach deer and other game favored in local feasts. Gun owners often hire tribesmen as shooters because of their knowledge of the forest. One evening last spring, Raju, the landlord and two other poachers hid near a water hole. At dusk a tiger approached within a few yards. Raju claims he was reluctant to shoot it, but the landlord insisted. He promised, but never delivered, payment of 110 lbs. of millet—worth \$5.

Using a shotgun shell loaded with six slugs, Raju fired. So well hidden were the hunters, Raju says, that he had no fear of the tiger's turning on them if the shot missed. It did not; it hit the animal under its shoulder. Mortally wounded, the great cat tried to run but, after 20 yds., collapsed. The poachers skinned it on the spot.

As news of the tiger kill spread through nearby villages, informants quickly led police to Raju. Mahadeswara hid but was arrested two months later. While Indian justice guarantees neither swift nor sure punishment, tiger specialist Ullas Karanth believes the shame and inconvenience of interminable court proceedings deter villagers, who lack the resources of wildlife traders. Raju says he regrets what he did and hopes to assist with antipoaching patrols.

Unfortunately, tens of thousands of people like Raju live within five miles of the park and its riches. Residing in a relatively prosperous agricultural region, Raju is far better off than India's desperate poor. Even so, temptation led him to supplement his income by poaching other animals for years before he shot the tiger. Says C. Srinivasan, Nagarhole's deputy wildlife warden: "It's like trench warfare. We can never relax."

Mr. VENTO. Mr. Chairman, H.R. 4602 contains funding for the Pennsylvania Avenue Development Corporation [PADC], which is not authorized in fiscal year 1995 and at the appropriate point I will offer a point of order to strike it from the bill.

Mr. Chairman, Congress has repeatedly requested that PADC submit a plan for a successor entity, but PADC has never submitted one. The PADC Organic Act contains a provision calling for the ultimate sunset of PADC, and directs the corporation to present a plan for a successor entity to carry out ongoing responsibilities.

In 1991, PADC was authorized for only 1 year, instead of the 3 requested, and the Natural Resources Committee stated in its report that the reason for this was to provide the committee with the chance to review a successor entity plan in the next year.

The next year, PADC once again requested a 3-year extension of its authorization, but did not provide the requested successor plan. Congress approved an additional 2-year authorization, noting that the administration needed more time to prepare the successor entity plan.

That was almost exactly 2 years ago. Now, PADC is once again requesting a reauthorization for 3 years, but does not have an authorizing proposal and plan for a successor entity ready to present to Congress. PADC states that OMB has been reviewing the proposal for over a year and is not able to share with Congress the details of that proposal. This explanation is ludicrous and not responsible or responsive to the law, policy or the good faith effort of the Natural Resources Committee and Congress. Three years and no plan; the Congress should recognize foot dragging when it occurs.

Furthermore, PADC has already completed all the development work that it can realistically complete. All but three parcels identified in the master plan are completed. Of these, only one is on Pennsylvania Avenue itself. There are no immediate prospects for developing these parcels: The one on Pennsylvania Avenue is the one least likely to be developed in the near future.

PADC's work on the new Federal office building at Federal Triangle, the International Trade Center, can be absorbed by a successor entity and financed by the General Services Administration. There is no reason why funds from the natural resources area of the budget should go toward the construction of a large new Federal office complex, when that is the responsibility of the General Services Administration.

Because of PADC's lack of authorization, I will be raising a point of order on the Interior appropriation bill. In addition, I plan to introduce soon legislation to create a successor entity and dissolve the Pennsylvania Avenue Development Corporation.

Mr. HUGHES. Mr. Chairman, I rise in support of H.R. 4602, which provides appropriations for the Department of the Interior and Related agencies.

This legislation provides important funding for the Fish and Wildlife Service, the National Park Service, the Smithsonian Institute, and other programs that are necessary to conserving and fostering our natural and cultural resources.

In particular, the funding that the bill provides to the U.S. Fish and Wildlife Service will have a special impact in the State of New Jersey. This money is crucial to New Jersey's efforts to protect and preserve important habitat in one of the fastest growing States in the Nation.

Mr. Chairman, I am especially pleased that this legislation provides funding to the Fish and Wildlife Service for a very significant land acquisition project in New Jersey at the Cape May National Wildlife Refuge.

The Cape May National Wildlife Refuge was officially established in May of 1989 and covers 15,500 acres of coastal and freshwater

wetlands in two sections, the Delaware Bay division and the Great Cedar Swamp. Together these divisions encompass some 15,500 acres.

H.R. 4602 contains \$1 million that will enable the Fish and Wildlife Service to continue acquisition at the Cape May refuge. These funds will help the Service follow through with some of the options and negotiations now in progress, and keep alive the movement to protect south Jersey's natural resources. The wetlands included in the refuge are vitally important to Cape May County for Aquifer recharge, flood storage, and shore stabilization.

There is a compelling need to preserve this land that is situated so precariously in the Midst of one of the most heavily developed States in the Union. The Cape May National Wildlife Refuge is an essential element in our national program to protect and preserve our natural resources.

Cape May's wetlands are key to the survival of record-breaking concentrations of migrating and wintering shorebirds, raptors, waterfowl, gamebirds and songbirds. The Delaware Bay is the second largest resting area for shorebirds in the world, including the entire North American population of red knots, and over 50 percent of the North American ruddy turnstones and sanderlings.

The Cape May Peninsula is host to the second largest number of migratory birds of prey in the Union, including northern harrier, osprey, peregrine falcon, merlin, American Kestrel, sharp-shinned, Cooper's, and red-shouldered hawk, in addition to hundreds of American bald eagles each year. Additionally, some 34 percent of the Atlantic flyway's black duck population, unusual concentrations of gamebirds, and overwhelming numbers of songbirds overwinter or temporarily rest from their migration in the Cape May wetlands.

These wetlands, along with adjacent uplands, also host an unusually high number of globally threatened and endangered plant and animal species, including one listed and two candidates for listing on the Federal endangered species list. Finally, the Delaware Bay's marshes comprise one of the largest remaining wetland complexes on the Atlantic coast. Indeed, the greatest concern for all these species is loss of habitat.

In addition to the importance of the Cape May Peninsula for its diversity of fish, wildlife, and plant resources. Its wetlands serve a variety of hydrological functions such as flood storage, groundwater discharge and recharge, water quality protection, and shoreline stabilization.

The funding for the Cape May refuge, as well as the \$355,000 including for protection of the Delaware Bay estuary, will provide a needed boost to critical conservation efforts in my district.

I would like to thank the chairman and ranking Republican of the Appropriations Committee and the chairman and ranking member of the Interior Subcommittee. I would especially like to praise the fine work of Chairman YATES, as well as Mr. REGULA, the ranking Republican member of that panel. They have, as usual, done an excellent job in crafting this bill as a whole. Chairman YATES and Mr. REGULA have been particularly sensitive to the need to protect natural resources in the face of in-

creasing developmental pressures in New Jersey—the most urbanized and densely populated State in the Nation, and I appreciate their support.

Mr. Chairman, despite these austere times and the necessary budget cuts, I believe that this bill reflects Congress' commitment to the preservation and protection of our natural and cultural resources. This is a rational bill and I urge my colleagues' support for its passage.

Ms. FURSE. Mr. Chairman, I rise today in support of H.R. 4602, Interior appropriations for fiscal year 1995. I believe Chairman YATES and all the members of the subcommittee deserve credit for their work on this legislation, and moving it so expeditiously in the House. It contains funding for a number of vital programs in our Nation.

I want to call attention to a provision in this bill regarding diabetes. Diabetes is a serious health problem in America, afflicting nearly 14 million Americans. Diabetes has serious, sometimes life threatening complications such as lower extremity amputations, kidney and heart disease, blindness, and nerve damage. The sad truth is that a majority of these complications are completely avoidable with currently available medical care. I was pleased last year to support expansion of the Centers for Disease Control's Office of Diabetes Translation, an increase of \$10 million, to help address this situation. I am supportive of a similar increase this year.

Today, the bill before us gives a significant boost to problems we face with diabetes and native Americans. The situation with diabetes is particularly acute for our Nation's native American population. Diabetes is one of the leading causes of sickness and death among native Americans, and the rate of diabetes mortality in native Americans is nearly 300 percent higher than the U.S. average. In fact, some tribes have diabetes rates near 35 percent.

Currently, the Indian Health Service [IHS] Diabetes Program provides comprehensive diabetes prevention and control services to native American communities. Reservation-based interventions, which detect diabetes-related complications before they become life-threatening, are a primary component of the program. Reaching out with prevention and control strategies to prevent costly complications is not only the humane thing to do, it saves millions of health care dollars in the long-run.

The IHS Diabetes Program, while authorized at level of \$65 million, operated last year on a funding level of \$7 million. Currently, only 17 of the 140 authorized reservation-based model diabetes programs have the necessary funds to operate. Despite increasing needs, this cost-effective program has not received an increase in funding for the last 3 years.

Earlier this year, I authored a letter—signed by 20 of my colleagues here in the House—requesting an increase in funding for the IHS Diabetes Program. I am pleased to say that H.R. 4506 includes an increase of \$1.5 million for the IHS Diabetes Program. These funds will allow the IHS to set up three additional programs on reservations in America to help diagnose and control diabetes, preventing costly complications and human suffering. I realize that this action comes at a time when our

resources are stretched to the limit, and it is gratifying to know that the subcommittee felt that this increase was a wise investment in the health of our native Americans.

I thank Chairman YATES and the entire subcommittee for their commitment to improving the quality of life for all Americans, and their hard work on this important legislation. I urge all my colleagues to support H.R. 4602.

Mr. McDADE. Mr. Chairman, I rise today in support of H.R. 4602, the fiscal year 1995 appropriations bill for the Department of Interior and Related Agencies.

The chairman and ranking Republican on the subcommittee SID YATES and RALPH REGULA, are to be commended for putting together a fair and responsible bill under very tight spending caps.

It is no easy assignment to meet our deficit-cutting obligations at a time when the need for the important programs financed by the bill is greater than ever. Our duty to provide for the responsible stewardship of our public lands has not been diminished as the need to cut the deficit grows.

The subcommittee skillfully managed this delicate balancing act between the need to cut spending and the need to adequately provide for our natural resource agencies. H.R. 4602 is under the 602-B allocation in budget authority and outlays. The bill comes in at \$194.5 million under the fiscal year 1994 level and \$230.4 million under the President's request. At the same time, H.R. 4602 meets our commitment to the environment, reflects the priorities of the House, and responds to the changing needs in this country.

The bill provides \$13.19 billion in budget authority to fund the Department of Interior, the Forest Service, Indian education and health, conservation and research programs of the Energy Department, and a number of arts and cultural programs.

Given the budget limitations, the committee was still able to fund a number of high-level initiatives. The ecological significance of the Everglades is recognized with the provision of funds to the National Park Service and four other Federal agencies. The bill also provides funding for the Northwest forest plan, another multiagency effort led by the Forest Service.

Much-needed increases have also been provided for operations in the natural resources agencies funded in the bill. In a matter which has been subject to past controversy, the biological survey receives level funding of \$167.2 million. The committee is sensitive to the concerns of private property owners. Bill language was added in full committee to prohibit survey personnel from entering private lands without the written permission of the owner. The report includes language to ensure the objectivity and expertise of volunteers and provides assurances that the information the NBS collects on private property is readily available to landowners.

Total spending for Department of Energy functions covered under the bill is decreased by \$106 million from the fiscal year 1994 level and \$179 million from the President's proposal. Energy conservation received a \$134.2 million increase, a 19.4 percent hike from the fiscal year 1994 level. The \$824.5 million in the bill for conservation, however, is \$152.2 million, or 15.6 percent, less than the President's request. The bill provides \$50 million of

the \$119 million request for the climate action plan, which is designed to reduce U.S. emissions of greenhouse gases to 1990 levels by the year 2000.

The bill is not without controversy. It contains a 1-year moratorium on new mining patents, reduces construction budgets in the Forest, National Park and Fish and Wildlife Services, cuts the timber sales program, scales back many of the President's spending initiatives, and continues the moratorium on new oil and natural gas leases along many of the Nation's coasts.

Members may disagree on some of the specifics of this legislation, but it is, by and large, a fair, responsible, and balanced bill. It is a bill that both complies with the spending caps and provides for the needs of this Nation. I urge passage of H.R. 4602.

Mr. BEREUTER. Mr. Chairman, this Member rises today to thank the distinguished chairman of the Interior Appropriations Subcommittee, the gentleman from Illinois [Mr. YATES], and the ranking member on that subcommittee, the distinguished gentleman from Ohio [Mr. REGULA] for their work on behalf of the Winnebago Tribe of Nebraska. The subcommittee allocated the requested \$1.4 million for facility design for the Winnebago Hospital. Gaining this recommended appropriation has been a long and difficult process for the Winnebago Tribe—the Omaha Tribe—this Member, both senators from Nebraska and Iowa, and the gentleman from Iowa [Mr. GRANDY]. We appreciate the assistance and personal commitment of Secretary Shalala in supporting this hospital project. These funds will allow the much-needed replacement hospital to begin to become a reality for my constituents. The Winnebago Hospital provides vital health care services to the native American population of Nebraska and other native Americans in the greater Sioux City area. The current hospital in Winnebago, NE is in dire need of replacement.

Mr. Chairman, this Member is most pleased that funds were appropriated for facility design for the Winnebago Hospital, especially considering the tight budget constraints facing the subcommittee this year.

Mr. SANDERS. Mr. Chairman, I am pleased to be able to express my support for H.R. 4602, the Interior and Related Agencies Appropriations bill for fiscal year 1995. This bill includes funding for many of our important agencies, in particular in two important areas: conservation of natural resources, and the arts and humanities.

In the area of conservation, I'm particularly pleased that this year's bill reverses a trend of many years' duration, in increasing the funding for States from the Land and Water Conservation Fund. The original plan for the LWCF was for a 50:50 split between the States and the Federal Government, but over three decades the ratio has shifted more and more to the Federal side. In recent years, only about 20 percent of LWCF funds have gone to the States.

This year's bill begins to remedy that. While Federal-side spending has gone down, the State-side share is increased by about 5 percent in this year's appropriation. This is a welcome change, and one more reason to support this bill.

I'm also pleased that the subcommittee chose to continue supporting the Forest Legacy program. Although the amount is not increased, as I would have liked, the decision to maintain funding in the face of a tight budget is a reflection of the demonstrated success of Legacy in providing a new way to protect our lands at relatively low cost.

It's ironic that advocates of private property rights have been criticizing this program, which provides funding to acquire easements from landowners who want to conserve productive forest land. In fact, Forest Legacy is an example of a successful Government-private partnership. This program, established in the 1990 farm bill, has already allowed the conservation of important forest lands in Vermont, such as the ridge crest of the Worcester Mountains and the beautiful Cow Mountain Pond area. A major success of this program has been the Big Jay tract, a 5,400-acre property adjacent to Jay State Forest which includes parts of the Long Trail and the Catamount Trail as well as the highest privately owned, undeveloped mountain peak in Vermont. The State of Vermont and Vermont conservation groups developed an innovative plan to protect Big Jay through a combination of easements and purchases, combining State, private, and Forest Legacy program funds.

Support for the arts is a yearly battle. JESSE HELMS and his cohorts will stop at nothing to stifle the artistic spirit of our country. I will continue to fight for increased funding for the arts and against the right wing movement to eliminate the National Endowment for the Arts altogether. This year, \$171 million is being appropriated to the NEA, and of that money Vermont will receive a little over \$1 million. This money is essential to many groups like Vermont Council on the Arts, the Flynn Theatre and the Vermont Symphony Orchestra Association. However, that price tag is nowhere near what a country should be spending in support of the arts, especially when considering we spend \$718 million a day at the Pentagon. Annually, each American pays taxes of \$1,138 for the military, \$201 for education and 68 cents for arts. There is no doubt that we need to rethink our national priorities.

I feel very strongly that art and culture are a vital part of society, and that cultural activities should be open to all people. Unfortunately, today our children are being desensitized to violence through television, rather than inspired by music and theatre and the creative arts.

At the Vermont Council on the Arts a new initiative has been launched called the "Voices of Youth," which will begin new partnerships between the human services and the arts communities and youth organizations. "Voices of Youth" gives Vermont youth the opportunity to express themselves and get involved in the community through various artistic endeavors. "Voices of Youth" promotes the idea that children and youth should be seen and heard because they have a lot of important things to say—things that we all need to hear.

The efforts of the "Voices of Youth" work alongside my efforts to implore the President to sign the U.N. Convention on the Rights of the Child, which codifies all existing international laws regarding children and establishes a bill of rights for the world's children.

One of the articles focuses directly on the need to develop a child's personality, talents and mental and physical abilities to their fullest extent. The convention also clearly states that children and youth have the right to freely express themselves. Our youth face so many terrors and frustrations in the world today, we need to ensure that the arts are a living part of their experience. In order to guarantee that this happens, we need to support institutions and organizations that equip our teachers and leaders with necessary skills and provide freedom of expression.

I've mentioned just a few of the valuable programs funded by this bill. I congratulate my colleagues Mr. YATES and Mr. REGULA and their subcommittee on their good work, and urge continued support for the protection of both the nature and the creative spirit of our country.

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

The CHAIRMAN. All time for general debate has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 4602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, \$596,349,000, to remain available until expended, including \$1,462,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(1)): *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, \$21,650,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$596,349,000: *Provided further*, That in addition to funds otherwise available, not to exceed \$5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and shall remain available until expended.

FIRE PROTECTION

For necessary expenses for fire use and management, and fire preparedness by the Department of the Interior, \$114,968,000, to remain available until expended.

EMERGENCY DEPARTMENT OF THE INTERIOR
FIREFIGHTING FUND

For emergency rehabilitation, severity presuppression, and wildfire operations of the Department of the Interior, \$121,176,000, to remain available until expended: *Provided*, That such funds also are available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That notwithstanding any other provision of law, persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That only amounts for emergency rehabilitation and wildfire operations that are in excess of the average of such costs for the previous ten years shall be considered "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTRAL HAZARDOUS MATERIALS FUND

For expenses necessary for use by the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$13,435,000, to remain available until expended: *Provided*, That, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to sections 107 or 113(f) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9607 or 9613(f)), shall be credited to this account and shall be available without further appropriation and shall remain available until expended: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary of the Interior and which shall be credited to this account.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$3,836,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976 (31 U.S.C. 6901-07), \$104,108,000, of which not to exceed \$400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interests therein, \$17,060,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing con-

necting roads on or adjacent to such grant lands; \$100,860,000, to remain available until expended: *Provided*, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,350,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93-153, to be immediately available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further*, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase,

erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$250,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

Mr. YATES (during the reading). Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto terminate no later than 4:30 p.m.

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

Mr. REGULA. Mr. Chairman, reserving the right to object, I find a number of Members on our side who have amendments and who want to speak on them. Therefore, at this point we could not agree to limiting debate. However, I think we could do it on amendment by amendment, that as each amendment comes up perhaps we could limit debate on that amendment. Some will take more time than others because there is a greater amount of controversy.

Mr. YATES. Mr. Chairman, I withdraw my request at this time.

Mr. Chairman, I ask unanimous consent that the remainder of the title 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 Illinois?

There was no objection.

The text of the balance of title I is as follows:

UNITED STATES FISH AND WILDLIFE SERVICE
RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$514,650,000, of which \$11,732,000 shall be for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water

Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery resources from water development projects on the Lower Snake River, and which shall remain available until expended; and of which \$3,000,000 shall be provided to the National Fish and Wildlife Foundation for endangered species activities: *Provided*, That the amount provided to the National Fish and Wildlife Foundation shall be matched by at least an equal amount by the National Fish and Wildlife Foundation: *Provided further*, That sums may be made available to the States of Washington, Oregon, and California to conduct monitoring activities related to the President's Forest Plan.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$25,264,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and the Act of July 27, 1990 (Public Law 101-337); \$6,700,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, any amounts appropriated or credited in fiscal year 1992 and thereafter, may be transferred to any account to carry out the provisions of negotiated legal settlements or other legal actions for restoration activities and to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and the Act of July 27, 1990 (Public Law 101-337) for damage assessment activities: *Provided further*, That sums provided by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated or otherwise disposed of by the Secretary and such sums or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

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. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, and for activities authorized under Public Law 98-244 to be carried out by the National Fish and Wildlife Foundation, \$62,300,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as amended by Public Law 100-478, \$9,000,000 for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$12,000,000.

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), \$1,169,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, \$1,000,000, to remain available until expended, to be available for carrying out the Partnerships for Wildlife Act only to the extent such funds are matched as provided in section 7105 of said Act.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 127 passenger motor vehicles, of which 106 are for replacement only (including 44 for police-type use); not to exceed \$400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards.

NATIONAL BIOLOGICAL SURVEY

RESEARCH, INVENTORIES, AND SURVEYS

For authorized expenses necessary for scientific research relating to species biology, population dynamics, and ecosystems; inventory and monitoring activities; technology development and transfer; the operation of Cooperative Research Units; and for the general administration of the National Biological Survey, \$167,209,000, of which \$166,909,000 shall remain available until September 30, 1996, and of which \$300,000 shall remain available until expended for construction: *Provided*, That none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas

and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$1,599,000 for the Volunteers-in-Parks program, and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$1,083,973,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$79,900,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203: *Provided*, That should any increase in fees be enacted after enactment of this Act but prior to September 30, 1995, that would be available for the programs under this heading, the Secretary of the Interior shall make available under this heading an amount equal to the amount collected by such fee increase to the resource stewardship program.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$36,946,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$41,000,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1996.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, \$171,417,000, to remain available until expended: *Provided*, That not to exceed \$4,500,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: *Provided further*, That \$256,000 for rehabilitation of the William McKinley Tomb shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501-2514), \$10,000,000, to remain available until expended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1995 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$88,596,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$29,500,000 is for the State assistance program including \$3,250,000 to administer the State assistance program: *Provided*, That of

the amounts previously appropriated to the Secretary's contingency fund for grants to States \$415,000 shall be available in 1995 for administrative expenses of the State grant program.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 467 passenger motor vehicles, of which 338 shall be for replacement only, including not to exceed 360 for police-type use, 12 buses, and 5 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That the first proviso under this head in Public Law 102-381 (106 Stat. 1386) is amended by inserting "not to exceed \$500,000," after the word "funds".

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; \$576,775,000, of which \$62,130,000 shall be available only for cooperation with States or municipalities for water resources investigations: *Provided*, That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality: *Provided further*, That of the offsetting collections credited to this account \$546,000 are permanently canceled.

WORKING CAPITAL FUND

The first paragraph under this head in Public Law 101-512 is amended as follows: in the second sentence after "work," insert "facilities,"; and in the third sentence after "include" insert "laboratory modernization and equipment replacement," after "operations," insert "maintenance," and after "replacement of computer," insert "publications, scientific instrumentation,".

The second paragraph under this head in Public Law 101-512 is amended as follows: in the second proviso after "depreciation of equipment" insert "and facilities,".

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for purchase of not to exceed 22 passenger

motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the United States Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.

MINERALS MANAGEMENT SERVICE ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; \$190,206,000, of which not less than \$68,434,000 shall be available for royalty management activities; and an amount not to exceed \$7,400,000 for the Technical Information Management System of Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: *Provided*, That \$1,500,000 for computer acquisitions shall remain available until September 30, 1996: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due: *Provided further*, That the Secretary shall take appropriate action to collect unpaid and underpaid royalties and late payment interest owed by Federal and Indian mineral lessees and other royalty payors on amounts received in settlement or other resolution of disputes under, and for partial or complete termination of, sales agreements for minerals from Federal and Indian leases: *Provided further*, That the fifth proviso under the heading "Leasing and Royalty Management" for the Minerals Management Service in Public Law 101-512 (104 Stat. 1926) is amended by striking the words "or payment of civil penalty" after the words "result of the forfeiture of a bond or other security" and striking the words "or imposition of the

civil penalty" after the words "rendered necessary by the action or inaction that led to the forfeiture": *Provided further*, That where the account title "Leasing and Royalty Management" appears in any public law, the words "Leasing and Royalty Management" beginning in fiscal year 1995 and thereafter shall be construed to mean "Royalty and Offshore Minerals Management".

OIL SPILL RESEARCH

For necessary expenses to carry out the purposes of title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$6,452,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for conducting inquiries, technological investigations, and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs; to foster and encourage private enterprise in the development of mineral resources and the prevention of waste in the mining, minerals, metal, and mineral reclamation industries; to inquire into the economic conditions affecting those industries; to promote health and safety in mines and the mineral industry through research; and for other related purposes as authorized by law, \$152,269,000, of which \$99,365,000, shall remain available until expended.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: *Provided*, That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That notwithstanding any other provision of law, the Secretary is authorized to convey, without reimbursement, title and all interest of the United States in property and facilities of the United States Bureau of Mines in Juneau, Alaska to the City and Borough of Juneau, Alaska; in Tuscaloosa, Alabama, to The University of Alabama; and in Rolla, Missouri, to the University of Missouri-Rolla.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 15 passenger motor vehicles for replacement only; \$110,206,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in fiscal year 1995: *Provided*, That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1995 pursuant to the assessment of civil penalties under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices

after August 3, 1977, to remain available until expended: *Provided further*, That notwithstanding any other provision of law, appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 22 passenger motor vehicles for replacement only, \$172,404,000 to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That grants to minimum program States will be \$1,000,000 per State in fiscal year 1995: *Provided further*, That of the funds herein provided up to \$18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for Federally-administered emergency reclamation projects under this provision shall not exceed \$11,000,000: *Provided further*, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum limitation per State and may be used without fiscal year limitation for Federal emergency projects: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts.

BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, \$1,527,786,000, of which \$199,000 shall be for cyclical maintenance of tribally owned fish hatcheries and related facilities; and of which \$297,000 shall be for a grant to the Close Up Foundation; and of which not to exceed \$330,111,000 shall be for school operations costs of Bureau-funded schools and other education programs which shall become available for obligation on July 1, 1995, and shall remain available for obligation until September 30, 1996; and of which not to exceed \$72,680,000 shall be for higher education scholarships, adult vocational train-

ing, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), which shall remain available for obligation until September 30, 1996; and of which \$75,902,000 shall remain available until expended, including \$16,206,000 for trust funds management, \$19,083,000 for housing improvement, \$30,169,000 for road maintenance, \$2,332,000 for attorney fees, \$1,983,000 for litigation support, \$4,934,000 for self-governance tribal compacts, and \$1,195,000 for the Navajo-Hopi Settlement Program: *Provided*, That payments of funds obligated as grants to schools pursuant to Public Law 100-297 shall be made on July 1 and December 1 in lieu of the payments authorized to be made on October 1 and January 1 of each calendar year: *Provided further*, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1995 as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: *Provided further*, That of the funds provided, \$7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act: *Provided further*, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act: *Provided further*, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for all such tribes or individuals have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the affected tribe or individual has been provided with an accounting of such funds: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: *Provided further*, That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further*, That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further*, That any such

change must be part of a comprehensive tribal plan for reducing the long-term need for general assistance payments: *Provided further*, That any such tribal plan must incorporate, to the greatest extent feasible, currently existing social service, educational training, and employment assistance resources prior to changing general assistance eligibility or payment standards which would have the effect of increasing the cost of general assistance: *Provided further*, That any net increase in costs to the Federal government which result solely from tribally increased payment levels and which are not part of such a comprehensive tribal plan shall be met exclusively from funds available to the tribe from within its tribal priority allocation: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1995, may be transferred during fiscal year 1996 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 1996: *Provided further*, That notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs, other than the amounts provided herein for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1995: *Provided further*, That within the funds contained in this Act, only the following new schools may receive initial funding pursuant to the provisions of 25 U.S.C. 2001(k) or 2505(a)(1)(C) and (D): Trenton and Sault Ste. Marie.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; and preparation of lands for farming, \$131,030,000, to remain available until expended: *Provided*, That \$1,500,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned fish hatcheries and related facilities: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Southern Arizona Water Rights Settlement Act may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: *Provided further*, That not to exceed \$6,000,000 of contract authority and liquidating cash available in fiscal year 1995 from the Federal Highway Trust Fund may be used for the acquisition of road construction equipment.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$82,896,000, to remain available until expended; of which \$78,851,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87-483, 97-293,

101-618, 102-374, 102-441, 102-575, and 103-116, and for implementation of other enacted water rights settlements, including not to exceed \$8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103-116; and of which \$1,045,000 shall be available pursuant to Public Laws 98-500, 99-264, and 100-580; and of which \$3,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100-86 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Systems accounts amounts invested in credit unions or defaulted savings and loan associations and which were not Federally insured, including any interest on these amounts that may have been earned, but was not because of the default, and (3) to reimburse Indian trust fund account holders for losses to their respective accounts where the claim for said loss(es) has been reduced to a judgment or settlement agreement approved by the Department of Justice.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

For payment of management and technical assistance requests associated with loans and grants approved under the Indian Financing Act of 1974, as amended, \$1,970,000.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of expert assistance loans authorized by the Act of November 4, 1963, as amended, and the cost of direct loans authorized by the Indian Financing Act of 1974, as amended, \$2,484,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$10,890,000.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, \$8,784,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal any part of which is to be guaranteed not to exceed \$46,900,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, \$906,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 255 passenger carrying motor vehicles, of which not to exceed 210 shall be for replacement only.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of territories under the jurisdiction of the Department of the Interior, \$83,139,000 of which (1) \$78,962,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, drug interdiction and abuse prevention, insular management controls, and brown tree snake control and research; grants to the ju-

diary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$4,177,000 shall be available for salaries and expenses of the Office of Territorial and International Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, shall be audited by the General Accounting Office, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands Covenant grant funding, except that should the Secretary of the Interior believe that the performance standards of such agreement are not being met, operations funds may be withheld, but only by Act of Congress as required by Public Law 99-396: *Provided further*, That \$1,025,000 of the amounts provided for technical assistance shall be available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further*, That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), and grants to the Trust Territory of the Pacific Islands, in addition to local revenues, for support of governmental functions; \$2,900,000, to remain available until expended: *Provided*, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with chapter 35 of title 31, United States Code.

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, \$25,102,000, to remain available until expended, as authorized by Public Law 99-239; and in addition, for special assistance as authorized by Public Law 101-219, and for economic assistance and necessary expenses for the Republic of Palau as provided for in Sections 122, 221, 223, 232, and 233 of the Compact of Free Association, \$7,556,000, to remain available until expended, as authorized by Public Law 99-658.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, \$62,599,000 of which not to exceed \$7,500 may be for official reception and representation expenses: *Provided*, That of the offsetting collections credited to this account, \$1,184,000 are permanently canceled.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$35,374,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$23,985,000.

CONSTRUCTION MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Construction Management, \$2,000,000.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100-497, \$1,000,000.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 18 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That notwithstanding any other provision 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: *Provided further*, That no programs funded with appropriated funds in the "Office of the Secretary", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D)

of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the "Emergency Department of the Interior Firefighting Fund" shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone

service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Services Administration for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 151 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992-1997.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 164 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992-1997.

SEC. 111. None of the funds in this Act may be used to publish a National final rule defining the term "valid existing rights" for purposes of section 522(e) of the Surface Mining Control and Reclamation Act of 1977 or to publish a final rule disapproving any existing State definition of valid existing rights.

SEC. 112. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws or to issue a patent for any mining or mill site claim located under the general mining laws.

SEC. 113. The provisions of section 112 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 the date of enactment of this Act, 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 and sections 2329, 2330, 2331, and 2333 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 that date.

SEC. 114. Of the offsetting collections credited to public enterprise fund numbered 14-

4053 in fiscal year 1995, \$38,000 is permanently cancelled as a result of procurement cost savings.

SEC. 115. None of the funds available to the National Park Service in this Act may be used to process permits necessary for construction of a bridge to Ellis Island.

The CHAIRMAN. Are there any points of order on title I?

Mr. YATES. Mr. Chairman, I reserve a point of order against the Pombo amendment.

The CHAIRMAN. The gentleman is referring to an amendment that is to be offered.

Mr. YATES. Yes, Mr. Chairman.

AMENDMENT OFFERED BY MR. POMBO

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

The Clerk read as follows:

Amendment offered by Mr. POMBO: Page 9, line 17, strike "\$514,650,000" and insert "\$494,945,000".

The CHAIRMAN. Does the gentleman from Illinois [Mr. YATES] reserve a point of order on this amendment?

Mr. YATES. Mr. Chairman, I withdraw my point of order.

Mr. POMBO. Mr. Chairman, I offer today an amendment which would reduce the appropriation for the Endangered Species Act to last year's level of \$494 million, from what is currently in the bill, \$514 million. It is about a \$20 million cut in what is currently in the bill. It would be a savings of nearly \$20 million, which would amount to a great deal. It would freeze spending on the Endangered Species Act until we receive hearings and markup on the reauthorization.

I believe that the American people, several Members of Congress on both sides of the aisle, as well as the Secretary of the Interior, have stated that the Endangered Species Act does need to be reexamined, that it is in need of reauthorization, that there are many points to it which we do need to look into and change in order to make it a more efficient and more realistic act.

I do not believe, until there is reform, that the money would be spent wisely. I do not feel that at this time, with the horror stories that are throughout the entire country, that we should increase spending on the Endangered Species Act until we have had a chance to reauthorize and reform what is currently being done.

If you currently look at the way that ESA is being used across the country, if it were truly being used to save endangered species only, there would be little, if any, opposition to its support. But because of the way it is being used across the country, being used as a way of land use planning, being used as a method of implementing a social agenda of a chosen few, it is not being accepted well.

Because of that, I feel we not only need to send a message to the Department of the Interior and to the Fish and Wildlife Service, but I feel it is extremely important at this time that we

do not authorize any more funds than what was currently being spent.

If we are going to increase this, it should be offset in other places.

Right now as I speak, there is a case that is going on in California, just south of me. It involves the Endangered Species Act. It involves a farmer who was farming his ranch, who was planting his crops, and he inadvertently ran over a tipton kangaroo rat, which is on the endangered species list.

When someone from the Fish and Wildlife Service entered his private property and witnessed this, he was placed under arrest, he faces a fine of up to \$200,000 and a year in jail for inadvertently running over a tipton kangaroo rat. And I guess, to make matters worse, they impounded and took away his tractor, his way of making a living, because he ran over a rat. It is instances such as this that I feel it is imperative that at this time we look at reauthorizing the Endangered Species Act with the need of reforms.

I believe it is sending the wrong message from this Congress to the Interior Department, to the Fish and Wildlife Service, to not only fund the Endangered Species Act but to increase that funding substantially so that they continue on with these activities.

If any money should be spent on the Endangered Species Act at this time, it should be spent on paying back the people, the private property owners who have lost the use of their property over the past 20 years because of the implementation of the act. This is an area where we have been sorely lacking in responding to the constitutionally required takings amendment, the fifth amendment, which requires that if you are taking a person's property for public use, that they receive just compensation, which is currently not being done under the current implementation of the act.

□ 1220

So, Mr. Chairman, in closing I would like to encourage my colleagues to send a message to the Interior Department, to the Fish and Wildlife Service and to the country that we will not accept this kind of action.

Mr. YATES. Mr. Chairman, I ask unanimous consent that all time for debate on this amendment and amendments thereto close by 1 o'clock, the time to be evenly divided.

The CHAIRMAN. The unanimous-consent request is for 40 minutes to debate on this amendment and all amendments thereto, evenly divided, 20 minutes for the gentleman from California [Mr. POMBO] and 20 minutes for the gentleman from Illinois [Mr. YATES]?

Mr. YATES. That is correct.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I rise in opposition to this amendment.

Legislation is pending for continuation of the Endangered Species Act. The chairman of the Committee on Merchant Marine and Fisheries is present at this debate, and we will go into this in some length later on, but I have a letter here from the Secretary of the Interior, Mr. Babbitt, which I will place in the RECORD in its entirety at the conclusion of my remarks.

In this letter, Mr. Chairman, the Secretary of the Interior says:

This amendment would essentially stop implementation of the forest plan in the States of Washington, Oregon, and California. Ironically, although the proposed amendment may be intended to address concerns that the ESA is resulting in economic impacts to private landowners and to economic development interests, its impact will only be to exacerbate those problems. Increases proposed for the endangered species program are designed to address habitat needs over large land areas so that development can continue with the least impact on wildlife. The forest plan is a good example. Because of the forest plan, timber harvests, now on hold, would be able to resume. The proposed reduction would devastate the forest plan.

I think that this would destroy the endangered species program, and I oppose the amendment offered by the gentleman from California [Mr. POMBO].

The letter in its entirety is as follows:

SECRETARY OF THE INTERIOR,
Washington, DC, June 22, 1994.

HON. SIDNEY R. YATES,
Chairman, Subcommittee on Interior and Related Agencies, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. YATES: I would like to express the serious concerns I have about a possible amendment to further reduce funding for endangered species programs below the recommendation of the Appropriations Committee.

Obviously, there are some members of Congress with concerns about the Endangered Species Act and its effect on the American public. I share these concerns and have made it one of my personal goals to implement the Act in a way that works, minimizing economic impacts and maximizing protection for species at risk. Of course, this requires funding, but it can save billions of dollars in local communities if we can help them to plan development in a way that does not severely affect wildlife.

I commend the Committee in its handling of these programs, given the fiscal constraints you are under. Although there were reductions, these were distributed responsibly and would allow us to continue with our top priorities, such as the Pacific Northwest forest plan. It is my understanding that an amendment may be offered that would reduce funding for these programs by another \$20 million. A reduction of this magnitude would take the endangered species program \$1.0 million below the FY 1994 enacted level. This is very disturbing to me.

This amendment would essentially stop implementation of the forest plan in the States of Washington, Oregon, and California. Ironically, although the proposed amendment may be intended to address con-

cerns that the ESA is resulting in economic impacts to private landowners and to economic development interests, its impact will only be to exacerbate those problems. Increases proposed for the endangered species program are designed to address habitat needs over large land areas so that development can continue with the least impact on wildlife. The forest plan is a good example. Because of the forest plan, timber harvests, now on hold, would be able to resume. The proposed reduction would devastate the forest plan.

Under the proposed amendment another endangered species program I am trying to emphasize—prelisting—would be reduced below the FY 1994 level. This program is designed to take recovery-type actions to help species that may be in jeopardy, but have not yet been listed. The prelisting program avoids having to list species with all the economic consequences to local economic interests that occur with listing. Again, the reduction would make it more likely that species declines would continue and protective, restrictive measures would then have to be implemented.

Funding for consultations, recovery planning and recovery actions would be reduced below the FY 1994 level. In addition to funds for the forest plan, the Administration has proposed an additional \$5.1 million for recovery and \$2.9 million for consultations. The Federal government has a responsibility to help other federal agencies, non-federal agencies and private landowners to meet the requirements of the Act. However, the amendment would result in less, rather than more assistance from the Fish and Wildlife Service in avoiding the negative consequences of the Act. It would also cause significant delays in planning and recovery actions so that important species can be delisted.

I ask that you do whatever you can to prevent any reductions to the endangered species program.

Sincerely,

BRUCE BABBITT.

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

Mr. POMBO. Mr. Chairman, I yield 3½ minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I appreciate the gentleman from California [Mr. POMBO] yielding this time to me, and I appreciate the work of the gentleman from Illinois [Mr. YATES] and the gentleman from Ohio [Mr. REGULA].

From time to time, Mr. Chairman, in this body we passed pieces of legislation that we find out it is not working the way we thought it should work, and we have to go back, we have to change it, and we have to amend it. I have never seen a greater example of changing and amending legislation than the Endangered Species Act. It was originally intended, if my colleagues want to go back to 1973 and look at it, what it was intended to do; it was intended to take care of the larger species: the grizzly bear, the bald eagle, and now I have written a letter to Fish and Wildlife asking them a question, where they get the authority to get to the slimy slug and the ring-tailed rufous. But somewhere in there they seem to have been able to find it through some convoluted theory of how they do this.

Actually, Mr. Chairman, as we look through the act we find three places where it ought to be changed. One is the area where it talks about solely, that all they will look at is solely the biological features of the particular species. That should be changed, and other things like the economy of the area should be one of the considerations, as we have seen in the northwest with the spotted owl, as we see in California, Nevada, and Utah with the desert tortoise, as we see in Arizona with the red squirrel, as we see in Colorado with the squaw fish and other areas.

Another area that should be taken care of is in the taking provision. The Constitution says in the fifth amendment: "Nor shall private property be taken for public pursuits without just compensation." This is worse than taking. Those of us who have served in local and State government have used eminent domain. We go in and we take the property in an amount of minutes, but we give the person money, we pay for it. What do we do with this? The person cannot even use his own land, but he still pays taxes on it. This is much worse, the way it is taken.

A third one should be the definition section. Go back and read in 1973, find anywhere that it talked about going to the sub, sub, sub, subspecies. They did not talk about the brown stinking snail in the Provo River. Right now in the Colorado River we have a problem. We are able to give electricity, the cleanest kind, to the people all through that area for very low cost, but because of four particular fish that when I was a kid we called them trash fish, we tried to kill them out with rodents and could not do it over the years; now all four of those are endangered species. So we are going to lose the trout in the Colorado River for these, we are probably going to lose river running, we are losing our cheap power, and maybe we will have to talk about where the water goes.

Therefore, Mr. Chairman, as I look at this particular act, it is not living up to what we asked it to do. I have great respect for the act. I think we should take care of endangered species. But this particular act has gone way too far. The purpose of the act has been changed, and I think it would be prudent for Republicans and Democrats alike to say, "Let's change this so we can live with it."

This is one of the things that the people in the west are so upset about, and, if my colleagues go into their town meetings, they talk to their people, they will find in every district in America people are being hurt by this act that has gone way beyond what it was intended to do. I would hope that we could go along with the amendment offered by the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I thank the gentleman from California [Mr. POMBO] for yielding this time to me.

Mr. Chairman, I rise today in support of the Pombo amendment. This amendment would keep Congress from appropriating a nearly 30-percent increase for the ESA, an act which expired on January 1 of this year.

As we all know, the ESA is in need of fundamental reform. It still remains a priority for Congress; however, until Congress reauthorizes the ESA, Congress should not be increasing the funding level by an additional \$20 million. This will not destroy the program. It is not even a cut. What we are doing is we are maintaining it at current spending levels.

Instead, Mr. Chairman, we can be offering the taxpayer a savings of \$20 million. I ask all of my colleagues to vote on the side of their taxpaying constituents, rather than supporting an increase for an unauthorized act. The Pombo Amendment represents a reasonable approach and I urge my colleagues to support this amendment.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished ranking member, the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I thank the gentleman from Washington [Mr. DICKS] for yielding this time to me.

Mr. Chairman, I share the same frustrations as my colleagues on this side of the aisle have expressed, and what they are saying is accurate in the sense that we need to reform the law. But the way to address the problems that have been outlined is to change the base law, and that is an authorizing committee's responsibility. Unfortunately, Mr. Chairman, we in the appropriations committee have to fund what is required under the law. One of the things that we are trying to address is this timber problem in the Pacific Northwest.

□ 1230

The bulk of the increase that we have put in the bill is to address the recovery problems in the Pacific Northwest so we can get some timber harvested up there, and it will be beneficial to the increase in timber harvest if we can get a proper recovery plan in place.

Also I might add that there have been some successes. The gray whale is off the endangered species list, and the eagle has been downgraded to a much less degree of protection because the system is working. But as my colleagues have pointed out, we get some egregious situations that result from the law, and I would hope that the authorizing committee will take a look at the base law and see if there is a better way to address the problems of protecting these species while at the same

time making it possible for people to work effectively with it.

But in the meantime, in our appropriations process we have to have adequate funds to carry out the law as it is on the books today, and I would hope that my colleagues who are concerned about this would urge the authorizing committee to take a new look and see if based on our experiences, the endangered species law should have some changes. But in the meantime I urge my colleagues to support the committee's funding level because otherwise we cannot effectively carry out what is in the law today.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I thank the gentleman for yielding time to me, and I appreciate the opportunity to speak.

I would just comment briefly on some of the factors that I think ought to go into this decision of funding. It goes back again largely to process.

We could talk about the fact that endangered species takes only into account the critters that are involved; it takes no interest in the economy or in jobs or in the people or in the ownership of land. But I will not talk about that.

We could talk a little bit about the fact that we cannot seem to get anything delisted—the whales, I think, largely because of the Marine Mammal Act, not because of endangered species, and as to the grizzly bear, every scientist in the area of Yellowstone Park says the grizzly bear should be delisted. But they are not. And I will not talk about that.

I will not talk about the fact that we use the Endangered Species Act simply as a way to get more Federal management on the lands within the States. Oftentimes it has very little to do with endangered species.

But what I would like to talk about, frankly, is the process. The process ought to be with the authorizing committee, and somehow there has been some resistance to moving forward with this. But we ought to do that. That is where it ought to be. We ought not to increase the funding until we have done what we need to have done in the authorizing committee, and that is take another look at the Endangered Species Act.

So, Mr. Chairman, I support the amendment.

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

Mr. THOMAS of Wyoming. Of course, I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the only point I want to make is that we already have a lot of problems we have to deal with. If we cut out the money for the Endangered Species Act, we are out there trying to work with the private

land owners in the Pacific Northwest to do habitat conservation.

Mr. THOMAS of Wyoming. I understand that.

Mr. DICKS. We are trying to implement the 4-D rule so we can get some of these restrictions lifted. But in order to do it we have to have money for consultation.

Mr. THOMAS of Wyoming. You do have the money, and this amendment simply puts it back where it was.

Mr. DICKS. But we need more money. We have bigger problems.

Mr. THOMAS of Wyoming. Of course, you need money. Who does not? Everybody needs more money.

The CHAIRMAN. The time of the gentleman from Wyoming [Mr. THOMAS] has expired.

Mr. DICKS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I yield 1 minute to our good colleague, the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I rise today to express my strong opposition to the Pombo amendment and my strong support for the Interior appropriations bill, in particular, the \$1.5 million it provides for land acquisition in the Columbian White-tailed Deer Refuge, also known as the Julie B. Hansen Refuge. Encompassing riparian and island areas along the Columbia River, this refuge provides critical habitat for the endangered Columbian white-tailed deer. The acquisition of additional wetland and riparian forest areas, as provided for in H.R. 4602, will protect enough habitat for the deer that the Fish and Wildlife Service anticipates being able to de-list these species under the Endangered Species Act. This is truly an endangered species success story.

Our experience with the Columbian white-tailed deer should teach us 3 important lessons. One, the Endangered Species Act does indeed work. Implementation of a recovery plan, with the active involvement and support of local residents—including a local utility and pulp mill—can bring a species back from the brink of extinction, and with minimal economic impact and maximum social benefit to the community. Two, the story of the Columbian white-tailed deer clearly illustrates that to save a species, we must protect its habitat. We may be voting later today on an amendment that will try to severely restrict the Federal Government's ability to protect the critical habitat of our Nation's endangered species. Let us not fool ourselves—if we don't protect a species' home, we're not protecting the species and we will be incurring future economic, cultural and social upheaval.

Three, the Columbian white-tailed deer show us the merits of acting proactively to protect endangered species. It is more cost effective, less time consuming, and less impacting on the

local economies and communities that depend on healthy natural resources to take preventive measures to protect populations at risk. Decreasing the budget for implementation of the Endangered Species Act—so that the Fish and Wildlife Service only has the resources to take action when a species is almost gone—is a recipe for future species trainwrecks. And we in the Northwest are all too aware of the economic and social impacts that result when we wait too long to protect a species. I strongly urge my colleagues to vote no against the Pombo amendment.

Mr. POMBO. Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Chairman, had I had the chance under the rule, I would have offered an amendment this morning challenging the Department of the Interior to do what the circuit court of appeals here in the District of Columbia has declared to be the law. The court of appeals in the Sweet Home case decided that as a matter of law the Department of the Interior was not interpreting the Endangered Species Act correctly.

It decided that this department of the Government was, in fact, depriving people of their private property rights in the implementation of the Endangered Species Act unnecessarily.

What it said in effect was that the language in the Endangered Species Act which speaks of the prohibition against harming or harassing an endangered species was never intended by Congress as an authority for the department to tell people they could not modify their premises, that they could not live on and use their property. As a consequence of the department's erroneous interpretation of the take or harm and harass provisions of the Endangered Species Act, property owners across America are being told they cannot do things with their property they ought to have the right to do.

For example, in California, when the kangaroo rat was declared an endangered species, a threatened species, all of a sudden property owners living in Southern California found themselves facing a dilemma. Up until last year they had been ordered to disc around their homes and actually destroy the brush around their property so that that brush would not create a fire hazard for their communities. Last year the Fish and Wildlife Service said, "If you do it, we will put you in jail. It is a violation of the Endangered Species Act. We have got to protect the kangaroo rat, so you can't protect your homes."

Most home owners obeyed the Fish and Wildlife Service and lost their homes as the fires swept through communities in southern California. Some disobeyed the law and saved their homes.

So we are left with a Department interpreting and enforcing an act that says in America that a kangaroo rat's home is more important than the home of a citizen of the United States of America. We are left with an interpretation of this act that our Department fully intends to continue implementing, but that the court of appeals here in Washington, DC, said was an incorrect interpretation.

We should have amended this bill today to compel the Department to follow the law. But the Committee on Rules said, "Oh, no, we are not going to give you a waiver to allow that amendment on an appropriations bill."

But let us look at this bill. We see that they granted other waivers. They granted a waiver for language that says you can't drill offshore. That is legislation on an appropriation bill. But this was not important enough an issue for the Committee on Rules to let this House debate it.

Let me tell the Members what we are building in this country. We are building an incredible train wreck if the Department continues to use the Endangered Species Act to deprive people of their property rights without just compensation. We are building an incredible train wreck the environmental community is not helping us to do anything about because they are telling us we cannot reform the Endangered Species Act this year, that it is too controversial. And it looks like we are not going to be able to take up the Clean Water Act this year because it is too controversial on wetlands. So instead, we are keeping on doing what we have been doing, interpreting the law to deprive people of their property rights in America without just compensation.

We ought to protect endangered species. We ought to protect threatened species in America, but we ought to allow people to use their property, too. We ought to respect private property rights, and when we take them away, we ought to pay people just compensation as the U.S. Constitution provides. No private property should be taken for public purposes without just compensation.

□ 1240

Mr. DICKS. Mr. Chairman, I yield myself 15 seconds, just to point out the moratorium on offshore drilling is a limitation on an appropriation bill, and not substantive legislation.

Mr. POMBO. Mr. Chairman, I yield 15 seconds to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Chairman, I wanted to point out the amendment we offered at the Committee on Rules was not a limitation on appropriation. It simply said you cannot spend money to enforce the law against what the court of appeals here in Washington, DC, said was a proper interpretation of the law. It was identical to that limitation on appropriations contained in the bill.

Mr. DICKS. There is a slight interpretations difference here.

Mr. Chairman, I yield 15 seconds to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I want to point out to my friend the decision he spoke to has been stayed by the courts, because there are two conflicting decisions. Until that is resolved, they are stayed.

Mr. DICKS. The ninth circuit has taken an opposite position on this.

Mr. Chairman, I yield 3 minutes to the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, I want to express my appreciation to the gentleman from Illinois [Mr. YATES] and the gentleman from Washington [Mr. DICKS] and to the distinguished ranking member, for a statesmanlike job on a very difficult subject.

The Endangered Species Act is a fundamental environmental statute. It is extraordinarily important, it has widespread public support, and, unfortunately, it is very easy to caricature. If in fact, as one Member suggested, the only critters protected by this law were cuddly and fuzzy and immediately lovable to our types, maybe it would be a lot more difficult to caricature. But the law does not speak to preserving cuddly critters. It speaks to all species. Yes, including subspecies explicitly in the original statute.

Let me say the single most important thing changed in the last couple of years has been the attitude of the administration, and most significantly the Secretary of the Interior. For the first time in a long time we have a Secretary determined to make this law work. His predecessors were determined to prove it could not work, and they did a pretty good job in their own terms.

I would point out that the gentleman from Washington State, who is now speaking ardently in opposition to this amendment, did not have very many kind things to say about this statute and its impact on his region of the country a few years ago, because it was in fact being administered by a Secretary who did not want it to work and had engineered some very major train wrecks in the Pacific Northwest.

We now have a Secretary who wants it to work and who has seen to it that it will work, and I think we have a responsibility to try to help him, rather than to obfuscate the situation and make his job more difficult.

The gentleman from Illinois [Mr. YATES], read from a letter from the Secretary with regard to the importance of this program. One of the ironies of this amendment is it seeks to strike the very funds which the new Secretary of the Interior is dedicating to see to it the problems he deprecates are avoided and avoidable.

If I may, with specific reference, because it is so easy to find a noncuddly critter and say what a silly thing this is, the instance cited as justification for this amendment by its author, the small farmer in California, it is portrayed to us as if suddenly out of the heavens, without warning, came some awful Federal agent depriving this person of his rights without notice.

Two years ago, in November 1992, the gentleman in question was informed by the California Department of Fish and Game, and let me read, if I may, from that letter dated November 24, 1992:

Dear Mr. and Mrs. Lin: It has come to the attention of the Department,

and this is the California State Department, incidentally, of Fish and Game, that you or your company intend to develop and/or modify the land you own.

This letter is to serve as notification to you that the department has identified this area as native threatened and endangered species habitat that now contains significant populations of both state and federally listed threatened and endangered plants and animals.

There are several state and Federal environmental regulations pertaining to impacts on threatened and endangered species. Any unpermitted modification or development of this land would cause an adverse impact and constitute a violation of the law.

Let me complete this. This is the notice, almost 2 years ago, to this gentleman. Then it says at the end:

Before you proceed with any projects that may impact threatened or endangered species, either directly or through habitat modification, you must first satisfy the requirements of the California law and the Federal laws,

and this process gives him someone he could be in touch with.

This is not an unnoticed, suddenly outrageous, incomprehensible edict. Two years ago he was quietly and politely and routinely informed that he needed to consult because there was a problem.

Mr. POMBO. Mr. Chairman, I yield myself 30 seconds to respond to the chairman, who does make a number of good points.

I agree with the gentleman that the Endangered Species Act is one of the fundamental building blocks of our environmental policy in this country. But to point out specifically on the letter that the gentleman mentioned, the proper way at that time, when they are telling him he can no longer do anything with his property, is to start the eminent domain proceedings and to pay him for what they are in effect taking from him. And that is the property that he bought with the intention of farming.

That is not what is happening today. That is why there is so much frustration, not only on this House floor and in the committee that you chair, but across this country.

Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California.

The Washington Times in a recent editorial quoted the National Wilderness Institute as saying about the Endangered Species Act.

The Federal endangered species program is out of control. Expenditures identified in recovery plans grossly understate the actual costs of recovery because many tasks called for in the plans do not include cost estimates, and none of the costs imposed on the private sector are included. The government has no idea of the true cost of the endangered species program *** Though unmeasured, the costs of implementing the act as currently written are in the multi-billions, yet in over twenty years, not a single endangered species has legitimately been recovered and delisted as a result of the Endangered Species Act.

Mr. Chairman, I think this is a good amendment, and I urge my colleagues to support it.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Committee on Natural Resources, the gentleman from the Great State of California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I would hope that we would reject this amendment.

Whatever people feel and their concerns about the administration of the Endangered Species Act, this amendment in and of itself does nothing about that, except to probably complicate and make the administration worse than many people are now concerned.

In a number of areas, and specifically in the Pacific Northwest, we are on our way to solving a problem that was allowed to fester by the previous administration in their desire not to administer the act properly and to hope that they could build up enough political pressure, and unfortunately, enough pain in the communities of the Pacific Northwest and communities that were seeing the economy change and needed help, they desired to build up the pressure to see if they could overturn the Endangered Species Act.

That did not work, and now we have an administration, the Clinton administration, that is desiring to see the Endangered Species Act carried out and also to help these communities recover.

In the State of California, we have problems in the delta. You cut this money and what you do not do is allow us to work out those problems, where just yesterday we announced that the Federal Government, the State government, the urban water users, the rural water users, and agricultural interests, are coming together to work out a plan to try to deal with this. That is what this money is for, to avoid those train wrecks, to avoid that kind of economic plan, to avoid that uncertainty, and to bring about a resolution of these issues.

Now, if the gentleman on the other side of the aisle simply wants to continue the status quo that he so deplores, then simply cut all of the money so we cannot get on with resolving these issues. This committee is strained for the allocation of its resources, but also it recognizes that we have got to resolve these areas, we have got to implement recovery plans, so that the communities and our constituents can get on with their lives and get out from underneath the Endangered Species Act, where we will not have to go to listings, we will not have to impose that kind of economic hardship on those individuals.

This will not help administer the Endangered Species Act. This will not change the Endangered Species Act. It will only make life far more difficult for people who are living with the uncertainty of the failure to resolve these issues.

□ 1250

Mr. POMBO. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I strongly support the amendment of the gentleman from California [Mr. POMBO]. I wish I were as sanguine as the Democrats about the good intent of Mr. Babbit. After all, it is Mr. Babbit's Fish and Wildlife Service that told people they could not disk around their homes to protect themselves against the fire in southern California earlier this year or they would be in violation of the law.

Members have heard the stories told about the absurd kangaroo rat and this other rat that the gentleman talked about in Kern County. I mean, it is just amazing to me that we as Representatives would be willing to countenance a policy that puts rats above people. I do not think we ought to spend one dime increasing funding for this Endangered Species Act until we get right down to the fundamentals that the gentleman from Louisiana [Mr. TAUZIN] and others have talked about relative to protecting private property rights.

We have heard it represented that we are going to stand in the way of this marvelous plan for the Pacific Northwest. We have suffered a two-thirds reduction now in timber that is being harvested, and President Clinton and Vice President Gore held a big meeting to resolve the economic problems of the region. They sure helped them. They came up with a plan that lowered timber production from a two-thirds reduction to a four-fifths reduction. It will cost 80,000 jobs in the region. That is a lot of help.

Mr. Chairman, this Pombo amendment is a good step. This vote today ought to be a referendum on what people think about the President's implementation of the Endangered Species Act. I would submit that most Ameri-

cans do not think very positively about it. It is one thing to protect species. It is another thing to take away people's God-given right to use their property.

The abuse of these rights has just gotten to the point where it can no longer be tolerated. I thank the gentleman from California for offering his amendment, for giving us this opportunity to state where we stand. Do we support private property? Are we willing to stand up and put our vote there, or are we willing to go along with big government, big bureaucracy, and with the desires of those who want to tell the private property owners how to use their property.

Then people are just going to tell you what you can and cannot do with what is yours and the regulations imposed will only leave you with the right to pay taxes on it and virtually nothing else!

Mr. Chairman, I ask for the Members to strongly support the Pombo amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon [Mr. KOPETSKI], who has been in the middle of the train wreck.

Mr. KOPETSKI. Mr. Chairman, I appreciate the frustration that the gentleman from California [Mr. POMBO] has with the Endangered Species Act. But do not turn this into a referendum on the ESA, because what happens is they will put more of my timber workers out of work because we need this money so that we can complete the studies necessary so we can get some timber sales out there, as paltry as they are, under the President's plan.

This does not help the situation. It hurts us. It hurts the workers. It hurts the mill owners. It hurts the home building industry.

We need these bucks. I hope Members will please reject this amendment.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in strong opposition to the Pombo amendment. This amendment takes us back to the thrilling days of yesterday and to denial of the endangered species problems.

Members may disagree on the application of the Endangered Species Act. But I do not think we disagree on the real problems that exist in the Pacific Northwest or other areas of the country. The fact is that these dollars are going to be used as part of a solution to the Pacific Northwest. We have a graphic example of a court injunction that has been lifted and hopefully, with the administration's plans, and the activities and further deliberations, we will see some of the restoration of some timber sales.

The fact is, we can argue and we can have our own politics, but not everybody is entitled to their own scientific facts about the way that these

ecosystems work. The only place we are going to see DNA recreated is in Stephen Spielberg science fiction films of this country.

Man cannot do it in nature. There is a lot we do not know. The fact is, the Endangered Species Act has been very successful; over 25,000 conference resolutions have occurred over its life. The fact is that many of the controversial issues become emblematic of what is going on here.

Members today are sort of creating property rights based on a single decision. If they really have those rights, obviously the courts would have sustained them through a whole series of decisions. So it is unfair to take these dollars out, to deny the implementation of the Law and address the problems as they exist, not as some wish they were.

Mr. YATES. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I do not want to leave the impression here that the Rocky Mountain West is all of one mind on this. My colleagues from Colorado spoke earlier in support of this amendment. I speak very strongly against it.

We are faced with the ironic circumstances that a few days after the Secretary announced an agreement among the Governors of Colorado, Wyoming, and Nebraska to move forward in a positive, proactive way to deal with the endangered species recovery problems in the Platte River Basin, this amendment would cut off the funding for that constructive approach avoiding another train wreck.

The gentleman from Utah raised the specter on the Colorado River. Again, if we adopt this amendment, our ability to proceed thoughtfully with the recovery plan for the fish in the Colorado River Basin will be undermined.

Defeat this amendment. It is not good policy.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HAMBURG].

Mr. HAMBURG. Mr. Chairman, I would like to associate myself with the remarks of those who have said that this is a counterproductive amendment, that we are trying to move forward in the Pacific Northwest with solutions to problems that have been created by very poor resource management. The President's Northwest Forest plan is not perfect. When I go back to my district, I hear a lot of complaints from the timber industry. I hear a lot of complaints from the environmental side. But if there is one thing I have learned in government, if both sides are shaking their heads and not totally satisfied, we have probably come up with a compromise that makes some sense.

What this amendment will do is not allow us to move forward. The sum of

\$11.3 million of the \$20 million that would be provided in enhanced funding will be used in the Pacific Northwest. It will largely be used by small landowners to do the habitat conservation plans that are needed for us to implement the President's plan.

Please defeat this amendment. This amendment is not good for timber work. It is not good for the environment. We need to finally move forward. Defeat the Pombo amendment.

Mr. YATES. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Chairman, I heard on the other side the cry of property rights must be protected and, therefore, vote for this amendment. They could not be further from the truth.

Without the science that will come about because of the appropriations included in this bill, the private property rights of non-Federal landowners are going to be protected. They will be able to comply with the law in the most efficient manner possible. This is the way the administration, through the Forest plan, wants to help those private property owners be able to comply with the requirements and not be inconvenienced, not be prevented from having sustainable management of their property. They want it.

Oppose this amendment.

Mr. POMBO. Mr. Chairman, I yield myself 2 minutes.

□ 1300

Mr. Chairman, I appreciate the argument that many of my colleagues have made on the other side about the need for increased funding in this bill. Mr. Chairman, I understand the direction that the gentleman would like to go.

The problem is the way that the Endangered Species Act is being implemented. The previous speaker just spoke about science. Science can be turned to say anything that the gentleman wants.

If we had a fair and honest implementation of the Endangered Species Act we would allow both sides to introduce their science, and both sides would have the opportunity at the time of listing to put their biological evidence on the line and give the Secretary of the Interior the ability to weigh both sides of the argument as to whether or not this was truly an endangered species.

The spotted owl has talked about a lot here this morning. There are arguments on both sides of that issue. We all know that. It has been quite a contentious argument and debate over the many years it has continued.

The problem is both sides do not feel that they were heard. Both sides do not feel that their arguments were part of the debate. That is the situation we find ourselves in today.

Will the increased appropriation to this bill solve that problem? Absolutely not. It will not solve the problem. It will continue the current attitude and the current way that the Endangered Species Act is being implemented. The only way we change the problems that exist in the Endangered Species Act and the way it is being implemented is by reforming it, by changing it, by making it work.

There is no one on this floor who wants to do away with the Endangered Species Act and who does not see the value to this world in saving endangered species, but there are many arguments that have come up not only this morning but over the past several years about how we go about saving those species and the implementation of that act.

The way the act is currently being implemented, we have a series of distortions, a series of takings of private property rights. We see the very large corporations with the ability to buy off their endangered species problem through mitigation.

If they give a few million dollars through Fish and Wildlife or to Fish and Game, their problem goes away. If they pay a biologist to determine that their problem is on someone else's property and they can declare that someone else's property is critical habitat for whatever endangered species happens to be on one's own property, then we can pay to make that problem go away.

Those are some of the problems that exist. In my area it is not the big corporations that are being hurt by the Endangered Species Act, it is the little farmers who cannot afford to hire a string of attorneys and a string of biologists to buy their way out of their problem. Those are the people being hurt in my area.

My entire district is covered by one endangered species or another. There is no one in my district that is exempt from this act, because no matter what occurs in my part of California, we are overlaid by one critical habitat area or another.

Those are the issues that need to come out and that we need to debate in committee and on this floor. That is why it is so important.

Mr. YATES. Mr. Chairman, I yield the balance of our time to the distinguished gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I yield 30 seconds to my colleague, the gentleman from Oregon [Mr. DEFAZIO], who has been in the middle of this problem from the very start.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding to me.

No one's district has been more impacted by the spotted owl-growth timber controversy than mine.

Mr. Chairman, let me state very simply what this amendment will do. It

will strip the agency charged with implementing this law of any flexibility, any flexibility to accommodate private property owners rights, and it is a clear invitation to litigation, further injunctions, and more disaster.

If Members like what happened under the Bush administration, they will love what would happen under the Pombo amendment.

Mr. DICKS. Mr. Chairman, I want to say to the gentleman from California [Mr. POMBO] that I probably, as well as any member of this body, appreciates the frustration that we all have under the Endangered Species Act, and the enormous consequences it has had on the Pacific Northwest, which I have had to deal with for the last 4 years.

However, I have to agree with all of my colleagues, including the chairman of the authorizing committee, the gentleman from Massachusetts [Mr. STUDDS] and the gentleman from California [Mr. MILLER], this is not the way to attack the problem. Next year we are going to proceed with the reauthorization of the Endangered Species Act, and at that time, my friend, the gentleman from Louisiana, and all the Members concerned are going to have an opportunity to present their amendments.

Let me tell Members what I think about this issue. I think that a species-by-species approach is in grave difficulty and in grave trouble. I think we need a comprehensive habitat conservation plan for the State of Washington, Oregon, and California, which is a multispecies approach, so that once we go to the Fish and Wildlife Service, once we submit our plan, then we are out from underneath the Endangered Species Act. From time to time we may have to use gap analysis or other tools, and make adjustments, but those are the issues we are going to debate in the reauthorization.

Right now what this amendment would do would hurt the small guys in the Pacific Northwest who are trying to do voluntary habitat conservation plans with the Fish and Wildlife Service so they can get out from underneath the Endangered Species Act. If the Fish and Wildlife Service does not have the money for consultations, if it does not have the money for habitat conservation plan work, if it does not have the money for the 4(d) rule, we are not going to get out from underneath these restrictions.

Mr. Chairman, I know the gentleman is trying to help, but this is not helping us. This is hurting the cause that the gentleman is trying to further.

I point out to all of my colleagues today, Mr. Chairman, that we have cut money out of this particular line item. We recognize there are restraints. The distinguished chairman of the Subcommittee on Interior of the Committee on Appropriations has had to take \$260 million out of this bill. However,

we did not take it all out of the Endangered Species Act because it would have been counterproductive. Let us vote no on this well-intentioned but misguided amendment.

Mr. THOMAS of California. Mr. Chairman, I support the amendment to rivet the administration's attention on the need to reform this economic growth and job killing law.

In the following article which is submitted for the RECORD, and appeared in the April 29 issue of the Bakersfield Californian, one can see that Fish and Wildlife has undertaken some rather drastic actions in the name of the Endangered Species Act. This example, which occurred in my district, is one of many examples of ESA enforcement which show the pernicious effects of this legislation. We have reached a point where a person cannot use their own property to earn a livelihood. The Government now controls private property, taking it without paying for it. I believe that the Endangered Species Act, as currently written, does not adequately address the economic and societal costs associated with the preservation of species. The act is just an "unfunded federal mandate," which affects the landowner.

I request, Mr. Chairman, that the House consider limiting the funding for the Department of Fish and Wildlife to stop the frivolous enforcement of this onerous legislation, while focusing attention on the need for reform of the Endangered Species Act now, so that our own citizens are not the victims of its enforcement. The amendment would send the message to the President that there is a need for reform, and that Congress is prepared to support the citizens of this country against laws that place animals ahead of people.

[From the Bakersfield Californian, Apr. 29, 1994]

**WILDLIFE ACT CREATES DILEMMA FOR
TRACTOR FIRM**
(By Susan Towers)

Bakersfield businessman E.G. Berchtold couldn't have been more shocked when he received the official document from the U.S. attorney's office.

"The United States of America vs. One Ford Tractor."

A \$50,000 tractor and disc Berchtold Equipment Co. had sold recently to a customer had been confiscated by the U.S. Fish and Wildlife Service. Berchtold still has a sizable financial interest in the equipment.

What the document didn't say, but what Berchtold later learned, was that it was the tractor driven by Taung Min Lin when he allegedly ran over and killed several endangered Tipton kangaroo rats about 20 miles southwest of Bakersfield.

Lin, an El Monte-based businessman and an owner of Wang-Lin Farms Inc., is the first farmer in Kern County to face prosecution under the federal Endangered Species Act, said Karen Kalmanir, assistant U.S. attorney in Fresno.

"Our concern is not only the tractor we might lose," Berchtold said. "All of us are losing our rights. The government is doing whatever it wants to do to us. What people

don't realize is that this could be their house if they happened to kill some endangered animal in their backyard."

The tractor—and a disc—were confiscated by the federal agents in the same way as property is confiscated from drug traffickers, Kalmanir explained.

The Endangered Special Act "authorizes the confiscation of instruments of crime," she said.

The document had been sent to Berchtold Equipment Co. to let it know of the forfeiture action so that the company could petition the court to show any financial interest.

"We are an innocent party here," he said from his Bakersfield office. Berchtold added that he does not know whether he will get the tractor, even though the company has a Uniform Commercial Code document filed with the secretary of state defining the company's financial interest in the equipment.

"We sold a tractor that ran over something," he said. "This could happen to anyone. This could happen to a truck sold by Jim Burke Ford."

Berchtold also noted that the company was given only a few days to respond to the notice.

Through Bakersfield attorney Kenneth Bates, Berchtold has filed a response and hopes to either get the rest of the money owed on the tractor, or the tractor back.

He fears that Lin, facing a possible \$200,000 fine and imprisonment if convicted, will not be able to pay the balance. U.S. Fish and Wildlife Service already has stopped him from farming until the matter has been handled.

Lin's criminal case will come before the U.S. Magistrate in Fresno May 11.

"This is a risk that all of my colleagues in the equipment business are now facing," Berchtold said.

Berchtold also said he was concerned about Lin. The elderly man from Taiwan does not speak English. He does not have an attorney. He does not have any good friends in Kern County and according to ranch manager Robert Sanchez, does not understand the environmental law.

Fred Starrh Jr., as an active member of the Coalition to Protect and Preserve Private Property Rights, said many local farmers are concerned about Lin's case. "There are other cases just like this going on right now," he said. "(State) Fish and Game and (U.S.) Fish and Wildlife are out of control."

Lin allegedly was caught cultivating virgin desert that he had purchased three years ago from Tenneco Oil Co. Starrh said that as urban Bakersfield expands over farmland, farmers are being forced to move toward the desert.

"Basically in this area, any land that is desert is home to endangered species," he said. "Farmers are finding that land they've owned for years but haven't used has become federal reserve property and there is nothing they can do about it."

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. POMBO].

The amendment was rejected.

The CHAIRMAN. Are there any amendments to the remainder of title I?

AMENDMENT OFFERED BY MR. ALLARD

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

The Clerk read as follows:

Amendment offered by Mr. ALLARD: Page 14, strike lines 9 through 22.

Mr. YATES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, with 10 minutes on each side.

Mr. ALLARD. Mr. Chairman, reserving the right to object, I believe I have a number of Members who want to speak on this particular amendment.

Mr. YATES. Mr. Chairman, if the gentleman will yield, would the gentleman want to make it 30 minutes, with 15 minutes on each side?

Mr. ALLARD. Mr. Chairman, would the gentleman agree to 45 minutes on each side?

Mr. YATES. Mr. Chairman, 40 minutes, with 20 minutes on each side.

Mr. ALLARD. Mr. Chairman, would the gentleman agree to 45 minutes on each side? That would be 1½ hours from now, 3:30.

Mr. YATES. The gentleman will agree to 45 minutes, half to be controlled by the gentleman from Colorado [Mr. ALLARD].

The CHAIRMAN. The Chair heard the gentleman from Colorado [Mr. ALLARD] saying 45 minutes on each side.

Mr. YATES. Mr. Chairman, I withdraw my unanimous-consent request.

The CHAIRMAN. The gentleman from Colorado [Mr. ALLARD] is recognized for 5 minutes in support of his amendment.

Mr. ALLARD. Mr. Chairman, my amendment is very simple. It strikes all unauthorized funds for the National Biological Survey, which I shall refer to as the NBS.

The Interior appropriations bill contains \$167.2 million in funds for the NBS. Every nickel of this money is appropriated in violation of the rules of this House.

Once again however, the handy work of the Rules Committee has been called upon to waive all points of order concerning unauthorized appropriations.

This happens time after time. It makes a mockery of the rules of this House, and it exposes the futility of the Budget Act in the battle to achieve deficit reduction.

While the Rules Committee has made it difficult for us to enforce the rules of the House, it has not made it impossible. My amendment would strike the unauthorized funds.

The appropriators and the conferees would then be free to direct that any of these funds be transferred to the biological research and survey activities of the Fish and Wildlife Service, the National Park Service, the BLM, and any other department bureaus.

In fact, I have amendment language that I am prepared to offer that would accomplish just that. Once the unauthorized NBS funds are stricken, my amendment would then allocate the money back to the appropriate areas of the Interior Department. Should the

Congress choose not to exercise this follow-up option, then we would apply the \$167 million to deficit reduction. When the NBS was debated by the House it generated a great deal of controversy on issues such as property rights, scientific validity, volunteers, and the creation of a new bureaucracy. This issue is too controversial for the administration and the appropriators to simply forge ahead with inadequate congressional direction.

I fully anticipate that the chairman will argue on behalf of the administration, that the NBS is already authorized. This argument is ridiculous.

If this were the case, why did the House of Representatives spend so much time in heated debate this fall voting on an authorization bill.

Second, the chairman and the Rules Committee must know themselves that these funds are unauthorized. Why else would they have seen the need to protect the NBS funds with a special waiver of points of order?

Third, I have reviewed the evidence cited by the administration to support its argument that authorization already exists. I find it totally unpersuasive. First, they cite section 5 of the Fish and Wildlife Act of 1956, providing for reports and investigations concerning the availability and abundance and the biological requirements of the fish and wildlife resources.

This provision is in clear reference to the Fish and Wildlife Service. For starters, there is absolutely no mention of plant life, and to use this language to justify—nearly 40 years later—the creation of a massive, all-encompassing survey of plant and animal life on public and private land is an extraordinary stretch.

The administration also makes reference to the Fish and Wildlife Coordination Act, and the Migratory Bird Treaty Act. The first of these permits the making of surveys and investigations of the wildlife of the public domain. Again, no reference to private land or to plants. The second statute deals only with some species of migratory birds, and says nothing beyond that.

The administration does not address the issue of multiple jurisdiction. What authority does the Interior Department have to take all this action on its own? There may clearly be jurisdiction for the Agriculture Department since the NBS will affect the National Forests and all wildlife therein. Similarly, there is potential jurisdiction for the National Marine Fisheries Service in the Commerce Department.

In short, I see no evidence that there is any authority for the Secretary of the Interior to conduct the giant, comprehensive inventory of all plant and animal life—a cataloging of the ecosystems, as it is referred to.

While we are on the topic of authorization I would like to cite the written

testimony of two important House chairmen on this issue of authorization.

In written testimony of May 1, 1993, before the Appropriations Committee, the chairman of the Natural Resources Committee stated that although he supported the NBS, "I believe that the NBS can carry out its functions only if authorized to do so. Therefore, I request that the appropriation be made subject to an authorization."

□ 1310

The CHAIRMAN pro tempore (Mrs. UNSOELD). The time of the gentleman from Colorado [Mr. ALLARD] has expired.

(By unanimous consent, Mr. ALLARD was allowed to proceed for 5 additional minutes.)

Mr. ALLARD. Similarly, the chairman of the House Committee on Merchant Marine and Fisheries, in the same forum stated that "any new agency ought to be authorized by statute, and I intend to authorize it."

Mr. YATES. Mr. Chairman, reserving the right to object to the gentleman's request to extend for an additional 5 minutes, I am not going to object to the gentleman's 5 minutes as I have a right to do.

The CHAIRMAN. The gentleman is too late to object to this request for an additional 5 minutes.

The gentleman from Colorado had proceeded before the objection was made.

The Chair recognizes the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, now, I realize that Secretary Babbitt was not happy with the private property and other restrictions that the House placed on the NBS last fall. And I realize there is frustration that the Senate has not moved any authorization legislation, but that does not justify an end run around the process.

The bottom line is this, the National Biological Survey should be properly authorized, and all appropriations should be made subject to that authorization.

Let me address some of the specific reasons why this legislation should be authorized. First, private property concerns.

It is true that some language requiring permission from property owners is required before new surveys can be conducted on their land is included in the appropriation. However, this covers only the 1 year of appropriations. This protection should be a permanent provision in the language authorizing the NBS. Private property owners should not have to rely upon the annual goodwill of the appropriators to include this language each year.

As my colleagues will recall, this issue was the subject of an amendment to the authorization bill by Mr. TAYLOR.

Second, there is no explicit language in the appropriation prohibiting the use of volunteers. This is important to ensure the survey is conducted by professional and properly trained individuals. This issue was the subject of an authorizing amendment by Mr. TAUZIN.

Third, there is no language prohibiting other Federal agencies from using information collected under the survey pertaining to private land unless the landowner has access to the information, as well as a detailed description of the manner in which it was collected, and an opportunity to dispute its accuracy.

This issue was the subject of an additional authorizing amendment by Mr. TAUZIN. All three of the amendments I have mentioned were approved by the House last fall, but are not adequately addressed here in this appropriations bill.

An additional concern is the degree of centralized power which the National Biological Survey gives to the Secretary of the Interior.

The NBS is clearly a method to create a free standing bureau with independent scientists who are not subject to review, criticism, or questions. By taking the scientific activities of seven different Interior Department bureaus and combining them into one entity that functions pursuant to nothing more than a secretarial order, we foster a tremendous concentration of power and increase the opportunity for abuse.

Lets make no mistake about what we are doing here if we approve this appropriation. We are ceding congressional control and direction of this program to the Secretary of the Interior. In essence, Congress will have failed the citizens in its oversight duties.

How much do we really know about the National Biological Survey? A major complaint from many is the lack of information on the NBS. The Interior Department has put out broad and vague statements, but specifics and details are lacking.

One interesting aspect is the fact that a number of high ranking individuals in the NBS previously worked in the National Landmarks Program of the National Park Service. This program has been put on hold due to gross mismanagement. An inspector general's audit found that the property rights of at least 2,800 private landowners were infringed upon. Many properties were trespassed upon and designated as landmarks without the landowners knowledge. Past histories like this are precisely why Congress needs to be closely involved in the implementation of a program like the NBS.

Finally, there is a reason why the Secretary of the Interior wants this National Biological Survey so badly. It deals with much more than merely counting the number of plants and animals. This is a power grab, and it is a

back door attempt to expand the sweep of the Endangered Species Act prior to its reauthorization.

The National Biological Survey empowers bureaucrats and environmental crusaders. I believe that it marks another milestone on the road to diminished private property rights.

The data collected is not going to sit in a file drawer somewhere, it is going to be used to justify vast restrictions on the rights of property owners. At least 60 percent of this country's land base is owned by private individuals. In order to inventory the entire Nation's resources, private property rights will be compromised.

Mr. Chairman, it is not enough for Congress to look at these issues 1 year at a time. We must ask ourselves, where this program is headed if we do not reign it in now. Where will it be 5 years from now. If we allow this unauthorized appropriation today, we are likely to find ourselves funding a far larger program with far greater powers in only a few short years.

I ask my colleague to join me in opposing this unauthorized appropriation. When this amendment passes, we will then work to restore the proper level of funding to those agencies of Interior that should be continuing research and survey programs.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I sympathize with the purposes of the amendment of the gentleman from Colorado [Mr. ALLARD]. I can understand that he would like to have the bill creating the National Biological Survey enacted legislatively, and I would, too. That does not mean, however, that that portion of the National Biological Survey which is in existence and is operating is not operating pursuant to authority. The Secretary of the Interior has the right to reorganize this department or any of its agencies.

□ 1320

He has done that.

The appropriations that are provided in this bill are directed solely for those portions of the operation which are authorized.

Second, the gentleman from Colorado [Mr. ALLARD] proposes to kill the biological survey and to transfer the money to the respective agencies for rehiring their scientists who were transferred to the biological survey. That is impossible, not impossible, but it is unwarranted under this bill.

If the House is interested in this committee adhering to its 602(b) allocation, and the bill has been brought to the floor under its 602(b) allocation, it will vote against the amendment offered by the gentleman from Colorado [Mr. ALLARD].

Under the peculiar allocation of outlays that emerges under the various budget caps that we have, there are dif-

ferent outlays that are authorized for different agencies. The outlays that are estimated for the biological survey are 40 percent. The outlays that are estimated for the operations of many of the other agencies are 80 percent. So that, in the event that the gentleman from Colorado [Mr. ALLARD] were successful in his amendment, we would exceed our 602(b) allocation by \$61 million.

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

Mr. YATES. I am happy to yield to the gentleman from Colorado.

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding.

I would like to talk a little bit about the 602(b) allocation.

I understand the problem where we have the accelerated expenditures that occur under the 602(b) allocation, but it is my belief that this can be corrected if the Allard amendment would pass through the conference report where we could reapportion and get those dollars back to those agencies and take care of the 602(b) allocation problem.

Mr. YATES. I respect the gentleman's belief. But he overlooks reality.

We are going to have to negotiate with the Senate and the Senate is going to be very limited in the outlays that it can approve, and I would doubt that, based on my years of conferring with the Senate, that would be possible, I may say to the gentleman.

Mr. ALLARD. If the gentleman will yield further, but the gentleman would concede there is a possibility the Senate could go along with this since the conference committee has not reported, and that could possibly be worked out in the conference committee?

Mr. YATES. The gentleman will not concede that at all. As I indicated, I know what the Senate is likely to do, and it is likely to restrict the amount of outlays to the extent that it can that are available for some House recommended programs. We will have to accept some of the Senate recommended programs. We will have to compromise on programs that we have approved in the House.

The first thing the Senate will do in its bill, and the gentleman ought to just take a look at the Senate bill as it comes out, is pay no attention to some of the projects that the House has approved for land acquisitions, for example. They will have superimposed in the place of the House acquisitions the acquisitions that their Senators have recommended. So we will have to bargain with the Senate on an equal distribution of those projects.

They will all have varying outlays.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. YATES] has expired.

(By unanimous consent, Mr. YATES was allowed to proceed for 1 additional minute.)

Mr. YATES. You are placing upon the conferees an almost impossible task when you say that we cannot come to an agreement on a disparity of 40 percent in outlays. So I urge the House to reject the allard amendment.

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

Mr. Chairman, I rise in opposition.

Mr. Chairman, and members of the committee, once again we are faced with a problem that needs to be dealt with in the authorizing committee. There is no question about the authority of the Secretary to do this reorganization. We have had 16 instances since 1950 where the Secretary of the Interior has done major reorganizing, 8 of them during the Reagan administration.

Secretary Watt created the Minerals Management Service in 1982, and we are funding it. It has been in existence ever since he served as Secretary of the Interior.

I would say at the outset I am no fan of the National Biological Survey, and it was language we put in in conference last year that restricted them as much as possible to protect private property rights. But I think there is not an issue about the Secretary's right to create this agency and to reorganize the functions.

So restricting the money will not solve the problem. The agency is in existence. It has functions that must be performed, and all we have done in the bill is to provide adequate funding.

Now, as the chairman pointed out, we would, because of the spendout rate, we would have a real problem if this amendment were adopted, and we returned the funding to the agencies which funded these functions prior to last year because we would be some \$60 million short, and we are right up to the edge right now. When we go to the conference with the other body, there will be projects there that we need to accommodate, and the result would be we would have to eliminate a number of projects requested by House Members, many of them on my side of the aisle.

I think the important thing here is that the question of authorization is not an issue, or the right of the Secretary to reorganize. It has been done, and clearly under the statute he can do so.

I think if the gentleman, with his amendment, wants to eliminate this, it should be done through the authorizing process, but in the meantime, it is de facto administrative function, and we have to fund it to insure that appropriate ongoing activities are taken care of.

I again would emphasize that we in the bill have restricted the ability of the NBS to violate private property rights, and the Secretary clearly, in his statements, has been in agreement, and so that every effort exists within the

language of the bill to insure that in no way does this impinge on the individuals and their rights to their property, and it is just simply a case that we have to provide the funding to do a function that is perfectly within the law.

Mr. YATES. Mr. Chairman, I ask unanimous consent that all time on this amendment and amendments thereto terminate in 40 minutes, 20 minutes to be allocated to the gentleman's side and 20 minutes to our side.

The CHAIRMAN. 20 minutes on each side is the request.

Mr. DELAY. Mr. Chairman, reserving the right to object, I did not hear the gentleman.

Mr. YATES. Mr. Chairman, if the gentleman will yield, my request was for 40 minutes, 20 minutes on your side and 20 minutes on our side.

We have already talked for 40 minutes, Mr. Chairman.

Mr. DICKS. Mr. Chairman, reserving the right to object—

The CHAIRMAN. The gentleman from Texas [Mr. DELAY] has the floor. He has reserved the right to object.

Mr. DELAY. Mr. Chairman, further reserving the right to object, I understand that what the gentleman is asking is 20 minutes to each side, with the time controlled by whom?

Mr. YATES. By the gentleman from Colorado [Mr. ALLARD] on your side and by me on this side.

The CHAIRMAN. The gentleman from Colorado [Mr. ALLARD] will control 20 minutes, and the gentleman from Illinois [Mr. YATES] will control 20 minutes.

Mr. DICKS. Mr. Chairman, if the gentleman will yield, is the request for this or any other amendment?

The CHAIRMAN. The request is for this or any amendment thereto.

Mr. YATES. That is right.

Mr. DICKS. I thank the Chair.

Mr. DELAY. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. ALLARD. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. DELAY].

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

Mr. Chairman, I rise in support of the Allard amendment. First, let me say I think it is rather unusual to say the least that the chairman, the respected chairman, and the respected ranking member are standing up asking you not to vote for the Allard amendment, because it will not allow them to spend more money. I think that, to me, is the No. 1 reason that you ought to vote for the Allard amendment.

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

Mr. DELAY. I am happy to yield to the gentleman from Illinois.

□ 1330

Mr. YATES. It is not that we want to spend more money. We want to spend less money. Under our 602(b) allocation we spend a stated amount of money, and if Mr. ALLARD's amendment goes through, we will have to spend another \$61 million.

Mr. DELAY. I think there is some disagreement there. But let me just say that this legislation, the National Biological Survey, is not authorized. Make no mistake about it, it is not authorized.

Now, the gentleman from Ohio [Mr. REGULA] correctly states that he has tried to protect property rights and the rights of property owners in this bill. But this only covers 1 year of appropriation. This protection should be a permanent provision in the language authorizing the National Biological Survey. Private property owners should not have to rely upon the annual goodwill of the appropriators to include this language each year.

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

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

Mr. REGULA. I thank the gentleman for yielding.

Mr. Chairman, I agree completely, but it requires an authorization bill to make it permanent.

Mr. DELAY. Reclaiming my time, the gentleman is making my point. We do not have an authorizing bill, we are spending money on a program that has not been authorized, and therefore we should not be spending this money.

Second, there is absolutely no explicit language prohibiting the use of volunteers. We argued that issue at length in the bill that came to the floor. This is very important to insure that the survey is conducted by professional and properly trained individuals. This was an authorizing amendment last fall, presented by the gentleman from Louisiana [Mr. TAUZIN].

Third, there is absolutely no language prohibiting other Federal agencies from using this information collected under the survey pertaining to private land unless the landowner has access to the information as well as the detailed description of the manner in which it was collected and an opportunity to dispute its accuracy. This is also another amendment offered by the gentleman from Louisiana [Mr. TAUZIN] that is not in this bill.

All three of those amendments that I have mentioned were approved by the House last fall, but it was chosen not to place them in the bill as protection of private property rights.

Of course, my concern, particularly as to Members on this side of the aisle, is the degree of centralized power which the National Biological Survey gives to the Secretary of the Interior. The NBS is clearly a method to create this program of independent scientists

who are not subject to review, not subject to criticism, or not subject to even be questioned. By taking the scientific activities of seven different Interior Department bureaus and combining them into one entity that functions pursuant to nothing more than a secretarial order, we foster a tremendous concentration of power and increase the opportunity for abuse.

Mr. Chairman, I urge passage of the Allard amendment.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. I thank the gentleman for yielding this time to me.

Mr. Chairman, the National Biological Survey [NBS] is a new bureau at the Interior Department. In October 1993 the House debated the need for the Survey, and passed H.R. 1845, a bill to authorize its creation.

As chairman of the Subcommittee on Technology, Environment, and Aviation of the Committee on Science, Space, and Technology I spent considerable time examining the need for the National Biological Survey. I stated at that time and I continue to believe today that it is critical to developing the scientifically sound information base required to make responsible policy decisions on protecting the Nation's environment and ensuring that future generations can enjoy and benefit from our natural resources.

I would like to express my strong support for the National Biological Survey, which was created by combining existing biological research programs from seven bureaus at the Department of the Interior. The National Biological Survey will make Interior's biological research capability more cost effective by reducing duplication of effort, enhancing coordination, and the Department's scientific capability. The National Biological Survey is a good Government initiative.

Let me remind by colleagues that the National Biological Survey is not a big new bureaucracy. It was created by Secretarial Order in September 1993 and is now fully operational. I have met with the Director, Dr. Ron Pulliam, and have been satisfied that he understands the concerns raised by the House during the debate on H.R. 1845, over issues as diverse as private property rights and scientific quality. I am impressed with the programs that are underway within the National Biological Survey.

By eliminating funding for the National Biological Survey, as called for in the Allard amendment, we will be costing taxpayers money, not saving it. I understand the gentleman's concern that we are appropriating money for a program that has not been authorized. I would like to point out, however, that the programs transferred to the National Biological Survey have been authorized by Congress. In addition, as I

stated previously, the House passed H.R. 1845, a bill to authorize the National Biological Survey, and it is my view that the Survey, as it currently exists, is consistent with the views expressed by the House in that bill.

If Mr. ALLARD's amendment passes, the money already spent to create the National Biological Survey will have been wasted. In addition, we will be doing great harm to a substantial portion of the research programs that support the Fish and Wildlife Service, the National Park Service, the Bureau of Land Management, and the Cooperative State Research Programs that provide critical assistance to State fish and game activities across the country.

I urge my colleagues to vote against the Allard amendment.

Mr. ALLARD. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. I thank the gentleman for yielding this time to me.

Mr. Chairman, I yield to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Chairman, I rise to express strong support for H.R. 4602.

Mr. Chairman, I rise to express my strong support for H.R. 4602, the fiscal year 1995 appropriations bill for the Department of Interior and Related Agencies. I want to commend the chairman, Mr. YATES, the ranking member, Mr. REGULA, and my colleagues on the committee for their hard work in crafting this legislation. I also want to congratulate the professional and associate staff for their efforts in support of this initiative.

The bill appropriates approximately \$13 billion for the Interior Department and related agencies which include the Energy Department's fossil fuel and conservation programs, the Forest Service within the Department of Agriculture, and Indian education and health programs under the administration of the Departments of Education and Health and Human Services. The appropriations fall below the amount requested by the administration and are within the 602b allocation established by the Budget resolution. Further, the agencies within the purview of the subcommittee legislation are expected to generate some \$8 billion in receipts from oil, gas, mineral leases, timber sales, and grazing fees to name a few examples.

I was pleased to have the cooperation of my colleagues in addressing problems and programs unique to Texas and the southwest border with Mexico. This bill acknowledges and funds initiatives related to implementation of the North American Free Trade Agreement within the Fish and Wildlife Service. It also highlights the need for a border resource inventory.

In addition, programs within the National Park Service [NPS] highlight the natural and cultural heritage of the southwest and help preserve its resources. These include the Office of Mexican Affairs of the NPS which serves to coordinate international efforts along the border; funding for the Chamizal National Memorial in El Paso, a monument to international peace and border folk arts; resource protection at Big Bend National Park; a study

of the Camino Real trail and Spanish colonial missions in West Texas and New Mexico; and land acquisition at Palo Alto Battlefield in South Texas to help document the history of the Mexican War.

Environmental protection is also addressed in the bill. This is especially true of programs funded within the Department of Energy which stress energy conservation in its research and development initiatives. I am pleased to have assisted in highlighting research needs in gas cooling and heating which are important to all consumers. Other research in the area of alternative fuels is supported by the legislation.

Finally, I want to thank the subcommittee for permitting me, working with Congressman TORRES and members of the Congressional Hispanic Caucus, to address concerns raised by the Smithsonian Institution task force on Latino issues. This task force made a number of recommendations regarding Latino programming and recruitment and employment goals for Hispanic Americans within the Smithsonian. The report accompanying the legislation encourages the Smithsonian to implement a number of recommendations made by the task force to ensure that the Institution reflect our Nation's cultural diversity.

I urge my colleagues to support this important legislation.

Mr. TAUZIN. Mr. Chairman and Members, let us cut quickly to the chase. This is not a question of allocations under the budget appropriations process; this is a question of whether or not this House is ever going to face the issue of reauthorization of the Endangered Species Act. And whether Congress is going to face the issue of authorization of the NBS program.

My friend from Washington said we are going to authorize the Endangered Species Act next year. It was up for reauthorization this Congress. The last time we reauthorized the act was in 1988, a 5-year authorization. Now, I can count and you can count; we should have done it this year. Why have we not reauthorized the Endangered Species Act this year? Why have we not had the debates on how that act ought to work and whether or not we ought to protect people in their private property rights and in their jobs as we go about the business of protecting species of plants and animals in our society? Why have we not seen a final authorization from the Congress on the Biological Survey? I will tell you why: Because the environmentalists meeting here in Washington in a room on March 4, a memo leaked out—we sent copies of it to you—they declared that those items were off the Congress' agenda this year. They did not want to have the Endangered Species Act bill debated before the House. Do you know why? They are afraid private property rights are going to be protected in this Chamber when they are not protected currently in the agency. They did not want the National Biological Survey bill to go to the Senate and then come back to the House. Why? Because this House agreed on amendments protect-

ing private property rights. Those amendments are not in this appropriation bill. The amendments to make sure that public surveys are done first, to make sure private citizens have the right to know that good science was behind this survey and not volunteers with special interests in mind, to make sure that landowners had the right to challenge the information gathered on their private property. No, those amendments are not in this appropriation bill, they are in the authorization bill, which is dead on its way to the Senate because the environmental community declared on March 4 that it was dead.

The environmental community decided this Congress would not be able to address reauthorization of the Endangered Species Act.

Let me tell you, my friends: We have a lot of homeless people living in America. No one in this Chamber would vote for a law that said if a homeless person moved into your house tonight, that you had to move out. But if a rat, a bug, or a bird moves in your backyard, under the current Endangered Species Act and its regulations, you have got to get out, you have got to quit using your property, and nobody compensates you.

Something is wrong with that in America. If we are going to have good protection of endangered species, we ought to have a good balance in the law. We ought to respect people and their jobs. People ought to be part of the equation, too, and private property, under the fifth amendment, ought to be respected, but it is not, not in this appropriation.

We could reauthorize a bill, but no one would let us get to an authorization.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arizona [Mr. KOLBE], a member of our subcommittee.

Mr. KOLBE. I thank the distinguished chairman of the subcommittee for yielding this time to me.

I find myself, Mr. Chairman and Members of this body, in a very curious position because, as many of you know, I took a strong position in the debate we had to authorize the National Biological Survey. I have real concerns about it. In fact, I think that as it is planned by the Secretary of the Interior, it is misguided, headed in the wrong direction. I sympathize with the arguments that were made by Mr. TAUZIN, who was so instrumental in many of the amendments we considered to the authorizing bill. I agree with virtually all the amendments that were proposed. So I find myself in a curious position because I rise in opposition to the Allard amendment. But, I do so from a tactical standpoint.

The chairman of this subcommittee was very, very willing to work with us in terms of trying to put language in

the bill and report, that at least reflects the work that was done by this body when it stopped its consideration of the authorization for the National Biological Survey.

□ 1340

Let me just cite what is in this bill and in the report; the most important provision that we adopted, the one that caused, really, the leadership in the House and the administration to stop further work on the NBS authorization, is this provision in this appropriation bill:

Provided that none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner.

That is a very important protection for the private property owners.

In addition, Mr. Chairman, in our report language we say very clearly that the National Biological Survey funding is provided, and I quote, only to the extent authorized by law, unquote. Only to the extent authorized by law. We are very clear that we are not going to allow the NBS to do things that are not now permitted.

Let me just finally say that a memorandum of April 5 from the Director of the National Biological Survey, to all employees, said that it is NBS policy that all employees needing to enter private property get the permission from the landowner or from his representative before doing so.

Now I am not going to be content with a memorandum from NBS, and that is why we have put this provision in this legislation to make it as specific as possible.

Let me say that I am very sympathetic to the goals of the gentleman from Colorado [Mr. ALLARD]. I am very sympathetic to the goals that have been expressed by all of those who fought this battle on the National Biological Survey on the floor. I was with you is that fight. But I think that the chairman has done in the appropriation process everything possible to make sure that the will of the House, as it has been expressed so far, is being upheld, and I would hope we would turn down this amendment.

Mr. ALLARD. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. THOMAS of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. HEFLEY. I yield to the gentleman from Wyoming.

Mr. THOMAS of Wyoming. Mr. Chairman, I rise in strong support of the amendment offered by Mr. ALLARD.

This bill contains \$167.2 million for the National Biological Survey. This is a program that has never been authorized by Congress.

We all remember the battle that took place in the House over the National Biological Survey. Folks throughout the country expressed their concerns about the validity of the NBS, the creation of a new Federal bureaucracy

and the ability of the Federal Government to intrude on the rights of private property owners.

Unfortunately, the Appropriations Committee has seen fit to ignore the authorizing committees and fund a program that is extremely controversial and has not been authorized.

This is a clear example of the Appropriations Committee running roughshod over the will of the Congress.

The National Biological Survey gives Federal bureaucrats the ability to make decisions about private property.

Don't think this is simply a Western issue. This affects folks across the country and sets a dangerous precedent. If we continue to fund this misguided program we are saying that the authorizing committees do not matter. The will of the House doesn't matter. That is very troublesome.

Already today, we have heard folks talk about how lean this bill is. I would certainly agree. That is why I am so troubled by the fact that we are spending \$167 million to fund a program that hasn't even been authorized.

We have many programs in the Department of Interior that are being underfunded. The National Park Service is probably the best example. Yellowstone, Yosemite, and our other national treasures are falling apart. Clearly, we could use the \$167 million for the National Biological Survey on a number of important initiatives.

Mr. Speaker, the National Biological Survey is a misguided program. It should not be funded by the Appropriations Committee without being authorized.

Support private property rights, support fiscal responsibility, support the Allard amendment.

Mr. HEFLEY. Mr. Chairman, I support the amendment offered by the gentleman from Colorado [Mr. ALLARD] and the reason I support it is this is no way to do the business of the House of Representatives. The Interior appropriation bill contains \$167.2 million in funds for the National Biological Survey. Every nickel of this money is appropriated in violation of the rules of this House. After much debate last fall, Mr. Chairman, the House approved an authorization bill for the National Biological Survey. However the Senate has never acted, and no conference is in sight. Once the 167.2 million in unauthorized funds is stricken, if we pass this amendment, the appropriators and the conferees would then be free to direct that any of these funds be transferred to the biological research and survey activities of the Fish and Wildlife Service, the National Park Service, the BLM, and other departmental bureaus which have traditionally performed these activities, or, if we did not do that, we could take this money, and we could use it for deficit reduction.

Before the National Biological Survey was debated in the House, Mr. Chairman, it generated a great deal of controversy on issues such as property rights, scientific validity, volunteers, and the creation of a new bureaucracy.

This issue is too controversial for the administration and the appropriators to simply forge ahead with an appropriate congressional direction.

Supporters of the appropriation have argued on behalf of the administration and the survey that it is already authorized. I think this argument is ridiculous. If this were the case, why in the world did the House of Representatives spend so much time in heated debate trying to carve out some kind of meaningful direction for this kind of activity?

Second, the Committee on Rules must know that these funds are unauthorized. Why else would they have seen the need to protect the National Biological Survey funds with a special waiver on points of order?

Third, the administration cites several statutes authorizing activities of the Fish and Wildlife Service and the Migratory Bird Treaty Act, however there is no evidence that there is any authority for the Secretary of the Interior to conduct the giant comprehensive inventory of all animal and plant life, a catalogue of the ecosystems, as it is referred to.

I would encourage us to support the amendment offered by the gentleman from Colorado [Mr. ALLARD] and get back in order the way the House of Representatives is supposed to do these things.

Mr. YATES. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Illinois [Mr. YATES] for yielding this time to me.

The National Biological Survey is about information, and information is not bad or good. It is just information. As NBS opponents will emphasize to us, Congress will be making environmental policies in the near future that will be affecting tens of billions of dollars of property in Congress. In my judgment it is utterly foolish to suggest that we should make those decisions in the absence of complete information. A few million spent on NBS is a wise investment when we consider the decisions that Congress will have to make.

NBS consolidates seven biological science programs. It makes them more effective, more efficient, and it just works a whole lot better.

In addition, Mr. Chairman, the National Biological Survey, and this is where I think this debate should really happen, in the authorizing committee so people can understand the essence of what this is all about; the National Biological Survey is developing new research programs that are more proactive at preventing future problems and problems with the Endangered Species Act. Its emphasis is on an ecosystem dynamics and restoration approach, and I think some of us should probably look that term up,

ecosystems dynamic restoration approach. This research focuses on multispecies as opposed to a single species approach. This will reduce the perceived problem of stopping development or reducing agriculture because a small toad or rare ant happened to get in the way.

Mr. Chairman, to my friends who are opposed to the NBS and my friends who are opposed to the Endangered Species Act, what the National Biological Survey will offer to us is a multispecies approach to this problem. Let me give my colleagues an example. I say to my colleagues:

Suppose you find some rare ant on a farm or in a residential area. They say you can't farm because there's a rare ant there. Well, a multispecies approach will do two things. I don't know if there are any rare ants or not, but just in case, my colleagues, it will do two things. No. 1, with this national survey, in all likelihood, and it has happened already in the State of Maryland, they will find that rare ant in some other corner of the country, which makes it not rare. No. 2, that rare ant may not be that important in the ecosystem as a whole. So, therefore, under those two circumstances, with a study by multispecies with the National Biological Survey, we are much more likely to make intelligent choices as to what is really endangered and what is really important.

Now the NBS also establishes a number of unique, and I say unique perspectives on Federal, State, and local government cooperation. The State of Maryland has become involved in the National Biological Survey pilot program, and what has happened in the State of Maryland; this is from the Department of Natural Resources Director:

Knowing more about where species occur has resulted in taking species off of an endangered species list for the State of Maryland. The State of Maryland, as a result of this pilot program, is proposing to remove ten species from its list because survey work contributed to the finding of more species in other places around the country.

One word from the Governor of Maryland:

Maryland offers an ideal opportunity to "showcase" a partnership between a State and the NBS. We have made a significant commitment to collection of field data, digital mapping, GIS technologies, and coordination between State government agencies.

I want to make one comment about private property. The National Biological Survey scientists who do the surveys are required to comply with State laws regarding trespass and privacy laws. No one's private property rights will be violated. Property owners can only benefit from this particular information.

Dr. Caldwell from the University of Maryland, Maryland's Biotechnology Institute, internationally known, says this about the biological survey:

□ 1350

The National Biological Survey offers an opportunity for the United States to inventory and analyze the valuable genetic resources of the environment. If an inventory is not done within the reasonable near future, the loss of genetic material without its having been described or characterized will be a tragedy economically as well as ecologically, for understanding and utilizing the complexity of our successfully functioning ecosystem is vitally important to the health of this country.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. GILCHREST] has expired.

The Chair states that the gentleman from Colorado [Mr. ALLARD] has 10½ minutes remaining and the gentleman from Illinois [Mr. YATES] has 9 minutes remaining.

Mr. ALLARD. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I appreciate the gentleman's yielding time.

Mr. Chairman, we may ask ourselves the question, why are we debating this when the Congress has given the control of lands to the Forest Service and the BLM and the control of fish and animals to the States? Except for the 1972 Marine Mammal Protection Act, State jurisdiction is not diminished by the existence of Federal authority under other congressional enactments.

For our National Forests and our Bureau of Land Management administered lands, land use administration authority is vested in Federal land managers, while authority related to wildlife management, including the taking of fish and wildlife on such lands, has been reserved expressly by Congress to the States. The several States retain significant authority and responsibilities for the management of resident fish and wildlife species within their respective borders.

Mr. Chairman, the report accompanying this bill states that the Biological Survey is designed to provide the scientific knowledge necessary to balance the compatible goals of ecosystem protection and economic progress. Unlike the NBS authorization bill currently pending before the other body, the appropriation bill is virtually silent on the role of States in the management of these resources.

While some might argue that the NBS is only scientific research, it is research in support of a mission, and that mission is so vague and broad that it threatens to overturn the historical and constitutional responsibilities of the States. We should not allow the Department of the Interior to usurp the power of the States over fish and wildlife by granting an open-ended and undefined mandate to manage these resources.

Ecosystem management implies that the DOI has authority over all biological resources. In fact, it does not even have the sole authority on Federal lands. Where is that in the statute?

For example, the Department of Agriculture has jurisdiction over national forests, and the Department of Commerce has jurisdiction over marine mammals. The Department has tried to argue that NBS activities are a mere extension of an existing authorized function.

This is from their letter, and they cite three very limited fish and wildlife laws in support of that assertion. But in fact DOI does not even have jurisdiction over wildlife generally, let alone all the plant communities that make up the ecosystem. The bill has addressed these and other issues in the NBS authorization bill passed last year.

Mr. Chairman, I say to my friends that we should not fund the NBS until this bill is enacted.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, there are strawmen lying all over this floor, devastated, mortally wounded and assassinated by arguments that have nothing whatever to do with the proposition before the House. This has nothing to do with authorized versus unauthorized expenditures. We have heard some crocodile tears on that subject. If that were the case, I would assume somebody around here would be striking the money for the Minerals Management Service which was instituted by President Reagan's Secretary of the Interior. Nobody got upset about that for the very simple reason that he had perfectly proper authority to do that. This is perfectly analogous to that. The Secretary of the Interior exercising his authority has reorganized his Department.

May I also say that in this case the authorizing committee at least in the House and the House itself really are not vulnerable to criticism. We have acted and by a strong bipartisan majority we have approved this.

And may I also observe that amendments which this House adopted, many of which some of us thought were not particularly wise and not particularly necessary but which this House adopted, are, so far as I know, without exception, being respected by the Secretary of the Interior as if they were the law. With regard to volunteers, with regard to peer review, with regard to access to information, and with regard to property rights, the amendments adopted by this House are being respected by the Secretary.

And finally, I believe we have heard words, as we did before last year, like "power grab." This is not even a debate about policy, never mind about power. This is simply the proposition that we ought to fund the acquisition of the best possible science that the mind of man can acquire. It seems to me that

whatever one's individual views on the Endangered Species Act may be, whether we like it or whether we do not like it or whether we think it needs to be changed or it does not need to be changed, we would all concede together that our common purposes are served by the acquisition of the best possible science we can get. That is what this is about. It is not about policy, and it is not about unauthorized expenditures.

Mr. Chairman, I urge the defeat of the amendment.

Mr. ALLARD. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Colorado [Mr. ALLARD]. Striking \$167 million in funding for the National Biological Survey [NBS].

When the NBS was debated by the House last fall, we passed amendments ensuring that Government bureaucrats would not trample the private property rights of the American people. Amendments protecting these rights were overwhelmingly passed by this House.

The Senate, however, has failed to pass similar legislation. In addition, the private property assurances in the House bill only cover 1 year of appropriations. Therefore, if we go ahead and leave this funding in tact, none of the assurances that we fought so hard for will be in place.

Second, there is no explicit language prohibiting the use of volunteers. This is crucial to insuring that the survey is conducted by professional and property trained individuals.

There is also no language prohibiting other Federal agencies from using information collected under the survey pertaining to private land, unless the landowner has access to the some information.

Mr. Chairman, a vote for the Allard amendment is a vote to protect private property rights. A vote against this commonsense amendment is a vote to let loose a new Federal bureaucracy without the guidelines this House is on record supporting.

Congressional concerns must be addressed before funding for the NBS can continue. This will ensure that private property concerns are properly addressed. It will also contribute to deficit reduction making clear that spending for unauthorized programs will no longer be tolerated.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in strong opposition to the amendment.

This really is a step backward. This National Biological Survey is in place. I think that the administration and the Secretary of the Interior have taken a prerogative to reorganize the department in a more efficient way to, in fact, accomplish the various charges

that they have within the myriad land-use laws, not the least of which, of course, are the Fish and Wildlife Service, the Park Service, the BLM, and the many other agencies, the seven agencies in total and bureaus that are included in the biological survey task.

It seems, Mr. Chairman, that there is a tendency to demonize the National Biological Survey, that somehow the accumulation of objective information about various species on public lands and private lands somehow is going to operate negatively in terms of affecting individuals and their property rights.

But let me point out to my colleagues that the Office of Technology Assessment did an impact review, for example, of some of the problems that have been caused by some of the exotic and noxious species—just 79 nonindigenous species—this century. They found that since 1906, through 1991, \$97 billion was spent because of the impact problem types of these nonindigenous species. The types of species that need to be monitored and followed by the National Biological Survey.

□ 1400

In other words, this is not some far-fetched environmental scheme that we have to find out about the problems with the endangered species. It is one that is very much a practical application in terms of our utilization. Have any of my colleagues ever heard of the medfly? How about zebra mussels? In other words, looking at what is happening with such species as the Africanization of the honey bee population in North America, another big problem. In fact, as they project ahead, they suggest in the near future we will spend \$134 million more in terms of lost dollars because of the damage such exotic species cause. And the Biological Survey can and will give us new and current information, if we let the NBS work and get off our political high horses. We could all benefit. The data base for plant and annual populations simply isn't in place—when the Exxon oil spill occurred in the Gulf of Alaska we didn't have the baseline data to properly judge the before and after effects of the oil sheet. The NBS is needed to avoid problems and end debate with sound scientific information. Defeat the Allard amendment.

Mr. ALLARD. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I support the idea of using science in managing our environment, and I will do everything I possibly can to make sure we put an emphasis on the scientific approach to what is best for the environment. But in this debate, the bottom line is this: The National Biological Survey should be properly authorized, and all appropriations should be made subject to that authorization.

Now, in the debate it was brought up that we have some problems with 602(b) allocations. I would point out that since this amendment goes toward deficit reduction, it does not create any problems as it is currently worded with the 602(b) allocation.

I would further point out to Members that the reason we have problems with the 602(b) allocation is because this legislation is unauthorized, and, because it is unauthorized, we have some problems with the House rules.

I would also like to cite the written testimony of two important House chairman on the issue of whether the National Biological Survey requires authorization or not. But before I do that, I would just point out to the House that we had legislation before us last fall which was to authorize the biological survey.

Now, if it does not need to have authorization, why do we have it before the House? And why did we have, in written testimony on May 1, 1993, before the Committee on Appropriations, the chairman of the Committee on Natural Resources state that although he supported the National Biological Survey, "I believe that the NBS can carry out its functions only if authorized to do so. Therefore, I request that the appropriation be made subject to an authorization."

Similarly, the chairman of the Committee on Merchant Marine and Fisheries in the same forum stated, "Any new agency ought to be authorized by statute, and I intend to authorize it."

Now, I realize that Secretary Babbitt was not happy with the private property and other restrictions the House placed on the NBS last fall, and I realize that there is frustration that the Senate has not moved on any authorizing legislation. But that does not justify an end-run around the process.

On the issue of private property, I would point out to the Members of the House that what little private property protection there is, it has only been authorized every year for just 1 year. So every year we come in and we have to go ahead and rebattle this issue of private property rights on an annual basis. We need to have something in law which gives us longer than a year before we have to come forward and begin to reestablish the issue of private property.

Mr. YATES. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I do so for the purpose of denying the assertions of the gentleman from Colorado [Mr. ALLARD] that authorization is needed under this bill. The opposite is true. This bill authorizes expenditures only for those activities of the Secretary of Interior and the NBS that are already authorized. Those activities are authorized under the reorganization plan that the law permits the secretary to fashion.

The fact remains that we did not request a rule from the Committee on

Rules for the National Biological Survey. We requested it for the National Endowment for the Arts because that is not authorized. We requested it for the Bureau of Land Management, because that is not authorized. We did not request a rule for NBS yesterday.

I am sure if no rule had been given, that the gentleman's point of order would not have been sustained under the rules of the House.

Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I rise today to express my strong opposition to the Allard amendment which would delete funding for the National Biological Survey Act. The goal of the Biological Survey is simple and straight forward: To collect accurate, scientifically-defensible data on the biological resources of our Nation. Period.

Why is this important? Because Congress and our Federal agencies must make public policy decisions on a daily basis. If we don't have accurate data on which to base our policy decisions, then they will de facto based on misinformation or politics. The Biological Survey, ensures that we have the knowledge to make decisions based on data, not politics.

As we have all heard innumerable times, "an ounce of prevention is worth a pound of cure." This is certainly the case with species protection. It is much less expensive, less time consuming, and less onerous on the local economies and communities that depend on healthy natural resources to act proactively to protect populations at risk. The National Biological Survey will help us obtain the scientific information needed to do this so that we can prevent species trainwrecks from occurring.

Some have tried to characterize the Survey as being counter to private property rights. On the contrary. I own a working farm. I can tell you as a farmer what is most frustrating. It is the uncertainty surrounding whether or not there is an at-risk species on your property that may require special management measures. The Survey will provide landowners with this much-described certainty.

Without adequate biological data, we will not have the information needed to take species off of the Endangered Species Act list when they have recovered and no longer need special attention. The Survey will ensure that we have the scientific information needed to make decisions on delisting species. A vote no on the Allard amendment is an endorsement of information over ignorance, and an endorsement of science rather than politics. I urge my colleagues to vote "no" on the Allard amendment.

Mr. ALLARD. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like to say to the gentleman from Illinois [Mr.

YATES] in response to his arguments, see, I believe this was unauthorized spending. And if the House had moved ahead, I would have stood and made a point of order that it was unauthorized spending.

Why was it necessary in the rules to waive points of order, if this was not in violation of those rules, in order to protect this amendment?

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

Mr. ALLARD. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I thought I had explained that. We did not ask the Committee on Rules for a rule to protect the National Biological Survey. There are 12 or 13 different technical reasons for asking for a rule. There are specific reasons for asking for rules for BLM, for the arts, for programs that have not yet been authorized, even though the House has passed bills authorizing them.

Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, we did not ask for protection for the National Biological Survey. The reason we did not is that the Secretary's reorganization authority has been used by Secretaries of the Interior since 1950. James Watt used this authority to reorganize his department. This Secretary of the Interior has used his authority to place in existence the National Biological Survey, with certain limited functions, as he had every right under the law to do.

Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I wanted to quote from the Secretary of Interior's letter to the gentleman from Illinois [Mr. YATES], two paragraphs. The first is, as to the authority,

The Solicitor has provided a solid legal opinion on my authority to create the Survey. That authority is contained in Reorganization Plan Number 3 of 1950 in 64 statute 1263. Secretaries before me have used this authority to create the former Bureau of Outdoor Recreation, the former Heritage Conservation and Recreation Service, the Existing Minerals Management Service, and numerous other internal reorganizations.

It is well established that there is authority to do this, authority existing since 1950.

The second paragraph from his letter,

I share Congressional concerns about private property rights. Individual property rights are a cornerstone of the American law and culture. It is NBS policy to obey state trespass laws, obtain permission to enter private property, and share information obtained from that property with its owners.

□ 1410

Mr. ALLARD. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Chairman, I took the minute just to point out to the House that the Committee on Rules did give a waiver for the appropriation of

this program, even though it was not authorized. It, in effect, said it waived clause 2 of rule XI, prohibiting unauthorized appropriations or legislative provisions in the general appropriations bill.

The Committee on Rules did waive the rule against appropriating unauthorized funding for everything that is in the bill. They would not let us add anything, for example, to make sure that the agency followed the law in regards to the circuit court of appeals decision on modifications of habitat. But they waived for everything, including appropriating for this unauthorized program.

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

Mr. Chairman, in winding up, I just again make the point that there is \$167.2 million in this particular appropriation bill for the National Biological Survey.

It is unauthorized dollars, and if it was not unauthorized, then why in the world last fall did we have this debate that went on day after day on a bill that we eventually reported out of this House over to the Senate setting up the National Biological Survey?

I am convinced in my own mind that we need to have authorization, that it is inappropriate for appropriators to move ahead without that authorization. I will ask for an aye vote on the Allard amendment.

Mr. YATES. Mr. Chairman, this program is authorized.

Mr. Chairman, I yield 30 seconds to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I speak against the amendment and in support of funding for the National Biological Survey. The NBS was created at the Department of Interior by combining existing biological science programs from seven authorized Interior bureaus. It is nonregulatory and non-advocacy. The NBS serves as a source of solid scientific information for use by local communities, wildlife managers, and landowners. As we know, the National Biological Survey Act was adopted by the House October, 1993. Secretary Babbitt is committed to authorizing legislation for the NBS. Currently, the NBS is operational and has integrated the seven scientific units. It is a more efficient and cost-effective method of operating.

Mr. Chairman, there are strict requirements for NBS scientists to obey State trespass and privacy laws. This appropriations bill prohibits funds from being used for new surveys on private property without written permission from the owners.

Mr. Chairman, I urge my colleagues to vote "no" on the amendment and to support science to improve our understanding of biological resources.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, again, I say to my colleagues, I, too, am frustrated about the concerns about the Endangered Species Act. But it is obvious, after the years that we have gone through this program, that we have got to have good science in order to make decisions. When we have bad science or the science is inadequate, then Federal judges take over. They enjoin the administration, and we have chaos.

To take out the \$167 million for the biological survey, which is money that came from seven separate entities within the Department of Interior and created a new, more credible program, I think, would be totally counterproductive.

Again, I urge my colleagues here on both sides of the aisle to stay with the Committee. The Committee has done a good job here. Clearly, Secretary Babbitt had the authority to do this reauthorization, and I urge the defeat of the Allard amendment.

The CHAIRMAN. All time has expired.

Ms. ESHOO. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Colorado which would strike funding for the National Biological Survey.

A comprehensive biological inventory of the entire Nation, such as that created by the Biological Survey, gives us the tools and information to understand and protect our ecosystems better.

It prevents disastrous trainwrecks such as that which occurred in the Pacific Northwest and avoids wasting precious time and money.

Every State now has NBS facilities, programs, and personnel which collect important information and conduct research we need now to avoid more of the resource crises we all should rightly fear.

In supporting this amendment you are denying your States the ability to head off these crises.

For these reasons I urge you to vote against this misguided amendment.

Ms. SCHENK. Mr. Chairman, I rise in opposition to this amendment. I continue to be amazed at the opposition raised on this floor to the National Biological Survey. The purpose of this Survey is and has always been to gather a scientific data base about the status of our biological resources so that all Americans can make intelligent and informed policy decisions. To eliminate funding for this important survey is shortsighted and foolish.

A good example of the possibilities of the National Biological Survey is a recent agreement between the Department of the Interior and the California Resources Agency. They have agreed to cooperate closely in collecting, integrating, and providing biological data. The purpose of this agreement is to enable Californians to develop the kind of multispecies habitat planning we so badly need to avoid collisions between an endangered species and economic development. This is exactly the kind of research that the National Biological Survey is designed to produce. Under this program, private property owners, government officials, and others will have access to reliable information. Good data and good science are

the underpinnings of sound environmental and development policy.

I urge my colleagues to oppose the Allard amendment.

Mr. EMERSON. Mr. Chairman, I am in strong support of the amendment offered by the gentleman from Colorado. As you will remember, when the House passed the bill to create the National Biological Survey, there was concern on both sides of the aisle about what we were in fact doing. Many proponents espoused the Survey as nothing more than an inventory of flora and fauna—innocently performed in the great American spirit of voluntarism.

Fortunately, the majority of us in this body realized that the thrust of this legislation and the so-called voluntarism amounted to nothing more than a further encroachment on the rights of private property owners and yet another sanctioning of federally approved land-use management proposals. Hasn't the Federal Government done enough in the way of imposing on landowners and their property. It's time that Congress respect the wishes of our constituents and stop this land grab by the Department of the Interior. I have no doubt that the agenda of the bureaucrats and the left-wing, radical environmentalists within the Department of the Interior want to make its so costly to be a developer, or a farmer, or a rancher, or a miner, or a timber harvester, that the only choice is to shut down and halt all activity. The imposition of more and more costly requirements and regulations to comply with Federal mandates and guidelines is, indeed, making this a reality.

I am deeply disturbed by a proposed new government bureaucracy that U.S. Interior Secretary Babbitt wants to set up which will count and monitor every species of plant and animal nationwide. Initiated by radical preservationist groups, the National Biological Survey goes far beyond counting plants and animals and may prove to be a private property owner's worst nightmare. Ultimately, a National Biological Survey will lead to the establishment of a militant, "eco-police" force with little regard for the constitutional protections of private property ownership.

I fear the day may come when a government bureaucrat will step on your land and shut down your operation—or worse, seize your property in the name of environmental protection. Perhaps you may have an endangered bug in your corn or cotton field, or your livestock may be grazing on a hillside where an endangered plant might be harmed. For many in southern Missouri who have dealt with agencies of government—particularly in wetlands determinations—this is already a familiar and frustrating occurrence.

A National Biological Survey potentially will cost taxpayers millions, enhance yet another unrestrained Federal bureaucracy, and give radical environmentalists greater control over your property and what you can—or cannot—do with it. The last thing Missouri property owners need is the Federal Government snooping around their backyard. It's high time Federal bureaucrats realized it's private property rights which have really become endangered. I urge my colleagues to keep in mind what Congress is doing as we continue to saddle the American taxpayer with more and

more costly and burdensome regulations. I urge my colleagues to support the Allard amendment.

Mr. BEREUTER. Mr. Chairman, this Member reluctantly expressed his support for the amendment offered by his distinguished colleague from Colorado, Mr. ALLARD, which would eliminate the \$167 million appropriation for the National Biological Survey in the Interior Appropriations bill for fiscal year 1995. This Member had intended to support funding for the National Biological Survey as I support the effort with the conditions placed upon the conduct of the Survey which were approved by the House. However, Mr. ALLARD has made a powerful and persuasive argument about the need for authorizing the Survey prior to appropriating funds.

This Member voted for final passage of H.R. 1845, the National Biological Survey Act, when it was approved by the House last October. This support was based on the benefits of the Survey as well as the addition of important private property rights amendments.

Unfortunately, however, the Senate has not yet acted and as a result, the National Biological Survey is clearly unauthorized. If funding is approved without authorization, the House action on the Survey last fall would be completely meaningless and the various limitations, including the protection of private property rights would not be guaranteed.

If the Biological Survey is eventually authorized, this Member will support an adequate funding level for the program. However, without such an authorization, this Member supports the Allard amendment and withholds support for the appropriation for the Survey.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ALLARD].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 259, answered "present" 1, not voting 10, as follows:

[Roll No. 260]

AYES—169

Allard	Buyer	Dunn
Applegate	Callahan	Edwards (TX)
Archer	Calvert	Emerson
Arney	Camp	Everett
Bachus (AL)	Canady	Fawell
Baesler	Clinger	Fields (TX)
Baker (CA)	Coble	Fowler
Baker (LA)	Collins (GA)	Gallegly
Ballenger	Combust	Gekas
Barcia	Condit	Geren
Barlow	Costello	Gingrich
Barrett (NE)	Cox	Goodlatte
Bartlett	Cramer	Goodling
Barton	Crane	Grams
Bateman	Crapo	Hall (TX)
Bentley	Cunningham	Hancock
Bereuter	Danner	Hansen
Bilirakis	DeLay	Hastert
Bliley	Dickey	Hefley
Boehner	Dingell	Heger
Bonilla	Dooley	Hoekstra
Brewster	Doolittle	Hoke
Browder	Dorman	Huffington
Bunning	Dreier	Hunter
Burton	Duncan	Hutchinson

Hutto	Mica	Schaefer
Inglis	Michel	Sensenbrenner
Inhofe	Miller (FL)	Shaw
Istook	Montgomery	Shuster
Johnson, Sam	Moorhead	Sisisky
Kasich	Nussle	Skeen
Kim	Ortiz	Smith (MI)
King	Orton	Smith (OR)
Kingston	Oxley	Smith (TX)
Klink	Packard	Spence
Knollenberg	Parker	Stearns
Kyl	Paxon	Stenholm
Lambert	Penny	Stump
Laughlin	Peterson (MN)	Sundquist
Lehman	Petri	Talent
Levy	Pickett	Tanner
Lewis (CA)	Pombo	Tauzin
Lewis (FL)	Pomeroy	Taylor (MS)
Lewis (KY)	Portman	Taylor (NC)
Lightfoot	Poshard	Tejeda
Linder	Pryce (OH)	Thomas (CA)
Lipinski	Quillen	Thomas (WY)
Livingston	Quinn	Upton
Long	Ramstad	Volkmer
Lucas	Roberts	Vucanovich
Manzullo	Rogers	Walker
McCandless	Rohrabacher	Wolf
McCrery	Roth	Young (AK)
McHugh	Rowland	Young (FL)
McInnis	Royce	Zeliff
McKeon	Santorum	
McNulty	Sarpalius	

Payne (VA)	Saxton	Torkildsen
Pelosi	Schenk	Torres
Peterson (FL)	Schiff	Torricelli
Pickle	Schroeder	Towns
Porter	Scott	Trafigant
Price (NC)	Serrano	Tucker
Rahall	Shays	Unsoeld
Rangel	Shepherd	Valentine
Ravenel	Skaggs	Velazquez
Reed	Skelton	Vento
Regula	Slattery	Visclosky
Reynolds	Slaughter	Walsh
Richardson	Smith (IA)	Waters
Ridge	Smith (NJ)	Watt
Roemer	Snowe	Waxman
Romero-Barcelo	Spratt	Weldon
(PR)	Stark	Wheat
Ros-Lehtinen	Stokes	Whitten
Rose	Strickland	Williams
Rostenkowski	Studds	Wise
Roukema	Stupak	Woolsey
Roybal-Allard	Swett	Wyden
Rush	Swift	Wynn
Sabo	Synar	Yates
Sanders	Thompson	Zimmer
Sangmeister	Thornton	
Sawyer	Thurman	

ANSWERED "PRESENT"—1

Hayes
NOT VOTING—10

Ford (MI)	Schumer	Washington
Houghton	Sharp	Wilson
Kaptur	Solomon	
Lloyd	Underwood (GU)	

□ 1434

Messrs. MCINNIS, BARLOW, and TEJEDA, Ms. LONG, and Mr. TAYLOR of North Carolina changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I rise to speak about the mining patent moratorium contained in this bill, a subject which engendered still more misinformation from Members during general debate on this bill today.

I am not going to offer an amendment to strike this provision from the bill before us. But, I want Members to know that the American Barrick example spoken about earlier by the gentleman from West Virginia as well as the ranking member of the appropriations subcommittee is much different than was characterized.

Secretary Babbitt has been leading the disinformation campaign against the Mining Law in general and patenting in particular. It was necessary for American Barrick Resources to sue Mr. Babbitt in order to make him comply with the law, that is issue title to their fully valid mining claims for the statutory price per acre.

Other Secretaries have sought changes in this law, but they did not act "shamefully"—the words of the U.S. District Court, Mr. Chairman, as Secretary Babbitt did. The court went on to say Mr. Babbitt created a system of patent adjudication "intended to delay." No matter what his views may be—and they are quite clear in this area—he has an obligation to follow the law until amended, yet he ignored this duty.

What about the moratorium proposed in this bill? Mr. Chairman, the 101st Congress passed a 1-year mineral patent moratorium for oil shale mining claims via this same appropriations bill, which President Bush signed into law. A lawsuit was brought by Fred Larson, in U.S. District Court in Utah, to force the Secretary to act upon his application. Despite the language in that year's appropriations act, the court ordered the Department to continue the processing of Mr. Larson's application despite the appropriations moratorium. The judge said it was proper for the authorizing statute to be amended, but that it had not been, and that this back-door way of revising the mining law was clearly illegal. Mr. Chairman, the Justice Department did not appeal this decision to the circuit court and the 1-year moratorium was not renewed the following fiscal year.

But a new Secretary is in office now and he very much wants this moratorium because he thinks it will keep him from losing another lawsuit. But, I'm not so sure about that.

Now to the specifics of the Barrick case. Yes, there may indeed be upward of 10 billion dollars' worth of gold reserves in this block of now patented claims. But, Mr. Chairman, it will likely cost \$9 billion to extract and process the ore to recover the precious metals.

Furthermore, Barrick had paid far, far more than the \$5 per acre patenting fee prior to receiving patent. As a publicly traded company, American Barrick's SEC filings can be easily examined. If one were to do so, one would see that Barrick had sunk about \$1 billion into the Goldstrike project when it sought its patents. Barrick is a good corporate citizen in Elko, NV, in my congressional district, as are the other mining companies which have fueled the growth of this town by fourfold or more.

Lastly, certain Members have decried the fact that no royalty will be collected from this large orebody, which was formerly part of the public domain, because of the antiquated mining law. But, have they stopped to ask how much Barrick would have paid in royalties if the deposit were in Canada rather than the United States? The answer, Mr. Chairman, is zero. That's right: Canada levies no gross royalty, and neither does Mexico, Sweden, and many other nations. Instead these nations tax the net proceeds, or profits, of hardrock mines, not the gross value of end products as would the House-passed bill.

Mr. Chairman, Secretary Babbitt called the patenting of the Goldstrike Mine the "biggest gold heist since the days of Butch Cassidy." But, we must compete for mining investment with countries that are blessed with prospective geology, as is the western United States. The gold heist we are looking at is stealing of mineral investment that would have gone into

NOES—259

Abercromble	Ewing	Klecza
Ackerman	Faleomavaega	Klein
Andrews (ME)	(AS)	Klug
Andrews (NJ)	Farr	Kolbe
Andrews (TX)	Fazio	Kopetski
Bacchus (FL)	Fields (LA)	Kreidler
Barca	Filner	LaFalce
Barrett (WI)	Fingerhut	Lancaster
Becerra	Fish	Lantoso
Bellenson	Flake	LaRocco
Berman	Foglietta	Lazio
Bevill	Ford (TN)	Leach
Bilbray	Frank (MA)	Levin
Bishop	Franks (CT)	Lewis (GA)
Blackwell	Franks (NJ)	Lowey
Blute	Frost	Machtley
Boehlert	Furse	Maloney
Bonior	Gallo	Mann
Borski	Gejdenson	Manton
Boucher	Gephardt	Margolies-
Brooks	Gibbons	Mezvinsky
Brown (CA)	Gilchrest	Markey
Brown (FL)	Gillmor	Martinez
Brown (OH)	Gilman	Matsui
Bryant	Glickman	Mazzoli
Byrne	Gonzalez	McCloskey
Cantwell	Gordon	McCollum
Cardin	Goss	McCurdy
Carr	Grandy	McDade
Castle	Green	McDermott
Chapman	Greenwood	McHale
Clay	Gunderson	McKinney
Clayton	Gutierrez	McMillan
Clement	Hall (OH)	Meehan
Clyburn	Hamburg	Meek
Coleman	Hamilton	Menendez
Collins (IL)	Harman	Meyers
Collins (MI)	Hastings	Mfume
Conyers	Hefner	Miller (CA)
Cooper	Hilliard	Mineta
Coppersmith	Hinchesy	Minge
Coyne	Hoagland	Mink
Darden	Hobson	Moakley
de la Garza	Hochbrueckner	Mollinari
de Lugo (VI)	Holden	Mollohan
Deal	Horn	Moran
DeFazio	Hoyer	Morella
DeLauro	Hughes	Murphy
Dellums	Hyde	Murtha
Derrick	Inslie	Myers
Deutsch	Jacobs	Nadler
Diaz-Balart	Jefferson	Neal (MA)
Dicks	Johnson (CT)	Neal (NC)
Dixon	Johnson (GA)	Norton (DC)
Durbin	Johnson (SD)	Oberstar
Edwards (CA)	Johnson, E. B.	Obey
Ehlers	Johnston	Olver
Engel	Kanjorski	Owens
Englisch	Kennedy	Pallone
Eshoo	Kennelly	Pastor
Evans	Kildee	Payne (NJ)

lands by nations in Latin America, Asia, and elsewhere because they recognize what we do not. There is no free lunch. If we insist upon uneconomic royalty terms and regulatory environments for miners, and other industries, we will have only ourselves to blame when the domestic industry can't be found anymore.

□ 1440

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

Mrs. VUCANOVICH. I am happy to yield to the gentleman from Ohio.

Mr. REGULA. Would not Barrick be able to mine without having gotten a patent?

Mrs. VUCANOVICH. They would be able to mine. However, it would not be very practical for them to make those investments if they know that they would lose tenure or they would not be able to extract the minerals.

Mr. REGULA. But would they not have had unlimited time to mine in the absence of a patent?

Mrs. VUCANOVICH. I would say they would have had time within a reasonable amount of time. Again, there would be no incentive for them to do that if they knew they were not going to be able to mine.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have been advised by the county commissioners and county attorney and some farmers in Boone County, IN, that there has been an effort and an attempt in the works of purchasing 351 acres of farmland in that county by the Miami tribe of Indians in Oklahoma.

This is farmland zoned for farmland, but in the application, the Bureau of Indian Affairs has been advised that it is being purchased by the Miami Indian tribe to be turned over to the Federal Government to be held in trust for economic development.

Now, they have been a little bit vague; the Indian group has been a little bit vague about what they are going to use this for. But there has been suspicion by a group in the county that they are purchasing this to build possibly a gambling casino which would be in violation of Indiana law. Indiana does not have casinos. But if this becomes a Federal tract and trust, they could build a casino.

What I am concerned about, and I think none of us are concerned about the Indians buying this land; this is land that at one time was held by the Miami Tribe before they moved to Oklahoma, but if they are developing a casino in violation of State law and in violation of zoning laws and everything else, something should be done about this.

The Bureau of Indian Affairs says the Indian Gaming Act provides very strict laws for land purchase after 1988, but they also cite the statute. One of the

statutes is the Federal statute 25, Federal regulations. I examined that. The Indians then would be exempt from paying any local taxes, paying State taxes, paying any of the encumbrances that might be issued by local government. Local government loses entire control.

The Bureau of Indian Affairs says, however, they will contact the Governor and local government will be considered.

Mr. Chairman, well, I realize this is not within the purview of this committee, especially, but I do hope the committee will watch for things like this.

If they succeed in Indiana, they are going to move into other areas and take over and violate the intention of local government and State government in gaming, if nothing else. I hope the committee will examine the Bureau of Indian Affairs and question next year just what they are doing. Are they going to take over the entire country, and are all of our counties going to be taken over by this effort to violate local and State law?

It is a deep concern of my constituency. Boone County, where this is located, is on an interstate highway between Indianapolis and Chicago. It would be approximately an hour and a half out of Chicago and about an hour out of Indianapolis. So this would very likely, if this were gaming, would be a great success there, but the local community certainly would not receive much benefit from it.

So I do hope the community will examine this in the future.

AMENDMENT OFFERED BY MR. DUNCAN

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

The Clerk read as follows:

Amendment offered by Mr. DUNCAN: Page 15, line 14, insert "", reduced by \$14,000,000," after "1,083,973,000".

Mr. DUNCAN (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 gentleman from Tennessee?

There was no objection.

Mr. YATES. Mr. Chairman, I ask unanimous consent that all time on this amendment be limited to 50 minutes, 25 minutes to be under the direction of the gentleman from Tennessee [Mr. DUNCAN] and 25 minutes to be controlled by myself.

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

There was no objection.

The CHAIRMAN. The time is limited to 50 minutes on this amendment, 25 minutes on each side, half controlled by the gentleman from Tennessee [Mr. DUNCAN], and half controlled by the gentleman from Illinois [Mr. YATES].

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

Mr. Chairman, today I am offering a simple amendment to reduce funding for one of the most expensive projects in the history of the National Park Service by \$14 million.

If this amendment is successful there will still be \$11 million for the Presidio, which will be more than what is appropriated for 358 of the 368 national park units across the country.

In other words, there would be only 10 national park areas out of the 368 across the country that would receive more in operating funds than the 1,480-acre Presidio.

Today, the National Park Service plan for the Presidio calls for an annual appropriation of \$25 million per year. This is more than the total annual cost of all new park areas authorized by Congress since 1980. Let me repeat that, without this amendment, the annual cost of the Presidio will be more than the annual cost of the approximately 30 new park areas that Congress has established in the last 14 years—put together. In addition, the Army is spending approximately \$15 million a year at the Presidio.

This is a project which was debated at length when we considered this same bill last year, and little has changed since then. My amendment would reduce the Presidio back to the funding level of last year, fiscal year 1993.

Let me give my colleagues a little perspective on this. The Yellowstone National Park contains over 2.2 million acres, the Presidio just under 1,500 acres. Yellowstone had 539 miles of roads, the Presidio just 60 miles of roads. Yet, the proponents of the Presidio project want to appropriate \$25 million annually, while Yellowstone receives only \$17 million.

Mr. Chairman, my concerns with this measure are fivefold. First, it is a project that the National Park Service cannot afford. Second, while there are many natural and historic resources at the Presidio which should be preserved, there are also many which do not warrant Federal intervention or protection, like the pet cemetery, the Burger King, and others.

Third, plans currently under consideration call for tenant-landlord expertise which the National Park Service does not possess and which would set a terrible precedent for the future of the park system.

Fourth, the current National Park Service proposal calls for a Federal subsidy for the groups who would occupy buildings at the Presidio.

And fifth, the plan relies almost exclusively on public sector funding from the Federal Government, with little or no participation from the city of San Francisco or the State of California, both of which, even with financial problems, are in better shape fiscally than is the Federal Government.

Last October, the General Accounting Office reported that the Park Service plan would have a one-time cost of

between \$700 million to \$1.2 billion, and an annual operating cost of \$40 million.

The Park Service's preferred plan would have a total cost of at least \$1.2 billion for construction and operations over the 15 year life of the plan.

According to the National Park Service, the cost to the Federal Government, which includes the Army, the National Park Service, and other Federal agencies would be about \$40 million annually, with the balance to be paid for by tenant occupants of Presidio buildings.

However, to my knowledge the Park Service has yet to complete negotiations with any tenants, except the Gorbachev Foundation, or provide the committee with documentation of their estimates of rental receipts. Cost estimates for the private sector funding are highly speculative at this time.

The Presidio is just a small portion, 1,480 acres, of the 73,000 acre Golden Gate National Recreation Area which is located in and around the city of San Francisco.

The Golden Gate National Recreation Area has an annual operating budget of \$10.5 million. The combined \$35.5 million annual operating budget for the entire Golden Gate Park and the Presidio would be nearly twice as much as any other national park area in the Nation.

The \$11 million appropriation level that my amendment calls for would be adequate for essential public safety and resource protection needs at the Presidio. Yet it sends a clear message that Congress does not endorse the huge spending program advocated in the current National Park Service plan.

My colleagues, no one in this House knows better than members of the Appropriations Committee the enormous financial problems faced by the National Park Service today.

The Appropriations Committee had to cut nearly \$40 million in park operating funds from the administration request. The amount available is inadequate to even cover inflation at existing parks. Yet, existing parks are already facing huge shortfalls.

According to information provided to Congress, the National Park Service faces a \$5.6 billion, 37-year backlog in major construction funding, a 25-year, \$1.2 billion backlog in acquisition funding for previously approved projects and a \$400 million shortfall in park operating funds.

In the State of California alone, the shortfall for construction and acquisition at existing parks approaches \$1 billion.

Make no mistake about it, funding and staffing for the Presidio will come at the expense of park projects around the country.

Several weeks ago, National Park Service Director Kennedy testified in the Senate that staffing of the 350 positions needed for this park would be ac-

complished by taking staff from other park areas.

The problems of the impact of a proposal of this magnitude on the National Park Service budget are well-recognized from the top to the bottom by persons with an interest in the park system.

The chairman of the Senate Subcommittee on National Parks, Senator DALE BUMPERS, recently made this statement regarding the Presidio.

*** this is a highly desirable thing to do. But I must confess to you, despite my very best efforts, I have not been able to reconcile myself to these costs.

Consider the following statement made by a superintendent of a small park area from a recent issue of the National Park Service Ranger Magazine:

I am not about to argue the merits of the Presidio as a resource, just the fact that when all our Servicewide needs are laid out and prioritized, how can we agree to apply limited resources to that facility?

I want to make clear to everyone that I agree there are many outstanding resources at the Presidio and I support involvement of the Federal Government to preserve those resources, but there are also many resources which do not deserve the protection of the Federal Government.

Examples of these items include a shopping mall, car wash, churches, gymnasiums, warehouses, pet cemetery, and a Burger King. These facilities clearly fit the definition of facilities where the Federal Government should not be expending its limited resources.

Finally, it is notable that the plan under consideration calls for public sector financing to come almost exclusively from the Federal Government, with little or no participation from the State of California or the city of San Francisco as I have noted. Of course this has made staunch defenders of this plan out of both the city and State governments, but it is unrealistic. This is something we cannot afford.

In the case of the Presidio, it is unacceptable to ask the Federal Government to shoulder the entire public financial burden.

□ 1450

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

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the President's budget included \$25 million within the Park Service budget for the operation of the Presidio. This money is to be used to continue the orderly transition of the Presidio from its activity as headquarters of the 6th Army to inclusion within the National Park System to occur on October 1, 1994.

When the Golden Gate National Recreation Area was established in 1972, the Presidio was included within

the authorized boundaries of the Golden Gate National Recreation Area. In 1967 the entire Presidio was designated as a national historical landmark. The legislation directed that any and all parts of the Presidio that were determined to be in excess of the needs of the Department of Defense would shift to the jurisdiction of the National Park Service and Congress concurred with the recommendation of the Commission on Base Realignment and Closure directing the Army to vacate by 1995.

What do we do with this property? This property is one of the most pristine, most prestigious, most valuable pieces of property in the United States. It overlooks the ocean on a big bluff. It has beautiful lands, beautiful trees. It is just an ideal property for a park. You cannot let it go to farmland, you cannot let it go to seed. It is in the center of a very populated area and is going to make an ideal recreation area when it is concluded.

Orderly transfer of functions is now taking place.

The amount of money that this committee put into the bill is exactly the same amount as was in the bill last year. The money is going to be used for the day-to-day tasks of maintaining and operating the Presidio. Reducing the money in this bill does not make any of the requirements go away. We have to manage the park, we have to maintain the buildings and roads and the hazardous tree removal. The structural inspections, environmental compliance, the museum operations, storage facility management, law enforcement patrols, fire and medical and safety services, inspections, property inventory and procurement—all of these activities require the expenditure of funds.

The gentleman from Tennessee, for whom I have the most profound respect, in comparing the costs of this park with Yosemite, overlooks the fact that you are in the center of one of the metropolitan areas of the country, the San Francisco area. We have to take care of this particular park. It is one of the jewels of urban parks.

We on the Committee on Appropriations are limited in what we can do. We are following the authorization.

Mr. Chairman, we were criticized a few minutes ago on the last amendment because presumably we did not wait for an authorization. In this case we have the authorization, we are following it, and following the authorization requires the expenditure of a certain amount of money.

No longer can we have the Department of Defense pay for these expenses. These are something that are now the burden of the National Park Service and the burden of the taxpayers as a result.

I agree with the authorizing committee, it needs to be examining this issue

and Congresswoman PELOSI's bill will soon be considered. In the meantime, the bills of the Presidio have to be paid. This money is not excessive for this purpose.

Mr. Chairman, I urge defeat of the amendment.

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

Mr. DUNCAN. Mr. Chairman, I yield 3 minutes to my friend, the gentleman from Utah [Mr. HANSEN], the ranking member of the National Parks Subcommittee.

Mr. HANSEN. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the Duncan amendment. I realize how dedicated my friend from San Francisco is to the Presidio but we simply cannot afford to turn this miniature city into a national park. There are certain natural and historical aspects of the park that certainly deserve protection; however, the Park Service has failed to present Congress with a reasonable plan to protect only those areas of greatest national significance.

Currently, the Park Service faces over \$7 billion dollars in backlog for construction and acquisition. At a time when the Park Service cannot afford to fix roads and housing in Yellowstone, or the unsafe electrical system in Yosemite, or when we need to correct health and safety deficiencies at the Statue of Liberty, or when we need to replace obsolete water and sewer systems in the Everglades, how can we expect to pay for pet cemeteries, bowling alleys and Burger Kings at the Presidio. The Park Service is broke and we will not be able to fix it until we start spending the taxpayers money more wisely.

Yesterday, I met with some constituents in my office that want to build a rail line out to the Golden Spike national historic site in my district where the transcontinental railroads met in 1869. These constituents did not come with hat in hand; rather, they came to me to help secure a cooperative agreement with the Park Service so that these additions to this park unit could be paid for through private donations and through a local bond issue. These constituents realize that the Park Service is broke and they do not expect this Nation's taxpayers to bear the burden of these improvements. Where is the local support for the Presidio, where are the local dollars? If the Park Service plan is so good and the people of San Francisco want this entire area to be a park then lets give it to them. Let the city or the State run this park.

The current Presidio proposal is fiscally weak and will wreak havoc on other national park units. I can promise you that the \$1.2 billion required to run the Presidio over the next 15 years will lead to further deterioration of the parks we already have. Support the

Duncan amendment and force the Park Service to come back to us with a responsible plan for the Presidio.

□ 1500

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in opposition to the Duncan amendment.

The Presidio of San Francisco is a 1,400 acre military base located at the base of the Golden Gate Bridge in San Francisco. It contains a combination of natural, cultural and historical resources which are unparalleled in our Nation. With 220 years of military history captured in over 500 historic buildings, natural beauty ranging from coastal bluffs to grasslands and forests, endangered species and abundant recreational opportunities, the Presidio is a very unique place which is made even more remarkable by its location in the middle of a major urban metropolitan area.

In less than 5 months the Presidio will be transferred from the Army to the National Park Service to be administered as part of Golden Gate National Recreation Area [GGNRA]. This transfer is a result of a 1972 law which required the Presidio to be transferred to the National Park Service when it was determined to be excess to the Army's needs. The Golden Gate National Recreation Area is currently the most visited unit of the National Park System, and the addition of the Presidio will provide millions of national and international visitors with the opportunity to enjoy and learn from this truly unique area.

The National Park Service has spent the last 4 years developing a comprehensive plan for the future use of the Presidio. They have also developed a financial strategy to reduce the costs of operating and maintaining the Presidio through an innovative public/private partnership. Congress has already enacted legislation to provide for fiscal responsibility at the Presidio. Last year we enacted a bill (Public Law 103-175) to authorize leasing of one of the highest revenue generating elements of the Presidio, the Letterman/Lair Hospital and Research complex. Just yesterday, the National Park Service announced their selection of two prospective tenants for detailed negotiations for occupancy of 1.2 million square feet of office space. In order to reduce costs while at the same time preserving the rich history and natural features of the Presidio, existing buildings at the Presidio will be leased to generate income. The leasing will be done through the establishment of a public benefit corporation with expertise and experience in real estate and leasing transactions. This is the essence of H.R. 3433, legislation introduced by Representative NANCY PELOSI and cosponsored by 123 Members of the House. The Sub-

committee on National Parks, Forests and Public Lands which I chair has held hearings on this legislation and a competing proposal introduced by the author of the amendment Representative DUNCAN. We have scheduled a markup on H.R. 3433 for next week in the subcommittee and expect to have a bill on the floor next month.

Representative DUNCAN's amendment would wreak havoc and destroy the ability of the National Park Service to carry out essential daily operations including maintenance, fire prevention, utilities, communications, emergency medical services and law enforcement. Although the amendment purports to save money, it would very likely increase costs to the taxpayer. First, it would lead to deterioration of buildings and infrastructure at the Presidio, which in turn make it more difficult to get paying tenants. Second, it would cut funding the National Park Service at the critical stage for the funding needed to make appraisals, prepare contracts and negotiate leases with prospective tenants.

Members from both sides of the aisle, myself included, have rightfully raised questions about the potential costs of the Presidio. I take these concerns very seriously, and I have always been willing to work with Members and stand ready to address these concerns in the proposed authorizing legislation pertaining to the Presidio. Mr. DUNCAN's amendment offers no solutions or suggestions about how to address the complex issues of the Presidio transfer. In fact, a recent hearing in the Subcommittee on National Parks, Forests and Public Lands revealed that Representative DUNCAN's approach of selling off certain Presidio lands would cost up to \$100 million more than the approach taken in Representative PELOSI's legislation.

It is important to remember that the transfer of the Presidio to the National Park Service will be a significant savings to the Federal Government in comparison to its operation as a military installation. Members of Congress should know that the operation of the Presidio by the Department of Defense costs up to \$30 to \$40 million more per year than what it will cost as a national park. The average taxpayer will spend less but will gain more from an enhanced ability to enjoy the natural, historical and recreational resources of the Presidio.

Several other points should be made about costs of the Presidio. As the accompanying chart demonstrates, the Presidio maybe the only unit of the National Park System for which Federal funding need declines over time. Again, this is due to the innovative leasing strategy which will result in increasing revenues to offset the need for appropriated funds. Furthermore, the

public benefit corporation will accomplish much of the repair and rehabilitation of Presidio buildings through private borrowing instead of appropriated construction dollars. Seven out of ten dollars for site and building rehabilitation will be borrowed from capital markets instead of being appropriated from this Interior Appropriations Committee.

The Duncan amendment is a disingenuous and simplistic approach which will neither save money nor protect the nationally significant resources of the Presidio. The issues involving the future management of the Presidio need to be resolved in the context of the authorizing legislation and not this bill. I urge all Members to vote "no" on this amendment.

Mr. DUNCAN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I rise and strongly support the amendment offered by the gentleman from Tennessee [Mr. DUNCAN].

It was mentioned by the chairman of the subcommittee that the Presidio has become the burden of the taxpayer, and that fact is exactly why I would like to support this amendment.

Yes, this Presidio conversion to a park is going to be the burden of the taxpayers unless we pass this amendment and change the direction. We now have a \$4.5 trillion debt in this country. The majority party supported, with the President, last year the largest tax increase in history, supposedly to do something about the debt when, in fact, we are going to add over \$2 trillion to the debt over the 5-year period.

This supposed concern by the President about the national debt is nothing more than a sham. We need to call it that. We need to look at it for what it is. This Presidio proposal is going to add to our debt in a completely unacceptable fashion.

The Presidio, over the next 15 years—during which the conversion will take place to convert this, is going to add \$1.2 billion to the national debt. If the city of San Francisco thinks this property is good enough to convert to a park, then let them pay for it.

Focus on this bizarre contradiction:

We are closing military bases all over the country, including the Presidio, throwing thousands of people out of work, depressing the local economies, arguably endangering our national defense. So for what are we doing this? So we can turn around and borrow more money we do not have in order to have more parks? That does not make sense, Mr. Chairman. I support the Duncan amendment.

Look at these charts here. Let us look at what the chairman of the other body's Subcommittee on Parks had to say on May 12, 1994.

Senator DALE BUMPERS said,

But in any event this thing obviously, this is a highly desirable thing to do, but I must

confess to you, despite my best efforts, I have not been able to reconcile myself to these costs.

Let us look here now. We have a tremendous budget shortfall for our national parks. Let us look at some in California:

Yosemite National Park: We have an annual operating shortfall of almost \$9.5 million, and a construction/land acquisition shortfall of slightly more than \$394 million.

Sequoia, Kings Canyon National Park: We have an annual operating shortfall of \$896,000, and a construction/land acquisition shortfall of more than \$201 million.

The Redwood National Park: An annual operating shortfall of almost \$1.5 million and a construction/land acquisition shortfall in excess of \$5 million.

Now, Mr. Chairman, cumulatively for these parks throughout the country, we have a total shortfall of almost 7.5 to \$9.5 billion."

Are we going to say, "Put all of these existing parks at the end of the line so we can take care of the Presidio?"

I will be passing out in a few minutes by congressional district what the shortfall is. I urge my colleagues to take a look at it.

Support the Duncan amendment.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. LAUGHLIN].

Mr. LAUGHLIN. Mr. Chairman, I rise in support of Representative PELOSI's efforts to ensure the successful transfer of the Presidio from military control to national park service jurisdiction.

Ms. PELOSI's plan will reduce Federal appropriations by raising private capital for building improvements.

It will provide the public access to 220 years of military history, natural beauty and abundant recreational opportunities.

Mr. DUNCAN's amendment is not a feasible alternative.

It does not take into account the significant, positive steps accomplished by the National Park Service over the last year but only rehashes old problems that no longer exist.

I urge this body to vote "no" on the Duncan amendment which will obligate more taxpayers' money and vote "yes" to preserve the national treasure of the Presidio.

Mr. DUNCAN. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I was just out there at the Presidio. I had a daughter, Nancy, graduate from San Francisco State, so I had an opportunity to look at the Presidio in a different light than I ever had before, and there indeed are, I say to the gentleman from Illinois [Mr. YATES], some pristine areas that ought to be made into a park, and then there is a hodgepodge of all kinds of other areas that would never be considered for a park.

And I sit on the gentleman from Minnesota's [Mr. VENTO] Subcommittee on National Parks, Forests, and Public Lands and the gentleman from California's [Mr. MILLER] Committee on Natural Resources, as does the gentleman from Tennessee [Mr. DUNCAN], and we struggle all the time to try to figure where the resource is going to come from to protect the real jewels of our park system.

Let me just point out to my colleagues a few facts here, that the National Park Service faces a 37-year backlog in construction funding and a 25-year backlog in land acquisition and cannot afford this plan which will cost \$1.2 billion to implement over the next 15 years.

I think what we ought to think about here is, yes, what part of the Presidio should we save and protect on the one hand, and on the other hand, what is it going to do to the rest of our park system? The National Park Service claims that the plan costs will be offset by contributions, and yet they have failed to sign a single tenant agreement. The \$25 million National Park Service costs for this plan will be more than the total cost for all of the 30 new areas that have been established by Congress since 1980. The Appropriations Committee was forced to cut the administration request for Park Service operating funds by \$38 million for 1995. The funding increase in this bill does not even cover inflation. Funds available are inadequate to take care of existing parks. We cannot afford to take on new projects of this magnitude when budgets are tight. We have to make certain choices.

□ 1510

Mr. YATES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it sounds almost like a broken record today, but once again this is an authorizing committee problem. There is a bill pending in the authorizing committee from the gentleman from California [Ms. PELOSI] to allow an administrative unit to take over many of the functions here and reduce substantially the cost. In the meantime, by virtue of a bill passed in 1972, and I think it is unfortunate that the proponents of this amendment were not here in 1972 and could have stopped this from being turned over to the Park Service, but as a result of that law, the land is the responsibility of the Park Service.

There are something like 800 buildings out there that have to be taken care of. There is no real authority to lease or rent these buildings. If we do not take care of them, the costs will be much greater later on. So we are simply recognizing that the land is there and that there needs to be funds to

take care of it. It is in effect a small city, and the \$25 million is a bare minimum. The committee scaled back the request, but we recognize that we have to have at least \$25 million to just maintain this facility until such time as an organization can be put in place by virtue of action of the authorizing committee.

I wish that they would get this bill moved, so that this responsibility can be shifted into other uses for this park land. It is a magnificent resource. I think many of the suggested ideas for using it are good, but it cannot happen until there is an authorizing bill. Meanwhile, the park is there.

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

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

Mr. VENTO. Mr. Chairman, I point out we have passed an authorizing bill to provide emergency authority to begin the lease of the Letterman Lear facility. In fact yesterday, they selected two clients for detailed negotiations. We will move and are moving next week on the Pelosi bill, the major bill.

Mr. REGULA. Mr. Chairman, reclaiming my time, I think the gentleman would agree, if this could be done, we could reduce the cost to the Park Service.

So I would oppose the amendment. We have to do this. I have to oppose the amendment. I hate to spend the \$25 million, all of us do. But, nevertheless, the buildings are there, the facilities are there. It is full of streets that have to be policed because it is part of the city, because of its proximity.

Let us hope that once the Pelosi bill is passed and the authority exists to have many different functions, that Letterman can be leased, and that we can prospectively vastly reduce the costs.

Mr. VENTO. I would point out this is a park unit where in fact the total appropriations costs are starting out at \$25 million a year. We expect in the 15-year period for them to decline to \$15 million a year with the private-public partnership anticipated.

Mr. REGULA. In the meantime, it is there, and we have to take care of it. As much as we like not to do that, \$25 million is the minimum required to maintain these facilities until such time as we can have other functions. But I might also add, it cost a lot more when the Army had it.

Mr. DUNCAN. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to support the amendment of the gentleman from Tennessee [Mr. DUNCAN] to keep the Presidio from becoming the most expensive park in the National Park Service.

We have to ask what do Americans expect to pay for in their national parks. I have a picture here of the only pet cemetery in the National Park System. Is this what the citizens of America expect to see in their national parks?

I have here some of the over 400 residences and dormitories, totaling 2.5 million square feet. Is this what the citizens of America expect to see in their national parks?

I have here one of two Presidio bowling alleys. Is this what the citizens of America expect to see in their national parks?

I have here one of two hospitals, totaling 800,000 square feet. I ask you, again, is this what the citizens of America expect to see in their national parks?

Here, finally, we have the only Burger King in the National Park Service. Is this what the citizens of America expect to see in their national parks?

Mr. Chairman, I think we need to ask that question over and over again, is this what the citizens of America expect to see in their national parks?

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

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

Mr. REGULA. Mr. Chairman, were not all of those facilities there when the Army had it, and did not the Park Service inherit all of these things that you have outlined here?

Mr. ALLARD. The point I would like to make is this is something, if it is important to the city of San Francisco, local governments ought to pay for it. The Federal Government should not be in there dedicating these types of facilities as part of the National Park System. This does not in any way compare to the Rocky Mountains National Park in Colorado.

Mr. REGULA. You did not get that from the Army either.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER], the distinguished chairman of the Committee on Natural Resources.

Mr. MILLER of California. Mr. Chairman, I would hope we reject the Duncan amendment.

The problem with the Duncan amendment is it solves none of the problems that the supporters of the Duncan amendment have discussed in the last few minutes. In fact, it makes all of those problems worse. It drives up the cost. If the gentleman from Tennessee [Mr. DUNCAN] had attended the hearing on his bill before the Committee on Natural Resources, he would have learned that his bill adds approximately \$100 million to the cost of creating the Presidio National Park, as the gentleman from Ohio correctly points out, from the conversion from a military base to this national park.

This is in fact a national park. There is nobody that disputes the worth and

the value of the Presidio. What we have come up with in the legislation proposed by our colleague, the gentlewoman from California [Ms. PELOSI], from San Francisco, is an ingenious ability to try to use those aspects of the former military base that can generate revenues to help the taxpayers of this country pay for the maintenance and the operation of these facilities as a national park, a national park where by the turn of the century we expect 8 million visitors a year to come and enjoy this.

Our colleague, the gentlewoman from California [Ms. PELOSI], has been working with the community, with the National Park Service, to develop a plan that is now in the bill before our committee, so that we can develop those revenues to offset the cost of this, so we can make sure that we utilize this land in the most cost-effective manner and at the same time hold on to the attributes of the Presidio that qualify it to be a national park.

This has been no easy task. This has been a contentious task. But one thing that has been established beyond a doubt is that the proposal of the gentleman from Tennessee [Mr. DUNCAN], either of simply slashing the money or his sale of the properties, makes all of these problems worse in fulfilling the need to create this national park. In fact, what we realize is those properties and the city of San Francisco would not be sold for years, so they will sit there in the Federal inventory generating no revenue, no usage, deferred maintenance, additional costs, year after year, that will go to the taxpayer.

If we follow the outline of the proposal by the gentlewoman from California [Ms. PELOSI], what we have is the most expeditious way to get to those properties generating revenue to help develop this park, to help maintain this park, and to allow the people of this Nation to enjoy this.

I appreciate all of the rhetoric, I appreciate all of the pictures. They simply have nothing to do with the facts and the problems that are confronted in dealing with the Presidio.

As the gentleman from Ohio [Mr. REGULA] properly pointed out, this was inherited from the Army. We are doing the best we can. We have a wonderful opportunity here for the people of this Nation to create an outstanding park. We also have a wonderful opportunity to relieve them of much of the financial burden. Mr. Chairman, we should vote down the Duncan amendment and support the proposal by the committee.

Mr. DUNCAN. Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague yielding.

I must say I rise with no small amount of hesitation to discuss this

subject. I have the greatest respect for my colleague, the gentlewoman from California [Ms. PELOSI]. I particularly admire her understanding of the process and the capacity by which she is representing her constituency by tapping this source of funds in such an effective manner on behalf of her community and the proposed park in her district.

I further want to express my appreciation to our chairman, the gentleman from Illinois, Mr. YATES, as well as my ranking member, Mr. REGULA, during the appropriations process. They have been most helpful with me relative to some of the future problems I may have with parks in my own region.

But, I want to make this point which is being made very well by my colleagues. That is that we have a national park system that is totally underfunded. Those parks operate in a circumstance where there are limits on the number of personnel that can be assigned to the operation and maintenance of these park units.

Within those limits, constantly the Secretary tells us if we have to have more personnel for the Presidio or any other unit, then we must transfer them from other units within the system.

□ 1520

Now, over time, it is said we are going to get a lot of funding from the private use of these parks. That, I suppose, will pay for personnel eventually. In the meantime, we are faced with very real problems.

In the very near term, this committee that is authorizing Park Service spending is going to be proposing to make Death Valley National Monument a new national park. The Park Service says they will have to double their number of employees as they double the acreage involved. This personnel change is from 70 to 140 employees. Where will those 70 employees come from? Where will they be paid from? The FTE is limited. We do not get an answer.

I must say that in Death Valley today, it is approximately 120 degrees. Those poor employees are living in trailers without air-conditioning. Yet, there is no money available for their housing in these very remote areas. It is very obvious we have a serious shortfall here. It is time that we begin giving priorities that reflect the American public's interest in the park system and not channel the money down one pathway alone.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MINETA], the distinguished chairman of the Committee on Public Works and Transportation.

Mr. MINETA. Mr. Chairman, I rise today in opposition to the amendment offered by the gentleman from Tennessee.

Mr. Chairman, the Presidio Army Base in San Francisco is one of our Nation's most significant historic sites.

The base was established by the Spanish in 1776, was later controlled by Mexico, and came under the command of the United States in 1846. It holds the distinction of being the oldest continually operating military base in the country.

In particular, Mr. Chairman, the Presidio holds special significance for Americans of Japanese ancestry.

It was at Crissy Field that the U.S. military started the Military Intelligence Service Language School, just prior to our entry into the Second World War.

The Japanese-American instructors and students at the school were to play a crucial role in our ability to fight the war in the Pacific. General McArthur's Chief of Intelligence estimated that their effort shortened the war by as much as 2 years.

In addition, it was their contributions to the war efforts, along with those of the 442d Regimental Combat Team, that demonstrated to this Nation and to the world that Americans of Japanese ancestry were, in fact, dedicated and loyal Americans.

Mr. Chairman, I understand that markup is scheduled next week on legislation designed to streamline the operations of the Presidio. That legislation will transfer operation of the Presidio from the Park Service to a public benefit corporation and is projected to save up to \$400 million over the next 15 years. This amendment threatens to undermine that effort.

The Presidio is a national treasure that must be preserved. I urge my colleagues to vote against the Duncan amendment.

Mr. DICKS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, if I could engage the distinguished gentlewoman from California, I wanted to just make a couple points. First of all, I have been to the Presidio with my colleagues, the gentleman from Ohio [Mr. REGULA] and the gentleman from Pennsylvania [Mr. MURTHA]. I must say, this is one of the most beautiful places in the entire world. This is not a new issue.

I would like to ask the gentlewoman from California, is it not true that the 1972 legislation that Congress enacted foresaw a day when the military would no longer need this facility and would want to switch it over to the National Park Service? Is that not correct? This is not something new that we have not thought about before. This is something that has been in place for a long period of time.

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

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

Ms. PELOSI. Mr. Chairman, that is true. In fact, in the 1972 legislation creating the Golden Gate National Recreation Area, there was a provision in there which stated that when the Pre-

sidio was in excess of the needs of the Department of Defense, it would indeed become part of the Golden Gate National Recreation Area and a national park. It is a national landmark now.

Mr. DICKS. I want to also compliment the gentlewoman from California. She is doing an enormous amount of work and making an outstanding effort to try and bring private resources to bear to try and reduce the cost to the taxpayers. So I want to compliment her not only on her efforts on this appropriations bill but also for her work in terms of trying to get this project authorized. This is a national treasure.

We have to look at the next 500 years, not the next 15 years. And the people of California, the people of San Francisco will be thrilled that they have had the kind of leadership that the gentlewoman from California [Ms. PELOSI] has presented, as well as that of her predecessor, Phil Burton, who was responsible for the original legislation.

No one could go to the Presidio and not recognize that what Ms. PELOSI is trying to do is correct and should be supported by this House.

Mr. DUNCAN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS], one of the truly great Members of this body.

Mr. STEARNS. Mr. Chairman, I rise in support of the Duncan amendment to the Interior appropriations bill.

I thank the gentleman from Tennessee for his diligent work on this important issue. As a Member who has also experienced a base closure, I understand the gentlewoman from California's concerns and her commitment to her district. However, in implementing base transitions we should take care to not put the cart before the horse. The appropriations request for this bill does exactly that.

Mr. DUNCAN's amendment presents an alternative that prescribes fiscal and conventional responsibility for the Presidio. His amendment allocates \$11 million for essential public safety and resource protection. This allocation is more than adequate for maintaining the Presidio.

This project has been troubled from its inception. The National Park Service hopes to make the entire base into a park, including many resources that they have no experience managing, or even any need for, resources like a shopping mall, a pet cemetery, warehouses, hospitals, housing, a golf course, and a Burger King. The current Presidio plan demands that the NPS become a real estate agent and developer. Obviously, they are unsuited for such responsibilities.

Furthermore, despite spending millions of dollars over the past few years, the NPS has yet to complete a final plan for the Presidio. Nor do they have an alternative plan. They really do not

know what they are going to do. They want to enter into leases for Presidio properties, but have yet to sign a lease with any tenants. Despite this, the NPS maintains that the plan's costs will be offset by tenant contributions.

Congress cannot continue to fund projects that eat up much-needed funds. The Federal Government must take measures toward reducing our national deficit; we must look very carefully at each and every federally funded program, for in these times of budgetary crisis, it is imperative that Congress reduce funding where we can. We must reduce, or eliminate, funding for programs that are not vital to the economic well-being of our country. We must turn our attention to more fiscally responsible matters.

Again, Mr. DUNCAN's amendment would not defend or eliminate the Presidio plan. It would simply reduce the amount appropriated. It would force the NPS to re-evaluate its plan for a national park. I support the Duncan amendment because it presents a compromise that we can all live with. It maintains this natural resource, but it does so in the traditional manner, the horse is pulling the cart. The Duncan amendment shows the fiscal and conventional responsibility that Congress should exemplify. I urge my colleagues to support the amendment.

Mr. DUNCAN. Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, as is often the case in these kinds of extended amendments, practically everything has been said, but unfortunately not everyone has said it yet. So it is my turn to do that.

Of course, the real question is the matter of financing in the facilities that we have. We have talked a little bit about the facilities that we have.

We have a shortfall in the parks. We have a shortfall of construction that probably is in the neighborhood of between \$5 and \$6 billion, those parks that we already have that we are seeking to keep up. We have a shortfall in land acquisition of authorizations that have already been made and we are making them each day over in the authorizing committee of about \$1.5 billion.

We have a shortfall in the operations yearly of \$400 million in terms of what we do with national parks.

This colorful chart shows where we are with Gettysburg battlefield, Great Smoky Mountains, Everglades Park, Yellowstone Park, probably the most famous of all of our parks. And here is the one we are talking about now, almost twice as much money to do that as we are spending on the best park that we have.

□ 1530

That is for a park that we do not even need as a park. This is not 1972.

This is a different situation in terms of money. This thing does not have to be a park because we said so in 1972. It can be converted to other things. It needs to be converted to other things. This is absolutely the wrong direction to take, to spend twice as much on a park that should not even be a park than we do in taking care of the major or jewel park of our whole system.

The CHAIRMAN. The gentleman from Tennessee [Mr. DUNCAN] has 2 minutes remaining.

Mr. DUNCAN. Mr. Chairman, I yield 1 minute to my friend, the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I respect the gentleman from California [Ms. PELOSI] greatly and I appreciate what she is trying to do, but I rise in strong support of the Duncan amendment.

I commend the gentleman for recognizing what apparently so many in this body just cannot seem to understand. The Committee on Natural Resources seems to have the attitude that they have not seen a park that they do not like. As we have seen in almost every appropriation bill that has come to this floor this year, there is just not enough money to do everything.

NASA is very important to me, yet we had to set very stiff, tough priorities on NASA and the space station. We made major cuts. Yet here we are with a plan to transfer all this money to the Park Service for the Presidio. Approval of this plan flies right in the face of the fact that the National Park Service faces a 37-year backlog in construction funding. We have to set priorities. Vote for the Duncan amendment.

The CHAIRMAN. The gentleman has 1 minute remaining.

Mr. DUNCAN. Mr. Chairman, I yield the final minute to the gentleman from Alaska [Mr. YOUNG], the ranking member of the full committee.

Mr. YOUNG of Alaska. Mr. Chairman, with 1 minute I have to explain one thing.

Let us go back to the history very quickly. The gentleman is correct, this is a park. It was passed in 1972. Although we did not envision it ever being surplus, it is and has been.

The chairman of the subcommittee is probably correct, but let us go back to the amount of money we are talking about. This is a tremendous amount of money with a tremendous backlog. Remember, from 1980 until now the Committee on Natural Resources has created over 34 new parks which we do not have money for right today to operate the ones in existence.

Again, I want to stress the Presidio moneys which we are appropriating today, and the ranking member and the chairman say it must be done, exceeds the Yellowstone, exceeds the Yosemite, 1½ times more in total cost to operate.

I hope the bill of the gentlewoman from California [Ms. PELOSI] does pass

and I hope we come back to this floor and have no further funding. I hear people talking about 15 years of funding for this bill, which would amount to a little over \$400 million. Let us do our job. Let us turn this property back, as it should be, to the city of San Francisco, leave the fort area as a park, and keep that area, but let us not be burdening the taxpayer and neglecting the other parks in this country.

Mr. YATES. Mr. Chairman, I yield the remainder of our time to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I yield to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. I just want to point out that Golden Gate does cost more, Mr. Chairman, but Golden Gate has 16.7 million, Yosemite has 3.8 million, Yellowstone has 2.9 million visitors, so on a per visitor cost basis Golden Gate is the least expensive.

Mr. YOUNG of Alaska. Will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I ask the gentlewoman, what do they charge for admission to the Presidio?

Ms. PELOSI. We are just now becoming a national park, Mr. Chairman.

Mr. YOUNG of Alaska. If the gentlewoman will continue to yield, so far the visitors have not paid one cent.

Ms. PELOSI. It is not a park yet. It is still a military post.

Mr. Chairman, reclaiming my time, following up what the gentleman from Ohio [Mr. REGULA] said, the Presidio has more visitors than all the visitors that were mentioned here, combined, combined.

Mr. Chairman, the bill before us today is the culmination of many long hours of hearings, deliberation and care taken to advance an Interior appropriations measure that adequately safeguards our natural heritage in a context of demanding and competing interests.

The chairman and ranking member are to be commended for their determination and for their accomplishment in meeting this challenge. Mr. YATES and Mr. REGULA and members of their staffs—Neil Sigmon and Barbara Wainman—deserve our full appreciation for your efforts. I also would like to commend Judy Lemons of my staff for her work since 1972 on the Presidio issue.

Today, I rise in opposition to the Duncan amendment, Mr. Chairman. This is the same amendment Mr. DUNCAN offered and lost last year.

The Presidio transfer will end over two centuries of military history to become part of the most visited park in the United States. Its over 1,400 acres include the largest number of historic structures of any national park and it is the only urban park in the world included in the U.N. Biosphere Reserve.

Its unique natural features and educational potential provide us with an unprecedented opportunity to create an extraordinary 21st century national park.

It is essential to seek innovative ways to manage our Federal assets that save money while ensuring accountability. The history and national significance of the Presidio must be preserved as a testament to the growth of our Nation.

As I mentioned when Mr. DUNCAN first offered his amendment last year, plans were well under way for the successful conversion of the Presidio:

The Park Service has completed the planning process for the Presidio.

A lease is now being negotiated for the major revenue-generating property at the Presidio.

A legislative process is underway in the House and Senate to seek an innovative, cost-saving management mechanism that will reduce Federal outlays for the Presidio.

I have introduced legislation, H.R. 3433, as a cost-effective means for managing the Presidio. A subcommittee markup will occur this Monday on my bill, as well as one introduced by Mr. DUNCAN. At a hearing on these two bills, the Subcommittee on National Parks heard testimony that the Duncan bill would cost \$100 million more than the legislation I have proposed.

Financial and real estate consultants working on the Presidio have determined that H.R. 3433 is the least-cost option under consideration and would be less costly than:

The Duncan bill which is projected to cost over \$100 million more than my legislation.

Traditional Park Service management, which is projected to cost over \$400 million more than H.R. 3433.

Mr. DUNCAN has no plan to actually reduce costs for the Presidio so he must resort to simplistic tactics that delay a process that was set in motion 22 years ago when, in 1972, Congress determined that the Presidio would become a national park. Delay is expensive. Every dollar cut now simply means that taxpayers costs will increase even more than the costs of the Duncan bill. Essential maintenance projects will only cost more next year. The Presidio is a national resource that should not be squandered.

Mr. DUNCAN mistakenly assumed that Presidio lands could be sold off to sustain what he would leave as a coastal strip of national park. According to local zoning ordinances, no property at the Presidio could be sold. Any change in the local ordinance would take a minimum of 10 to 15 years. The cost of increased security and mothballing of properties would only add to Mr. DUNCAN's growing tab for the Presidio.

California's Governor Wilson wrote to Mr. DUNCAN expressing his opposition to the Duncan bill. In the letter, Governor Wilson stated:

A sale of all or part of the Presidio as contemplated by your bill has not withstood the rigors of close financial analysis, nor could it ensure use of these properties consistent with the overall plan for the Presidio.

The conversion of the Presidio, on September 30, marks an unprecedented opportunity to reshape a natural and human-made resource into a world-class urban park and global center for seeking solutions to problems of the natural and human environments.

Many of my colleagues have been helpful on this issue—Chairmen BRUCE VENTO, GEORGE MILLER, JACK MURTHA, RON DELLUMS and Representatives GREG LAUGHLIN, BEN GILMAN, and ARTHUR RAVENEL—all who were kind enough to contact other Members on behalf of my legislation for the Presidio and to urge them to oppose the Duncan legislation.

I urge my colleagues to vote against the shortsighted Duncan amendment.

Mr. LANTOS. Mr. Chairman, on October 1, 1994, the Presidio Army Base, located in San Francisco, will be transferred to the National Park Service. I fully support the transfer and conversion of this unique property for use by all citizens.

A National Historical Landmark since 1962, the Presidio contains 1,480 acres of irreplaceable historic, scenic, and ecological treasures. Located in a major urban metropolitan area and within the boundaries of the Golden Gate National Recreation Area, the Presidio contains numerous diverse characteristics. These include native ecosystems, endangered plants, and open space trails. In addition, it is the only U.N. International Biosphere Reserve located in an urban setting.

This is an ultimate example of successful base conversion. The transformation of the Presidio from military use to operative facilities for use by all Americans is a model for all to emulate. Centers for research and education, which will provide thousands of new jobs, will be established in the hundreds of historic buildings throughout the base.

The conversion of the Presidio to a national park will make the unique resources of the area available for use by the millions of visitors, as well as residents of the San Francisco Bay area. It is imperative for us to conserve this exceptional span of property for future generations.

Mr. Chairman, the funding included in this bill is essential to make this facility available and open to all. I urge my colleagues to oppose the amendment offered by Mr. DUNCAN.

□ 1540

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. DUNCAN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 257, not voting 11, as follows:

[Roll No. 261]

AYES—171

Allard	Goss	Nussle
Archer	Grams	Parker
Army	Grandy	Paxon
Baessler	Green	Penny
Baker (LA)	Greenwood	Petri
Ballenger	Hancock	Pickett
Barrett (NE)	Hansen	Pombo
Bartlett	Hastert	Portman
Barton	Hefley	Poshard
Bentley	Heger	Pryce (OH)
Billrakis	Hobson	Quillen
Bliley	Hoekstra	Quinn
Blute	Hoke	Ramstad
Boehner	Hunter	Ridge
Bonilla	Hutchinson	Roberts
Brewster	Hyde	Rogers
Bunning	Inglis	Rohrabacher
Burton	Inhofe	Ros-Lehtinen
Buyer	Istook	Roth
Callahan	Johnson (CT)	Roukema
Calvert	Johnson, Sam	Royce
Camp	Kasich	Sarpalatus
Canady	Kim	Schaefer
Castle	King	Schiff
Chapman	Kingston	Sensenbrenner
Clement	Klug	Shaw
Clinger	Knollenberg	Shays
Coble	Kolbe	Shuster
Collins (GA)	Kyl	Sisisky
Combest	Lazio	Skeen
Cooper	Leach	Smith (MI)
Costello	Lehman	Smith (NJ)
Crane	Levy	Smith (OR)
Crapo	Lewis (CA)	Smith (TX)
DeLay	Lewis (FL)	Snowe
Diaz-Balart	Lewis (KY)	Spence
Dickey	Lightfoot	Stearns
Doolittle	Linder	Stenholm
Dornan	Livingston	Stump
Dreier	Lucas	Sundquist
Duncan	Machtley	Swett
Dunn	Mann	Talent
Emerson	Manzullo	Tanner
Everett	McCandless	Tauzin
Ewing	McCollum	Taylor (MS)
Fawell	McCrery	Taylor (NC)
Fields (TX)	McHugh	Thomas (CA)
Fish	McInnis	Thomas (WY)
Fowler	McKeon	Torkildsen
Franks (CT)	Meyers	Upton
Franks (NJ)	Mica	Vucanovich
Galleghy	Michel	Walker
Gekas	Miller (FL)	Williams
Gillmor	Minge	Young (AK)
Gingrich	Mollinari	Young (FL)
Goodlatte	Moorhead	Zeliff
Goodling	Myers	Zimmer

NOES—257

Abercromble	Carr	English
Andrews (ME)	Clay	Eshoo
Andrews (NJ)	Clayton	Evans
Andrews (TX)	Clyburn	Faleomavaega
Applegate	Coleman	(AS)
Bacchus (FL)	Collins (IL)	Farr
Baker (CA)	Collins (MI)	Fazio
Barca	Condit	Fields (LA)
Barcia	Conyers	Fliner
Barlow	Coppersmith	Fingerhut
Barrett (WI)	Cox	Flake
Bateman	Coyne	Foglietta
Becerra	Cramer	Ford (MI)
Bellenson	Cunningham	Ford (TN)
Bereuter	Danner	Frank (MA)
Berman	Darden	Frost
Bevill	de la Garza	Furse
Blibray	de Lugo (VI)	Gallo
Bishop	Deal	Gejdenson
Blackwell	DeFazio	Gephardt
Boehlert	DeLauro	Geren
Bonior	Dellums	Gilchrist
Borski	Derrick	Gilman
Boucher	Deutsch	Glickman
Brooks	Dicks	Gonzalez
Browder	Dingell	Gordon
Brown (CA)	Dixon	Gunderson
Brown (FL)	Dooley	Gutierrez
Brown (OH)	Durbin	Hall (OH)
Bryant	Edwards (GA)	Hall (TX)
Byrne	Edwards (TX)	Hamburg
Cantwell	Ehlers	Hamilton
Cardin	Engel	Harman

Hastings	McKinney	Sabo
Hayes	McMillan	Sanders
Hefner	McNulty	Sangmeister
Hilliard	Meehan	Sawyer
Hinchee	Meek	Saxton
Hoagland	Menendez	Schenck
Hochbrueckner	Mfume	Schroeder
Holden	Miller (CA)	Schumer
Horn	Mineta	Scott
Hoyer	Mink	Serrano
Huffington	Moakley	Shepherd
Hughes	Mollohan	Skaggs
Hutto	Montgomery	Skelton
Inslee	Moran	Slattery
Jacobs	Morella	Slaughter
Jefferson	Murphy	Smith (IA)
Johnson (GA)	Murtha	Spratt
Johnson (SD)	Nadler	Stark
Johnson, E. B.	Neal (MA)	Stokes
Johnston	Neal (NC)	Strickland
Kanjorski	Norton (DC)	Studds
Kaptur	Oberstar	Stupak
Kennedy	Obey	Swift
Kennelly	Olver	Synar
Kildee	Ortiz	Tejeda
Klecicka	Orton	Thompson
Klein	Owens	Thornton
Klink	Packard	Thurman
Kopetski	Pallone	Torres
Kreidler	Pastor	Torricelli
LaFalce	Payne (NJ)	Towns
Lambert	Payne (VA)	Trafficant
Lancaster	Pelosi	Tucker
Lantos	Peterson (FL)	Unsoeld
LaRocco	Peterson (MN)	Valentine
Laughlin	Pickle	Velazquez
Levin	Pomeroy	Vento
Lewis (GA)	Porter	Visclosky
Lipinski	Price (NC)	Voikmer
Long	Rahall	Walsh
Lowe	Rangel	Waters
Maloney	Ravenel	Watt
Manton	Reed	Waxman
Margolies-	Regula	Weldon
Mezvinsky	Reynolds	Wheat
Markey	Richardson	Whitten
Martinez	Roemer	Wilson
Matsui	Romero-Barcelo	Wise
Mazzoli	(PR)	Wolf
McCloskey	Rose	Woolsey
McCurdy	Rostenkowski	Wyden
McDade	Rowland	Wynn
McDermott	Roybal-Allard	Yates
McHale	Rush	

NOT VOTING—11

Ackerman	Lloyd	Solomon
Bachus (AL)	Oxley	Underwood (GU)
Gibbons	Santorum	Washington
Houghton	Sharp	

□ 1602

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

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: On Page 16, line 16, delete "\$171,417,000," and insert, "\$165,123,000".

Mr. HEFLEY. Mr. Chairman, the amendment before you would delete a total of \$6,294,000 from the section of the bill dealing with construction funds for the National Park Service.

Mr. Chairman, I might ask the gentleman from Illinois [Mr. YATES] if on this amendment he would like to restrict the time.

Mr. YATES. Mr. Chairman, I ask unanimous consent that the time on

this amendment be limited to 10 minutes, 5 minutes on each side, 5 minutes for the gentleman from Colorado [Mr. HEFLEY] and 5 minutes for myself.

Mr. HEFLEY. Mr. Chairman, reserving the right to object, that is agreeable.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the gentleman from Colorado [Mr. HEFLEY] will be recognized for 5 minutes, and the gentleman from Illinois [Mr. YATES] will be recognized for 5 minutes.

There are no objections.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. HEFLEY].

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

Mr. HEFLEY. I yield to the chairman of the subcommittee.

Mr. YATES. Mr. Chairman, I am trying to understand what the purpose of the gentleman's amendment is.

Mr. HEFLEY. I will try to explain it.

Mr. Chairman, this amendment would take \$6,294,000 from the section of the bill dealing with construction funds for the National Park Service. Specifically, this cut targets \$1,294,000 earmarked for the Allegheny Portage Railroad near Johnstown, PA, and \$5 million for construction of the mountain music center on the Blue Ridge Parkway in Virginia.

Now I am not going to get into an argument about the merits of the Portage Railroad or how this park got there. Our colleague, our former colleague, John Saylor, wanted a park there before he retired, and he got one. In fact, he got two parks. But I am going to question why and how the Government has pumped \$25.6 million into a park that is about 1,000 acres in size, most of it forested and one part of it a major highway.

I want to question why it has spent that amount of money only a few years after Congress voted to cap expenditures at that site at \$9.8 million. Generally speaking, the Committee on Appropriations' list of earmarks this year was defensible. Still, employee housing in Alaska took a hit of almost \$1.7 million in this budget, and money to repair the utility system at Independence Hall, which has been a national disgrace over the past 5 years, got cut by about \$3.4 million.

Mr. Chairman, with those kinds of priorities and a multi-billion-dollar maintenance backlog, I question whether Cresson mountain is the best place to put our money.

Now, the Mountain Music Center is a little bit different. It has been studied. The administration recommended it. The question is whether we really need a mountain music center in the National Park System and whether the National Park Service should be running such a music center in the first place.

Over the past 3 years I have become concerned about what we are asking the Park Service to do. We have asked it to run a music center at Wolf Trap, we have asked it to engage in economic development at Lowell, MA, and Thurmont, WV. We have asked it to build and operate a number of highways across the country, including the Blue Ridge Parkway. On other occasions we have asked it to manage a tennis stadium, to act as a leasing agent for an urban park and to run a railroad.

Is it any wonder why the Park Service is strapped for cash? The Park Service is in the business of protecting and interpreting sites important to the natural and cultural heritage of this country. I have real questions about whether mountain music will disappear from our culture without this \$5 million interpretive center. I say let the private sector operate music centers like this and let the Park Service do its job.

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

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

Mr. Chairman, the Allegheny Portage Railroad national historic site was approved by our committee upon the motion of the gentleman from Pennsylvania [Mr. MURTHA]. It is an historic area between Philadelphia and Pittsburgh.

The legislature of Pennsylvania enacted a mainline canal bill that authorized a board of canal commissioners to design and construct canal systems across the State. And it is for that reason that Mr. MURTHA came forward and asked for this amendment and the committee approved it.

With respect to the mountain music center, this matter has been pending for years. The gentleman from Virginia [Mr. BOUCHER] is the one who has recommended it.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. BOUCHER] in order to tell the gentleman from Colorado [Mr. HEFLEY] why the center is needed.

Mr. BOUCHER. Mr. Chairman, I want to express my appreciation to the gentleman from Illinois for yielding this time to me.

I rise in opposition to the amendment offered by the gentleman from Colorado [Mr. HEFLEY] and would state in opposition to his amendment, that the Mountain Music Interpretive Center to be constructed on the Blue Ridge Parkway astride the Virginia-North Carolina border, would interpret the mountain music that is native to our area for one of the most popular national parks in the entire Nation.

From the traditional music of the Blue Ridge Mountains came bluegrass music, modern country music, today's rockabilly songs and western swing. The music that was born in the Blue Ridge Mountains of Virginia and North

Carolina is now popular throughout the Nation and around the world. In every corner of the globe, one hears the American music which had its roots in the Blue Ridge. The music born in that region, now popularizes our culture in every nation on Earth.

It is still very much alive in the place of its origin. Each year hundreds of bluegrass and other string bands play this uniquely American music throughout the Blue Ridge communities in our Appalachian States.

Mr. Chairman, this center has been a part of the Blue Ridge Parkway's long-range plans since the inception of that plan in the 1930's. It has been thoroughly reviewed at the national level.

In 1988, at the direction of this Congress, the Park Service conducted an extensive study of the utility of the traditional music center in Virginia and North Carolina.

□ 1610

It was strongly endorsed as an outstanding means of enhancing the experience for the 22.3 million annual Blue Ridge Parkway visitors and highlighting the unique character of the region which has contributed so richly to American life. The architectural and engineering work has been completed for this center, and the land has been acquired for the facility. To take the next step the administration has requested \$5 million for construction, and the committee has provided that amount.

I would stress that this project has been very strong local support, both in Virginia and in North Carolina. The city of Galax in my congressional district has made commitments to the project valued by the Park Service at more than \$4 million, so much of the cost of the project will, in fact, be satisfied with local funds.

The appropriation is expressly contingent on the operation of the center taking place at no cost to the Federal Government. In fact, we anticipate substantial support from private foundations and by the States involved in order to provide operational revenues.

The project has been carefully considered. It will make a significant cultural contribution. It is receiving strong support locally in terms of financial commitments, and over the long-term it will be operated at no cost to the Federal Government. Mr. Chairman, I strongly oppose the gentleman's amendment and would hope that the committee would confirm this very thoughtful appropriation.

Mr. HEFLEY. Mr. Chairman, just in response to the gentleman there, the two things that I have problems with are: Why we put a cap on the park at \$9 million and it has gone to \$25 million and why we feel we must have this interpretive music center in this particular location.

Mr. Chairman, the Smithsonian collects this kind of music, the Library of

Congress collects this kind of music. It is not as if this music is going to be lost if we do not do that.

Might be a nice thing to have, might be a nice thing to have in one's district, but is it something that is absolutely necessary in these tight budgetary times, and I think that is the question we have to be asking.

In conclusion, Mr. Chairman, let me just say I wonder where we are going to stop on these interpretive centers. We are going to do this one for mountain music. There is a proposal to do a New Orleans jazz park. Is jazz going to disappear if we do not do the park? Are we going to do a rap park? Are we going to do a rock and roll park? Are we going to do a country music park? I mean where is it going to stop if we do this kind of thing?

This goes beyond what the Park Service is obligated to do or what we charge them to do, and it takes funds, it takes resources, from the legitimate mission of the Park Service, and we have heard over and over this afternoon how short those resources are. The gentleman from Illinois [Mr. YATES] has had to struggle with trying to fund these things. He knows how short those resources are.

Mr. Chairman, I think I am out of time. I will stop at that point.

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] has 1 minute remaining.

Mr. YATES. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I can appreciate very much the arguments of the gentleman. There is no question but that we on the Appropriations Committee are called upon to finance new establishments and new parks that are approved by the Congress. This center has been approved by the Congress, as has been the Allegheny Portage Railroad. These are authorized projects. The place to stop them is in the authorizing committees. The Appropriations Committee receives these requests from the authorizing committees and from the Members from the particular areas. We thought these were worthy of financing. We have been holding in abeyance the project that the gentleman from Virginia [Mr. BOUCHER] brought us for years, and we think this would be like Wolf Trap, a performance center in the Park Service. The Kennedy Center is a performance center. This will be a performance center for folk music.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 146, noes 282, not voting 11, as follows:

[Roll No. 262]

AYES—146

Allard	Franks (NJ)	Mica
Andrews (ME)	Galleghy	Miller (FL)
Archer	Gekas	Minge
Army	Gingrich	Molinar
Bachus (AL)	Goss	Nussle
Baker (CA)	Grams	Oxley
Baker (LA)	Grandy	Parker
Ballenger	Greenwood	Paxon
Barca	Gunderson	Penny
Barcla	Hall (TX)	Peterson (MN)
Barrett (NE)	Hancock	Petri
Barrett (WI)	Hansen	Pombo
Bartlett	Hastert	Porter
Barton	Hefley	Portman
Bentley	Herger	Poshard
Billrakis	Hoekstra	Pryce (OH)
Blute	Hoke	Quinn
Boehner	Huffington	Rammstad
Bonilla	Hutchinson	Ravenel
Bunning	Hyde	Roberts
Burton	Inglis	Ros-Lehtinen
Buyer	Inhofe	Roth
Callahan	Insee	Roukema
Camp	Istook	Royce
Canady	Johnson, Sam	Schaefer
Castle	Kasich	Sensenbrenner
Coble	Kildee	Shays
Collins (GA)	Kim	Smith (MI)
Combest	Kingston	Smith (OR)
Condit	Klein	Smith (TX)
Cooper	Klug	Snowe
Costello	Knollenberg	Spence
Cox	Kreidler	Stearns
Crane	Kyl	Stenholm
Crapo	Leach	Stump
Cunningham	Lewis (FL)	Swett
Dickey	Lewis (KY)	Talent
Doolittle	Linder	Tauzin
Dornan	Lucas	Thomas (CA)
Dreier	Mann	Thomas (WY)
Duncan	Manzullo	Thurman
Dunn	Margolies-	Torkildsen
Emerson	Mezvinsky	Upton
Everett	McCollum	Walker
Ewing	McCrery	Williams
Fawell	McHugh	Young (AK)
Fields (TX)	McInnis	Young (FL)
Fingerhut	McKeon	Zelliff
Franks (CT)	Meyers	Zimmer

NOES—282

Abercrombie	Collins (MI)	Frank (MA)
Andrews (NJ)	Conyers	Frost
Andrews (TX)	Coppersmith	Furse
Applegate	Coyne	Gallo
Bacchus (FL)	Cramer	Gejdenson
Baessler	Danner	Gephardt
Barlow	Darden	Geren
Bateman	de la Garza	Gibbons
Becerra	de Lugo (VI)	Gilchrest
Bellenson	Deal	Gillmor
Bereuter	DeFazio	Gilman
Berman	DeLauro	Glickman
Bevill	DeLay	Gonzalez
Bilbray	Dellums	Goodlatte
Bishop	Derrick	Goodling
Blackwell	Deutsch	Gordon
Bliley	Diaz-Balart	Green
Boehler	Dicks	Gutierrez
Bonior	Dingell	Hall (OH)
Borski	Dixon	Hamburg
Boucher	Dooley	Hamilton
Brewster	Durbin	Harman
Brooks	Edwards (CA)	Hastings
Browder	Edwards (TX)	Hayes
Brown (CA)	Ehlers	Hefner
Brown (FL)	Engel	Hillhard
Brown (OH)	English	Hinchee
Bryant	Eshoo	Hoagland
Byrne	Evans	Hobson
Calvert	Faleomavaega	Hochbrueckner
Cantwell	(AS)	Holden
Cardin	Farr	Horn
Carr	Fazio	Hoyer
Chapman	Fields (LA)	Hughes
Clay	Filner	Hunter
Clayton	Fish	Hutto
Clement	Flake	Jacobs
Clinger	Foglietta	Jefferson
Clyburn	Ford (MI)	Johnson (CT)
Coleman	Ford (TN)	Johnson (GA)
Collins (IL)	Fowler	Johnson (SD)

Johnson, E. B.	Morella	Scott
Johnston	Murphy	Serrano
Kanjorski	Murtha	Shaw
Kaptur	Myers	Shepherd
Kennedy	Nadler	Shuster
Kennelly	Neal (MA)	Stitsky
King	Neal (NC)	Skaggs
Klink	Norton (DC)	Skeen
Kolbe	Oberstar	Skelton
Kopetski	Obey	Slattery
LaFalce	Olver	Slaughter
Lambert	Ortiz	Smith (NJ)
Lancaster	Orton	Spratt
Lantos	Owens	Stark
LaRocco	Packard	Stokes
Laughlin	Pallone	Strickland
Lazio	Pastor	Studds
Lehman	Payne (NJ)	Stupak
Levin	Payne (VA)	Sundquist
Levy	Pelosi	Swift
Lewis (CA)	Peterson (FL)	Synar
Lewis (GA)	Pickett	Tanner
Lightfoot	Pickle	Taylor (MS)
Lipinski	Pomeroy	Taylor (NC)
Livingston	Price (NC)	Tejeda
Long	Quillen	Thompson
Lowey	Rahall	Thornton
Maloney	Rangel	Torres
Manton	Reed	Torricelli
Markey	Regula	Towns
Martinez	Reynolds	Traffant
Matsul	Richardson	Tucker
Mazzoli	Ridge	Unsoeld
McCandless	Roemer	Valentine
McCloskey	Rogers	Velazquez
McDade	Rohrabacher	Vento
McDermott	Romero-Barcelo	Visclosky
McHale	(PR)	Volkmer
McKinney	Rose	Vucanovich
McMillan	Rostenkowski	Walsh
McNulty	Rowland	Waters
Meehan	Roybal-Allard	Watt
MEEK	Rush	Waxman
Menendez	Sabo	Weldon
Mfume	Sanders	Wheat
Michel	Sangmeister	Whitten
Miller (CA)	Santorum	Wilson
Mineta	Sarpallus	Wise
Mink	Sawyer	Wolf
Moakley	Saxton	Woolsey
Mollohan	Schenk	Wyden
Montgomery	Schiff	Wynn
Moorhead	Schroeder	Yates
Moran	Schumer	

NOT VOTING—11

Ackerman	Machtley	Solomon
Houghton	McCurdy	Underwood (GU)
Klecicka	Sharp	Washington
Lloyd	Smith (IA)	

□ 1636

Messrs. TAYLOR of North Carolina, LIGHTFOOT, LAZIO, KING, LEVY, and McCANDLESS changed their vote from "aye" to "no."

Ms. MARGOLIES-MEZVINSKY changed her vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. BACHUS of Alabama. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my remarks are going to deal with title I, not title II.

I rise today to voice my opposition to the Bureau of Mines report language that is attached to this legislation. I am specifically rising to express my opposition to the current plan to reorganize the Bureau of Mines.

On September 10, I and my colleagues wrote the chairman of the Subcommittee on Interior, the gentleman from Illinois [Mr. YATES] a letter, which I would like to submit for the RECORD.

In that correspondence, we point out four or five objections we had to the proposed reorganization.

First of all, it, in our estimation diminishes to a large extent all mineral assessment work, mineral processing technology research and health and safety research conducted by the research centers of the Bureau of Mines. If this reorganization goes forward, almost all research performed by the Bureau of Mines will be of an environmental nature.

I certainly do not have any objection to that type of work, but I do not believe that we should ignore the primary customer of the Bureau of Mines to date, and that is the mining industry.

I also want to express, and we did in this letter, our strong opposition to how this reorganization went about. It was under the Vice President's Re-inventing Government plan, but part of his plan is to seek input from rank and file Bureau of Mines employees. And that was not done in this plan. It was a small group of executives that did this plan with the rank and file at the Bureau of Mines totally left out. And their input was not even sought.

Third, and I would say that to my fellow Members from the South, 25 percent of the mining in this Nation is done in the South, but under this proposed reorganization, there will not be a Bureau of the Mines office in the South.

□ 1640

They will all be closed. There will be no research centers in the South. That is removing, in my mind, access to the Bureau of Mines to most Southern States.

Mr. Chairman, that will conclude my remarks. I include for the RECORD this letter:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 10, 1994.

Hon. SIDNEY YATES,
Chairman, Subcommittee on Interior, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to express our concerns regarding the proposed reorganization and restructuring of the United States Bureau of Mines. The reorganization proposes to drastically alter the field structure, research missions, and the mineral information collection and analysis functions of the Bureau.

This proposal runs contrary to the "Re-inventing Government" report's two central themes of "empowering employees to get results" and "putting customers first." The Bureau's reorganization proposal was created within a small executive circle and had minimal input from rank-and-file employees. Furthermore, the plan virtually ignores the primary customer of BOM—the mining industry. In fact, the Bureau has made no secret of the fact that the reorganization plan was put together on the basis of political, rather than rational, criteria.

The plan proposes an almost total shift toward environmental research as BOM's focus and the closure and consolidation of field offices based on this shift. While we support environmental research, we oppose actions which would diminish mineral assessment work, mineral processing technology, health

and safety research, reduce and phase out the Mineral Institutes, and eliminate recoverability estimations, and comparative cost analyses which assist U.S. mining companies in building export markets.

We maintain that a congressional review is warranted before any actions are taken to implement the current proposal and substantial revisions should be made in the proposal following such a review. As a result, we would appreciate your consideration of the following two steps in this year's appropriations bill.

First, we would request the Bureau's 1995 budget should be maintained at a level comparable to previous years. We believe it would be unwise to make the \$20 million dollar cut in the Bureau's budget without exploring other options.

Second, we request a congressionally-mandated moratorium on the execution of the reorganization plan until a congressional review can be completed. Such moratorium would include a prohibition on the closure and consolidation of field offices prior to the approval of the committees of jurisdiction and the Congress.

We thank you for your consideration. Please do not hesitate to contact us if we can provide more information or be of further assistance in this matter.

Sincerely,

Spencer T. Bachus, Terry Everett, Scott McInnis, Dan Schaefer, Thomas Barlow, Robert Cramer, Earl Hilliard, Don Young, Sonny Callahan, Barbara Vucanovich, Bill Emerson, Michael Crapo, Charles Canady.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FOREST RESEARCH

For necessary expenses of forest research as authorized by law, \$201,780,000, to remain available until September 30, 1996.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others and for forest pest management activities, cooperative forestry and education and land conservation activities, \$158,664,000, to remain available until expended, as authorized by law.

EMERGENCY PEST SUPPRESSION FUND

For necessary expenses for emergency suppression of pests, \$17,000,000, to remain available until expended: *Provided*, That these funds, or any portion thereof, shall be available in fiscal year 1995 only to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL FORESTRY

For necessary expenses of international forestry as authorized by Public Laws 101-513 and 101-624, \$7,000,000, to remain available until September 30, 1996.

NATIONAL FOREST SYSTEM
(INCLUDING RESCISSION OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads "Forest Research", "State and Private Forestry", "National Forest System", "Construction", "Forest Service Fire Protection", "Emergency Forest Service Firefighting Fund", and "Land Acquisition" \$1,348,162,000, to remain available for obligation until September 30, 1996, and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(1)): *Provided*, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1994, shall be merged with and made a part of the fiscal year 1995 National Forest System appropriation, and shall remain available for obligation until September 30, 1996: *Provided further*, That up to \$5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed: *Provided further*, That funds in the amount of \$12,000,000 provided under this head in prior years' appropriations Acts for fire management are rescinded.

FOREST SERVICE FIRE PROTECTION

For necessary expenses for firefighting on or adjacent to National Forest System lands or other lands under fire protection agreement, and for forest fire management and presuppression on National Forest System lands, \$160,590,000, to remain available until expended: *Provided*, That unexpended balances of amounts previously appropriated for this purpose under the heading "Forest Service Firefighting", Forest Service, may be transferred to and merged with this appropriation and accounted for as one appropriation for the same time period as originally enacted.

EMERGENCY FOREST SERVICE FIREFIGHTING
FUND

For necessary expenses for emergency rehabilitation, presuppression due to emergencies or economic efficiency, and wildfire suppression activities of the Forest Service, \$226,200,000, to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriation accounts previously transferred for such purposes.

CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, for construction, \$191,740,000, to remain available until expended, of which \$70,341,000 is for construction and acquisition of buildings and other facilities; and \$121,399,000 is for construction and repair 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 funds becoming available in fiscal year 1994 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: *Provided further*, That not to exceed \$50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conserva-

tion Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$62,131,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

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, \$1,252,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND
EXCHANGES

For acquisition of lands, 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 of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen 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 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST
AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$89,000, 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: (a) purchase of not to exceed 156 passenger motor vehicles of which 15 will be used primarily for law enforcement purposes and of which 148 shall be for replacement only; acquisition of 79 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 14 aircraft from excess sources; 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; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System adminis-

tration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Forest Service Firefighting appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: *Provided*, That no funds shall be made available under this authority until funds appropriated to the "Emergency Forest Service Firefighting Fund" shall have been exhausted.

The appropriation structure for the Forest Service may not be altered without advanced approval of the House and Senate Committees on Appropriations.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Office of International Cooperation and Development 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 cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the report accompanying this Act.

No funds appropriated 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.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93-153 (30 U.S.C. 185(1)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408.

None of the funds available in this Act shall be used for timber sale preparation

using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: *Provided*, That this limitation shall not apply to hardwood stands damaged by natural disaster: *Provided further*, That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101-2110, 1606, and 2111.

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.

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

None of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

None of the funds made available in this Act shall be used for timber sale planning or scoping using clearcutting in the Ouachita and Ozark-St. Francis National Forests in Arkansas, except for sales that are necessary as a result of natural disaster or a threat to forest health, or for maintaining or enhancing wildlife habitat, or habitat for endangered and threatened species, or for research purposes.

Pursuant to section 405(b), and section 410(b) of Public Law 101-593, of the funds available to the Forest Service, up to \$1,000,000 for matching funds shall be available for the National Forest Foundation.

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

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

The first paragraph under this head in Public Law 101-512, as amended, is further amended by striking the phrase "\$100,000,000 on October 1, 1994, and \$50,000,000 on October 1, 1995" and inserting "\$18,000,000 on October 1, 1994, \$100,000,000 on October 1, 1995, and \$32,000,000 on October 1, 1996"; and by striking the phrase "\$275,000,000 on October 1, 1994, and \$100,000,000 on October 1, 1995" and inserting "\$19,121,000 on October 1, 1994, \$100,000,000 on October 1, 1995, and \$255,879,000 on October 1, 1996": *Provided*, That not to exceed \$18,000,000 available in fiscal year 1995 may be used for administrative oversight of the Clean Coal Technology program.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out 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 plant or facility acquisition or expansion, \$445,544,000, to remain available until ex-

ended, of which \$17,000,000 shall be derived by transfer of unobligated balances from the "SPR petroleum account": *Provided*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION (INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1994, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, \$193,956,000, to remain available until expended: *Provided*, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply in fiscal year 1995.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, \$824,585,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1995 determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Provided*, That \$283,199,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99-509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99-509 such sums shall be allocated to the eligible programs as follows: \$230,800,000 for the weatherization assistance program, \$23,339,000 for the State energy conservation program, and \$29,060,000 for the institutional conservation program.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, \$12,437,000, to remain available until expended.

EMERGENCY PREPAREDNESS

For necessary expenses in carrying out emergency preparedness activities, \$8,249,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$244,011,000, to remain available until expended, of which \$90,764,000 shall be derived by transfer of unobligated balances from the "SPR petroleum account": *Provided*, That appropriations herein made shall not be available for leasing of facilities for the storage of crude oil for the Strategic Petroleum Reserve unless the quantity of oil stored in or deliverable to Government-owned storage facilities by virtue of contractual obligations is equal to 700,000,000 barrels.

SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petro-

leum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: *Provided*, That outlays in fiscal year 1995 resulting from the use of funds in this account shall not exceed \$9,000,000.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$84,728,000, to remain available until expended: *Provided*, That, notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)) or any other provision of law, funds appropriated under this heading may be used to enter into a contract for end use consumption surveys for a term not to exceed eight years.

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 of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations 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 lands, buildings, equipment, and other 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 of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further*, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

The Secretary of Energy may transfer to the Emergency Preparedness appropriation such funds as are necessary to meet any unforeseen emergency needs from any funds available to the Department of Energy from this Act.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE
INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and XXVII and section 208 of the Public Health Service Act with respect to the Indian Health Service, \$1,706,102,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa-2 for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That \$12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That \$351,258,000 for contract medical care shall remain available for obligation until September 30, 1996: *Provided further*, That of the funds provided, not less than \$11,603,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act, as amended: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, 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 be available for two fiscal years after the fiscal year in which they were collected, 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 further*, That of the funds provided, \$7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1996: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act, as amended, shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

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 sites, 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. 2004a), the Indian Self-Determination Act and the Indian

Health Care Improvement Act, and for expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and XXVII and section 208 of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$253,892,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: *Provided further*, That notwithstanding any other provision of law a single procurement for the construction of the Fort Belknap, Montana health center and satellite clinic and a single procurement for construction of the White Earth, Minnesota health center may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; 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; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by law (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 recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-53) 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 to the Indian Health Service shall be administered under Public Law 86-121 (the Indian Sanitation Facilities Act) and Public Law 93-638, as amended: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: *Provided further*, That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the In-

dian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without the advance approval of the House and Senate Committees on Appropriations: *Provided further*, That in fiscal year 1995 and thereafter (a) the Secretary may enter into personal services contracts with entities, either individuals or organizations, for the provision of services in facilities owned, operated or constructed under the jurisdiction of the Indian Health Service; (b) the Secretary may exempt such a contract from competitive contracting requirements upon adequate notice of contracting opportunities to individuals and organizations residing in the geographic vicinity of the health facility; (c) consideration of individuals and organizations shall be based solely on the qualifications established for the contract and the proposed contract price; and (d) individuals providing health care services pursuant to these contracts are covered by the Federal Tort Claims Act.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title VI of the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act as passed by the House of Representatives on March 24, 1994, \$83,500,000: *Provided*, That \$1,735,000 available pursuant to section 6203 of the Act shall remain available for obligation until September 30, 1996.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, \$26,936,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others 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 to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA
NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by Public Law 99-498, as amended (20 U.S.C. 56, Part A), \$12,713,000: *Provided*, That notwithstanding any other provision of law, the annual budget proposal and justification for the Institute shall be submitted to the Congress concurrently with the submission of the President's Budget to the Congress: *Provided further*, That the Institute shall act as its own certifying officer.

SMITHSONIAN INSTITUTION
SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; \$314,454,000, of which not to exceed \$32,000,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL
ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, \$5,000,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by 5 U.S.C. 3109, \$24,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or

restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, \$30,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, a single procurement for the construction of the National Museum of the American Indian Cultural Resources Center may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; purchase of one passenger motor vehicle for replacement only; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$53,003,000, of which not to exceed \$3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF
BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized \$4,431,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE
PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$10,343,000.

CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$9,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR
SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$9,878,000.

NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, \$141,950,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1996.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$29,150,000, to remain available until September 30, 1996, to the National Endowment for the Arts, of which \$12,750,000 shall be available for purposes of section 5(d): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$151,420,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1996.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$25,963,000, to remain available until September 30, 1996, of which \$14,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$28,770,000.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant

or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS
SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

NATIONAL CAPITAL ARTS AND CULTURAL
AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, \$7,500,000.

ADVISORY COUNCIL ON HISTORIC
PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 89-665, as amended, \$2,967,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION
SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,655,000: *Provided*, That all appointed members will be compensated at a rate equivalent to the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL
COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$48,000, to remain available until September 30, 1996.

PENNSYLVANIA AVENUE DEVELOPMENT
CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, \$2,738,000 for operating and administrative expenses of the Corporation.

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, \$4,084,000, to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL
COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, as amended, \$26,660,000; of which \$2,700,000 shall be for repair and rehabilitation projects and shall remain available until expended.

Mr. YATES (during the reading). Mr. Chairman, I ask unanimous consent that title II 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 Illinois?

There was no objection.

The CHAIRMAN. Are there any points of order against title II?

POINT OF ORDER

Mr. VENTO. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. VENTO. Mr. Chairman, I make a point of order against the paragraph on page 80, line 11 through line 14, regarding salaries and expenses for the Pennsylvania Avenue Development Corporation, as a violation of clause 2 of rule XXI, of the House.

The CHAIRMAN. Does the gentleman from Illinois [Mr. YATES] wish to speak to the point of order?

Mr. YATES. Mr. Chairman, I do.

Mr. Chairman, I am opposed to the point of order. I read from the statute, Mr. Chairman, and as I understand the point of order, it is to the salaries and expenses account of the Corporation. There are two appropriations, one to the salaries and expenses and one to public development. I thought the gentleman might have been addressing public development.

Mr. VENTO. Mr. Chairman, if I may be heard further, there was obviously a reference to the development funds. We did not seek to strike them under the point of order. We were advised that would not have been appropriate, so therefore we just focused on the salaries and expenses which are not authorized to the Pennsylvania Avenue Development Corporation.

Mr. YATES. Mr. Chairman I concede the point of order.

The CHAIRMAN (Mr. GLICKMAN). The point of order is conceded and sustained.

Are there any other points of order? If not, are there any amendments to title II?

AMENDMENT OFFERED BY MR. CRANE

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

The Clerk read as follows:

Amendment offered by Mr. CRANE; page 77, after line 19, insert the following:

ELIMINATION OF FUNDING

Each amount appropriated or otherwise made available by this title for "National Endowment for the Arts" is hereby reduced to \$0.

Mr. CRANE. Mr. Chairman, I would like to have a brief colloquy with our distinguished chairman, the gentleman from Illinois [Mr. YATES].

I would make a respectful request by unanimous consent that we could have a total of 50 minutes, with the time divided equally, on my amendment.

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

Mr. YATES. Mr. Chairman, reserving the right to object, do I understand the request is for 50 minutes, divided 25 and 25?

Mr. CRANE. Yes, Mr. Chairman, that is right, if the gentleman will yield.

Mr. YATES. Mr. Chairman, would the gentleman make that 40 minutes, 20 and 20?

Mr. CRANE. All right, 40 minutes is agreeable, Mr. Chairman.

The CHAIRMAN. The Chair understands there will be 40 minutes, di-

vided, with 20 minutes on each side on this amendment and all amendments thereto?

Mr. YATES. That is correct, Mr. Chairman.

Mr. CRANE. All amendments to my amendment, Mr. Chairman?

The CHAIRMAN. To the gentleman's amendment, yes.

Mr. CRANE. Exclusively to my amendment.

Mr. YATES. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. CRANE]?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. CRANE] is recognized for 20 minutes.

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

Mr. Chairman, my amendment is not new to this body. I have introduced it on previous occasions, and I am pleased to report that each time we have come before the Chamber the numbers supportive of it have progressively increased.

Mr. Chairman, I would hope that this time the membership might listen carefully to some of the arguments in support of it. Mr. Chairman, the first and foremost one that I have consistently attempted to stress is the fact that funding of the arts was an issue that was brought up at the Philadelphia Convention in 1787. Charles Pinckney from South Carolina wanted to fund literature, arts, scientists, and it was overwhelmingly rejected by those people who crafted our Constitution as not a proper function of the National Government.

Mr. Chairman, I think it is appropriate for everyone to listen to what I just said, because after we get elected, we are all standing in this Chamber and we raise our right hand and swear to uphold that Constitution, so help us God. My point, Mr. Chairman, is we have a constitutional obligation to abolish the National Endowment for the Arts, for openers.

However, there are other arguments, too. If some are squeamish about my interpretation of the Constitution, and admittedly, we get 5-4 decisions on the Supreme Court bench, and I am not insisting upon omniscience, but I am saying there is a track record and the history is there for any who want to review it, but second is the necessity for it.

Mr. Chairman, \$170 million was spent by the NEA of public money to finance their chosen artworks last year. However, last year the private sector came forward with better than \$9 billion, in contrast to \$170 million. It is not a case, Mr. Chairman, of killing the funding of the arts in this country.

However, in that debate that occurred in Philadelphia, one of the points made was by John Page, the representative from Virginia. He objected

to funding on the grounds that Congress might, he said, "Like many royal benefactors, misplace their munificence and neglect a much greater genius of another." I think it is important for people to realize that the NEA gets about 5 times the number of requests for funding that it funds. Mr. Chairman, when they fund, they point out that that is a decided benefit to the recipient of that grant. He in turn then is able to marshal external support from the private sector for funding of his artworks.

Mr. Chairman, I would argue that comes at the expense of the four who were turned down by the NEA bureaucrats. As a result, that is an inequity. In addition to that, Mr. Chairman, there are other inequities that have come to light.

Mr. Chairman, Jack Kilpatrick, under the Freedom of Information Act, found out that these were dance panels that were determining who was to get grants, and panel A gave grants to panel B, panel B gave grants to panel A, panel C gave grants to panel B, and panel D gave grants to panel C. In other words, if an artist is part of that good old boy network, obviously he or she is going to get funded. That is realized in terms of the distribution of moneys that have gone into NEA funding.

For example, Mr. Chairman, here in the District of Columbia, which has less population than my congressional district, the District of Columbia got almost twice the amount of funding from the NEA of the whole State of Illinois, twice what Illinois got. Mr. Chairman, the fact is further that Illinois had more requests in than did the District of Columbia, but we were not the only ones short-changed, because the District of Columbia also got almost twice what Texas got. The District of Columbia got, in fact, 7 times what Florida got. The District of Columbia got almost twice what Pennsylvania got. The District of Columbia got more than twice what the State of Ohio got.

In fact, Mr. Chairman, the District of Columbia got more funding than the States of Arkansas, Idaho, Kansas, Mississippi, Nevada, North Dakota, Oklahoma, South Carolina, South Dakota, and Wyoming combined. The District of Columbia is the third largest beneficiary in this whole process.

In addition to that, Mr. Chairman, I think it is important to recognize, going back to John Page's arguments about denying qualified, talented people the benefits of funding in the arts if we introduce a bureaucracy making that kind of distribution, I think it is important to realize that so much of the controversy is raging still, notwithstanding what we assume to be a change of leadership of the NEA; and finally, that Jane Alexander as chairman would alter some of the obscure grants that have been made previously.

Mr. Chairman, I am sure many of our colleagues have read in the newspapers about the grant that was made to a museum up in Minneapolis. That art center, Walker Art Center in Minneapolis, funded an exhibit with public money that involved a performance by Mr. Ron Athey before an audience of 100 people. Mr. Athey a 3-member cast performed excerpts from his ritualistic work "Exploring Modern Day Martyrdom as it Relates to AIDS." Athey is HIV-positive, and his work includes scarification and the use of acupuncture needles. That includes drawing blood on the stage, putting it on towels, and then on a clothesline, circulating the towels above the audience.

□ 1650

That triggered a lot of controversy and Ms. Alexander claimed that there was misrepresentation in the news coverage of that, but the fact of the matter is she got a letter back and it was from the Minneapolis Tribune. The letter was signed by Mary Abbe, the art critic/art news reporter.

She indicated in that letter that traditionally she has been basically supportive of the NEA. But she did point out that Ms. Alexander's comments suggesting that they misrepresented what he did, and that included in her letter, she says, piercing his arm with hypodermic needles, drawing blood when he and his assistants pierced his scalp with acupuncture needles "The head thing actually did bleed." said John Killacky, the Walker's curator of performing arts who booked Mr. Athey and staged the event up there in Minneapolis.

Mr. Chairman, I simply mention this because this in turn has triggered a very considerable reaction in the other body, including a letter from Senator ROBERT BYRD and Senator DON NICKLES of Oklahoma.

In the letter, Senator BYRD demanded from Ms. Alexander answers to three specific questions:

First, how does this use of NEA funds pass the test of artistic excellence and artistic merit, by which applications for NEA funding are to be judged?

Second, in view of concerns about uses of funds that may be different from what is proposed in a grant application, why should the committee allow funds for grants that are not subject to strict controls which assure that the purposes stated in the grant application are indeed followed?

Third, what steps are you taking, and do you intend to take, to prevent such unacceptable actions from occurring when the use of Federal funds, however small, is involved.

Senator BYRD concludes: "Without the benefit of your response that safeguards will be instituted immediately to ensure that such grossly improper activities are not undertaken in the future, NEA funding for fiscal year 1995 is in serious jeopardy."

Mr. Chairman, I include for the RECORD the letter from Senator BYRD and Senator NICKLES to Ms. Alexander as well as Ms. Alexander's letter to me when I raised a question about it, as well as the letter that was sent to Ms. Alexander from Ms. Abbe with the Minneapolis paper as follows:

NATIONAL ENDOWMENT FOR THE ARTS,
Washington, DC, June 15, 1994.

Hon. PHILIP M. CRANE,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR REPRESENTATIVE CRANE: Much of my time these past eight months has been spent travelling across the country talking with people about the National Endowment for the Arts. I have been to 36 states so far and seen the wonderful arts organizations the Endowment has made possible in areas of the United States from the most rural to the most dense inner city: organizations which build communities through the celebration of heritage, or that address the needs of at-risk youth in after-school programs or go into the classrooms to teach music, or painting.

The National Endowment for the Arts is an unqualified success as an agency. For every dollar we award we leverage 11 to 20 from other public and private sources in a community. This is no handout by the federal government but an investment by the American taxpayer of 65 cents per person, per year in the vitality of our communities both economically and creatively.

That is why it is so distressing to me to read mailings from the Christian Action Network and other groups which so distort and misrepresent what we at the Endowment do. Let me set the record straight with regard to inaccurate accounts currently being circulated by these groups.

The Walker Art Center in Minneapolis, Minnesota, one of the oldest (1879) and most prestigious museums in the country, received a \$104,500 matching grant in March 1993, to support a season of more than 100 performing arts events.

On March 5, 1994, the Walker Art Center hosted a one night performance by Ron Athey before an audience of 100 people. Mr. Athey and a three-member cast performed excerpts from his ritualistic work exploring modern day martyrdom as it relates to AIDS. Athey is HIV-positive and his work includes scarification and the use of acupuncture needles.

There was absolutely no risk to the audience, the performers, or the crew backstage. The Walker Art Center took all health precautions necessary and the Minnesota Health Department concurred.

There was no blood dripping from towels as erroneously reported in the Minneapolis Star Tribune three weeks after the event took place.

Walker officials recognized the mature theme of the performance and advised viewer discretion in all press materials and calendars which advertised the performance.

Subsequent letters to the Star Tribune editor from patrons at the performance expressed dismay not only about the inaccurate coverage of the event, but concern about how the newspaper had trivialized what was a moving performance on a very disturbing and important contemporary subject. These people are taxpayers too.

I fully understand that the National Endowment for the Arts must be accountable to your constituents and those of other members of Congress. In supporting the

Walker Art Center, the Endowment is simply responding to the overwhelming support afforded that institution by the people and the corporate community of Minneapolis. The Walker is clearly the most prestigious cultural institution in Minnesota. It is staffed by serious professionals who are accountable to the community, and we expect them to make decisions that are respectful of, and appropriate to the community. This I believe they have done.

I wish it were not so, but the reports following Mr. Athey's performance lend a certain proof to the old adage that a falsehood repeated over and over eventually becomes truth in the ear of the listener. In past years, the Endowment has been harmed over and over again by false reports about the art it may or may not have supported, reports that get repeated again until they have the ring of truth.

I have devoted the first year of my chairmanship to turning around the reputation of the National Endowment for the Arts by engaging people all over the country in a dialogue about all of the very good projects that we support. I felt it was important in this respect to give you the facts regarding the performance at the Walker Art Center. I hope you will contact me if you have any additional questions about it.

Sincerely yours,

JANE ALEXANDER,
Chairman.

STAR TRIBUNE,
Minneapolis, MN, June 21, 1994.

Chairman JANE ALEXANDER,
Office of the Chairman, National Endowment
for the Arts, the Nancy Hanks Center,
Washington, DC.

DEAR CHAIRMAN ALEXANDER: In an article published 24 March 1994 in the Minneapolis Star Tribune, I reported public complaints about a performance by Los Angeles artist Ron Athey that was staged by Walker Art Center in Minneapolis. That event and subsequent reports about it have generated considerable debate here in the Twin Cities, including letters to the editor of this newspaper expressing both appreciation for and revulsion at Mr. Athey's activities and the Walker's presentation of them.

In a letter of 15 June 1994 to members of Congress, you take issue with my reportage in particular and the Star Tribune's coverage of that event in general. I object to your characterization of my work and the paper's coverage. In fact, you have misread the article. It does not say that "blood was dripping from towels," as you claim. See enclosed copy of the article.

Nor was the article "erroneously reported" or a "false report" as you assert. Walker Art Center officials have privately expressed dismay about the way in which Mr. Athey's performance was described in the article and deplored the response of individuals who objected to the performance. But they do not deny that Mr. Athey cut an abstract design into the flesh of another man, blotted the man's blood on paper towels, attached the towels to a revolving clothesline and suspended the blood-stained towels over the audience.

Nor do they dispute the fact that Mr. Athey, who is HIV-positive, pierced his arm with hypodermic needles and drew blood when he and assistants pierced his scalp with acupuncture needles. "The head thing actually did bleed, the arm did not," said John Killacky, the Walker's curator of performing arts who booked Mr. Athey and staged the event.

Like you and Walker director Kathy Halbreich, I did not attend this event. In the course of reporting on it, however, I have conducted extensive interviews with five individuals who witnessed Mr. Athey's performance.

They all agree that these things occurred. They differ only in what they thought of the activities and how they and others responded to them.

I am disturbed that you now, in the U.S. Congress, charge the Star Tribune with "erroneous reportage" and disseminating "false reports." If there are errors in our accounts, please notify Mr. Louis Gelfand, the Star Tribune's ombudsman who will investigate the charges.

I am also disturbed that you imply that the only letters received by this newspaper were those objecting to alleged "inaccurate coverage" and "trivialization." The paper received and published a wide variety of responses to the event, some expressing the views you indicate, and others critical of the event and its presentation by the Walker.

As you note in another context, "These people are taxpayers too."

On 3 June 1994 you met for about an hour with members of the Star Tribune's editorial board and others here in Minneapolis. I was at that meeting. At no point in the discussion was Mr. Athey's performance even mentioned. If you were concerned about erroneous reportage and false reports, surely that would have been an appropriate time to discuss them.

In your letter to Congress you note that you have devoted the first year of your chairmanship to "turning around the reputation of the NEA by engaging people all over the country in a dialogue about all of the very good projects" the agency supports. Then you say it was in that context that you gave them "the facts regarding the performance at the Walker Art Center."

You did not give them the facts.

In my capacity as the Star Tribune's art critic and art news reporter for the past decade, I have previously written commentaries in support of the National Endowment for the Arts. I expect to have occasion to do so again in the future because, like you, I recognize that the NEA has made—and doubtless will continue to make—important contributions to the cultural and artistic life of the United States.

The organization's good work, however, does not exempt it from criticism when its grant money is used in support of events that some find objectionable. Nor does what you call Walker Art Center's "overwhelming support" exempt its activities from public discussion.

In a society founded, as ours is, on free speech and open public debate, the activities of your agency, Walker Art Center and this newspaper are all open to discussion. That discussion is not furthered by pointing fingers at the press and lodging false charges of inaccuracy.

In the end, Walker Art Center must defend its decision to stage a performance involving human blood-letting and mutilation—or "ritual scarification" and "erotic torture" as the institution describes it. The NEA must defend its decision to endorse that program.

Your attempts to blame the press for criticisms of your agency merely trivialize the issues and obscure the facts.

Cordially,

MARY ABBE,
Art Critic/Art News Reporter.

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, June 17, 1994.

Chairman JANE ALEXANDER,
National Endowment for the Arts, Old Post Office Building, Washington, DC.

DEAR MADAM CHAIRMAN: As the Chairman and Ranking Member of the Senate Interior Appropriations Subcommittee with responsibilities for the National Endowment for the Arts, we are writing out of our concern over the NEA funding of the tribal ritual performance at the Walker Art Center in Minneapolis.

According to the Washington Post, body artist Ron Athey who is HIV-positive, "... tapped his own scalp with needles, which caused slight bleeding and stuck his arm with acupuncture needles". According to reports, the artist also cut a design into the back of another man and "blotted the results with a three-ply paper towel and then hoisted the bloodied print on a clothesline above the audience."

The Post also reported that several in the audience were horrified and many fled, knocking over chairs to get out from underneath the clotheslines. Obviously these people were concerned about the risks involved in coming into contact with HIV-infected blood. It is unconscionable that the NEA would fund and condone such a performance, especially when the health of the audience members is put at risk.

While attempting to diminish concerns about public safety, the local health official saw no health threat unless blood contact was made with a mucus membrane, such as the eyes, nose, or mouth. To us, the probability of such contact would not be out of the question under the circumstances.

Congress has a responsibility to take the federal government to task when it fails to uphold the public's safety. In this case the public should be able to expect to attend a publicly-funded performance without being exposed to HIV-infected blood. We believe you would agree with us on this point.

As a result, we expect you to ensure that NEA funding in the future does not put the public at health risk. We have placed our confidence in your abilities to tackle these types of concerns.

The Senate will soon begin its action on the FY 1995 Interior appropriations bill, which includes funding for NEA. As you know, a number of prior grant decisions of the Arts Endowment have been the subject of considerable debate and controversy in the Senate. If such debates are to be avoided in the future, and Federal funding for the arts to be continued, it is incumbent upon the NEA and its program beneficiaries to ensure that such projects are not funded, nor performances undertaken which misuse taxpayer funding.

In that regard, your prompt reply to the following issues is requested:

(1) How does this use of NEA funds pass the test of artistic excellence and artistic merit, by which applications for NEA funding are to be judged?

(2) In view of concerns about uses of funds that may be different from what is proposed in a grant application, why should the Committee allow funds for grants that are not subject to strict controls which assure that the purposes stated in the grant application are indeed followed?

(3) What steps are you taking, and do you intend to take, to prevent such unacceptable actions from occurring when the use of Federal funds, however small, is involved?

Without the benefit of your response that safeguards will be instituted immediately to

ensure that such grossly improper activities are not undertaken in the future, NEA funding for FY 1995 is in serious jeopardy.

With kind regards,

Sincerely,

DON NICKLES,
Ranking Member,
Subcommittee on Interior and
Related Agencies.

ROBERT C. BYRD,
Chairman, Subcommittee
on Interior and
Related Agencies.

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

Mr. YATES. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, the gentleman from Illinois is right in saying that he was defeated on this amendment last year, he was defeated on this amendment the year before that. Last year he was defeated on this amendment by a vote of 105 to 322. To say that he is making progress, I say to the gentleman, he has got a long way to go, because there is no validity to his amendment at all.

Mr. Chairman, he cites the case of a grant that was given through the Walker Art Center and the letter that was written about that grant by two of the Members of the other body. That is always done by those who are opposing the NEA. Out of the 4,000 grants that NEA makes in a year, they select one grant and say, "Look at what is happening as a result of NEA activities."

I suggest to the gentleman that he has not gone into the activities of NEA at all, that what he has done is look at a single grant. I think that the grantee in this case received \$105 for a one-night performance from the Walker Art Center.

Mr. Chairman, there are 4,000 grants the NEA makes each year, grants to symphony orchestras, chamber music trios and quartets, jazz orchestras, theaters, dance, folk arts design, literature, arts education, education for children in schools all over the country, and the country is benefiting from them and the arts are blossoming as a result of NEA activities. That is the story of the NEA in action. It is not the cesspool of pornography or the cesspool of horrible activities that the gentleman has portrayed or has been portrayed by certain organizations for whom the Senator whose name he mentioned has been the spokesman in the Senate. It is no surprise that that Senator has opposed NEA. He has rigidly opposed NEA for years, as has the gentleman from Illinois [Mr. CRANE].

Mr. Chairman, I want to point out another aspect of what NEA does. The gentleman from Illinois [Mr. CRANE], in his presentation says the NEA grants go to the art elite. Nothing is farther from the truth. It is true that some grants may go to the art elite, but let me read to the House the testimony before our committee of the county prosecutor from Maricopa County, AZ, the city of Phoenix. This is what Mr. Richard Romley told our committee.

He says:

As Maricopa County Attorney, whose jurisdiction includes Phoenix and 23 other municipalities, my main responsibility is the prosecution of criminals. On an everyday basis, I am confronted with incidents of drive-by shootings, drug and gang violence, rape, robbery, and murder. Ordinarily when I appear before a legislative committee, it is for the purpose of encouraging tougher laws . . . to make society safer by removing the criminal from our midst.

However, today I am here to discuss a program, and I want the gentleman from Illinois [Mr. CRANE] to listen to this. I think the gentleman should listen to what the prosecuting attorney in Phoenix says about NEA. Is the gentleman listening to the testimony of the prosecuting attorney of Phoenix, AZ, as he testified before our committee:

I am discussing a program which is outside the traditional role of law enforcement. It is called the Anti-Drug APPLE Corps. The APPLE Corps represents a partnership of artists, prosecutors, private enterprise, law enforcement, and educators which came together because it was our belief that participating in the arts provides an opportunity for our children to build self-confidence and self-esteem . . . to turn them away from substance abuse.

Mr. Romley goes on to say this:

. . . the battle lines and special interest groups from both sides descended upon our legislature. After studying the issue, I decided not to support the transfer of these monies from the arts to law enforcement, that the Arizona legislature wanted.

In view of my position as a prosecutor, my opposition to transferring more money to law enforcement surprised some. However, I believed then as I do today that if we abandon the positive contributions of art to our society in order to fight the drug war, then the drug dealers have won again. They should not be permitted to take from our community that which is good.

Mr. Romley goes on to say this about the APPLE program:

"The initial success of the program," and he used RICO money from the Department of Justice together with arts money for the young people of Arizona, for the people who are threatened with gangs and who are threatened with juvenile delinquency.

He said:

The initial success of the program encouraged us to embark on a 3-year partnership project that provided funding for after-school art programs. Additional funds were sought and received from the National Endowment for the Arts for that program.

These funds, combined with the RICO monies, were utilized to develop art programs for at-risk youth in the rural and inner city areas of our State. Nineteen ninety-two was the first year of this project.

The APPLE Corps program has reached approximately 33,000 educators, students and parents across the State of Arizona.

Mr. Chairman, that is what NEA does, among other things. Sure, it provides money for the symphonies, for the orchestras, for the dance and for the theaters as it should, but it also has a social conscience. It also is inter-

ested in education for our youth. In Arizona it is having a definite effect.

Mr. Chairman, the same kind of testimony was presented to our committee by a gentleman named William Strickland who does the same thing in Pittsburgh, who uses arts money for the purpose of taking these kids off the streets and providing them with worthwhile activities.

□ 1700

That is what NEA is.

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

Mr. YATES. I yield to the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, I remind the gentleman the State of Arizona, and this is a point I made earlier, the State of Arizona got all of \$1,600,000 in grants, in contrast to the District of Columbia's \$8,270,000. The State of Pennsylvania only got \$5 million, in contrast to the \$8 million in the District of Columbia, and that is further illustration of the inequity.

Mr. YATES. You can find that. You can find other places in the country, other States in the country, that received even less money than that, and there are other States that may possibly receive more. But that is based upon the arts activities in those States and a formula that is based on the health of the arts and the arts appropriations they received from their legislatures.

So I want to point out to you that NEA does do good work.

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

Mr. CRANE. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Chairman and my colleagues, we all know that arts education in America is important. My wife and I financially support the arts in our community. My wife sits on the board of a community arts organization that is having all types of fiscal problems.

The question we have before us today is: What is the appropriate role of the Federal Government when it comes to funding arts in America? And I would argue that it is not within the scope of Washington, not within the scope of the Federal Government to be involved in funding arts activities around America.

Second, I would point out at a time when our budget deficit is well over \$200 billion, we should not be funding arts activities around this country and giving the bill to our kids and our grandkids.

If you look at the history of this program, it happens to coincide with a period of time in which we have had budget deficits each and every year. So we are out there living high on the hog, funding all of these activities around the country, only to pass the bill on to our kids and our grandkids.

It is not right, given the budget problems that we have before us today, to continue to involve ourselves in this type of activity.

Again, I think it is important. But I think that Americans ought to rise up in their communities and support these activities financially as they do today.

And so I would support the amendment offered by the gentleman from Illinois and hope my colleagues will begin to realize that as we continue to have budget deficits, we have to say no somewhere. This is an area that is not within the scope of our responsibility. It is an easy place to say no.

Mr. YATES. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. REGULA].

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

As many of you know, I have not been a big fan of the NEA. However, I think in fairness we should recognize the fact that much good is accomplished, and in many communities across this country the NEA funds become the seed money that results in a lot of private contributions.

Many people look to the NEA as a leader in determining what should happen.

I think the event at the Walker Art Center, funded by the Walker Art Center in Minneapolis was outrageous, absolutely outrageous. However, if we abolished every agency of Government that has done something outrageous, there would not be many left, and we forget that even though something like this was funded indirectly by the NEA, because, of course, the money went to Walker Art Center, and they, in turn, made the decision as to what they would fund; we forget all the good things that have been accomplished by the NEA, encouraging local support.

I might say the tax policies of this country also encourage local support, because the contributions to the cultural activities are deductible on a long form on the income tax. So it is part of our national policy to encourage cultural things, and NEA is a key element.

I would like to share with you some testimony we heard in the committee. A high school teacher in a small community of 35,000 in Alabama said,

I am constantly looking for ways to enhance my students' classroom experience and to make the words in a textbook come alive and real for my students. I am here to thank you for your support of the NEA which, in turn, has helped to bring professional theater to Alabama, because nothing in my experience as a teacher brings the words of Shakespeare to life like a performance at the Alabama Shakespeare Festival. And without the Alabama Shakespeare Festival, there would be no opportunity for thousands of students in the South to discover the wonders of professional theater.

And he went on to point out how important it was.

And then one of the students testified, and I quote from him,

As Mr. Thompson said, my name is Clint Gullatte. I am from a single-parent home and have lived in public housing for most of my life. I am the oldest of four children. I will be attending college where I will major in biology and hope to attend Auburn University School of Veterinary Medicine. My first experience at the Alabama Shakespeare Festival was a production of Peter Pan. I had no idea theater could be so exciting. Next I saw "A Raisin in the Sun," which is still one of my favorites. I could identify with Walter Lee Younger. He was the oldest son in a single-parent family with responsibilities and dreams of a better future. I have faced some of the same oppression, fear, and expectation.

And the student went on to say how vitally important this experience that he had as a result of an NEA grant to the Alabama Shakespeare Festival had touched his life.

We had any number of witnesses similar to this that appeared before our committee. I think it is important, as we make a judgment on whether or not to continue the NEA, to recognize that while once in a while something outrageous happens such as was the case in Minnesota, that in contrast far greater numbers of very worthwhile things result from the NEA funding and certainly generate in communities across this Nation a large amount of support that is based on the NEA's seed money and things that are very beneficial to our society.

So I think we need to weigh that we consider the amendment proposed by the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. ARMEY], our distinguished minority conference chairman.

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

Mr. Chairman, I am tempted to say, Oh brother, here we go again. For 10 years I have had the privilege of serving in this body, and for each of these 10 years I have come to this floor and made this same argument.

Certainly the gentleman from Illinois, the chairman of the subcommittee, is going to say, Oh brother, I have to listen to that again.

But, nevertheless, here we go. My own view of the matter is the National Endowment for the Arts offends the Constitution of the United States. My own view is there is no constitutional authority for this agency to exist. But leave that be as it may.

I would further argue the National Endowment for the Arts and the arguments by which it is rationalized is an affront to the American people. I am personally insulted on behalf of the American people by the argument that says without \$200 million of the taxpayers' money, guided and directed by bureaucrats on behalf of the Federal Government, the American people would have for themselves nor afford

for their children no opportunity to enjoy the arts. What a pitiful thing to say about the American people.

Ladies and gentlemen, the American people have long since enjoyed the arts many, many years before there was ever an NEA. It is in our spirit. It is in our desires. It is in our longing. It is in our blood. We love the arts.

Testimony to that can be found in the \$9 billion we willfully and voluntarily spend on the arts today.

Do not tell me there would have been no Shakespeare Festival in Alabama without the NEA. There was 100 years ago without the NEA. Do not tell me there would not have been Shakespeare in Montana without the NEA. There was 100 years ago without the NEA.

□ 1710

For us to suggest that the American people have not and do not and will not enjoy the arts, practice the arts without NEA is a pitiful statement on our lack of understanding of whom we represent.

Furthermore, if you believe in freedom of the arts—and I do believe in freedom of the arts—how can you possibly justify a Government agency that decides which art merits support and which does not? Of the 14,000 grant applications, 4,000 are granted. Is that not censorship against 10,000? Tell me how it is not.

For the Government to decide this art merits support and this art does not, I find that unacceptable. Finally, I would say that the existence of the NEA is an affront to the taxpayer. At a time when we are running deficits of \$150 to \$200 billion, at a time when the WIC Program is not funded, can we afford to spend \$200 million of taxpayers' money for the arts?

Can we afford to take an elite group of people, generally the most privileged people in any community in which a grant is made, an amount of money that amounts to 65 cents for each and every American citizen? It does not seem like much money, but for the average American school child you could take that same 65 cents, buy that child, in their own home with their own parents, a box of Crayolas where, with the guidance of mother, father, big brother, big sister, grandmother, or grandfather, they would in that instance have more participation in the arts, in learning, developing, cherishing their own creative ability, than you will by giving a grant to somebody who has a masters degree from Harvard University already privileged to urinate in a jar and sink a crucifix in it.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. I thank the chairman of the subcommittee for yielding this time to me.

Mr. Chairman, I rise before you today to express my strong support for the

Walker Art Center located in Minneapolis, MN. The Walker is one of the Nation's most esteemed museums of modern and contemporary art. Its programs in the visual, performing, and media arts are uniquely international, multidisciplinary, and diverse. Since 1879, the Walker has supported innovative artists ranging from painter Pablo Picasso to choreographer Merce Cunningham to film director Clint Eastwood. Several Walker-organized exhibitions are now touring worldwide.

This year, the Walker and the Minneapolis Sculpture Garden expect to serve nearly 700,000 people through exhibition, films, performances, and educational programs. Each year the Walker brings more than 3,000 artists and scholars from across the globe to work and perform in Minnesota. Over 40,000 schoolchildren visited the Walker last year, and the Walker's new programs for teens serve as a national model.

Despite this impressive history of promoting both traditional and innovative art and developing community interaction, Minnesota's Walker Art Center has unfortunately become a part of today's debate about the National Endowment for the Arts fiscal year 1995 appropriation. Why? Because of a single performance which used \$150 of matching grant money from the NEA, given what I have heard today—and the obvious high level of misinformation circulating feel it necessary to make you aware of what really happened.

On March 5, an audience of less than 100 people viewed a one-time performance by the Ron Athey theater troupe. The performance, which has also been seen in other communities including Los Angeles and Chicago, dealt with the difficult issues surrounding AIDS. The performance drew on centuries-old traditions from around the world and included a ceremony related to the African tradition of scarification which involved the drawing of a small amount of blood. Specifically, Mr. Athey used a surgical instrument to draw several small patterns on the back of a fellow performer. Just for the record, Mr. Athey has attested that his assistant is HIV-negative. The blood was then blotted on 3-ply paper towels and fastened to a clothesline. Some towels were slowly raised to the ceiling above the audience's heads.

Because of the nature of this performance, the Walker took all appropriate precautions as developed by the U.S. Centers for Disease Control and provided to the Walker by the Minnesota AIDS Project. The Minnesota Department of Health has publicly concurred that appropriate precautions were taken. In addition, all promotional and press material included a notice advising viewer discretion.

Some media reports suggest that many members of the audience fled.

Others report of blood soaked towels. This is simply not accurate. The towels were not dripping and while approximately 10 members of the audience left quietly during the performance, many others have written to say they found the performance affirming, moving, and enlightening. In fact, to the best of my knowledge, this entire situation was generated by a single complaint and fed by irresponsible journalism.

I wish it were not so, but the reports following Mr. Athey's performance lend credence to the old adage that a falsehood repeated over and over eventually becomes truth in the ear of the listener. So I will say once again, the Walker Art Center is one of the most prestigious institutions in the country and has earned an international reputation. The NEA has played a crucial role in helping the Walker Art Center provide these services to Minnesota. It is extremely disturbing that the NEA, which has made such enormous contributions to the educational and cultural vitality of Minnesota, and all other States, would be placed in jeopardy by a single event.

Mr. Speaker, I am a strong supporter of the National Endowment for the Arts and am proud to have the Walker Art Center in my congressional district.

Mr. CRANE. Mr. Chairman, do I have the right to close on this amendment?

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] has the right to close debate.

Mr. CRANE. Mr. Chairman, I yield 1 minute to our distinguished colleague, the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding this time to me.

Mr. Chairman, I want to rise in strong support of my friend, the gentleman from Illinois, Mr. CRANE's amendment. I have in front of me here for the House's viewing a picture by Olaf Wieghorst, who was considered the dean of Western artists and who lived in San Diego for the last 45 of his 50 years. He was one of the highest priced artists in the world when he finally passed away a couple of years ago, a man who despised subsidies. He was a cowboy, he never had a lesson in his life, never had a Government program, and he depicted the West in rugged individualism and responsibility and accountability.

I want to let the gentleman know that there are thousands of artists who have come up the hard way, who do not need Federal dollars, do not need subsidies.

We have a billion-dollar, or multi-billion-dollar, domestic private art market which supports the winners; there is no reason for Government to support the losers.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise today in opposition to any amendment which seeks to cut or eliminate funding for arts and museums in America, and I urge my colleagues on both sides of the aisle to join me.

As a member of the Education and Labor Committee, I am struck not only by the diversity of the activities the NEA offers, but also, by how far reaching the impact of the NEA is.

For those Members who are contemplating voting to cut funding for the NEA to save money, I ask you to think again, after you have the facts. The NEA is one of the most powerful seed grant programs working today. In fact, it provides a significant economic stimulus to many small communities.

In fiscal year 1992, the \$153 million in program funds invested by the NEA leveraged \$1.68 billion in contributions and funding from businesses, groups, individuals, and other sources. This means that for each dollar invested by the NEA, \$11 in matching funds are produced. In turn, this creates a twentyfold return in jobs, services, and contracts.

Since the Endowment's founding in 1965, the number of orchestras has increased from 110 to 230; nonprofit theater companies have gone from 37 to 450; opera companies have grown in number from 27 to 120, and dance companies from 35 to 450. In California alone, the number of performing arts companies, museums, and arts organizations has grown from 650 to over 1,400.

The counties of Marin and Sonoma, in California, which I am privileged to represent, have received over \$100,000 this year in support of the arts, for incredibly diverse programs.

For instance, the NEA awarded individual creative writing grants to the Headlands Center for the Arts located in Sausalito, CA, which has a terrific open studio program for visual artists. The wonderful Marin Symphony, and Public Art Works Co., also received seed grants to bring their services to more people. The Antenna Theater in Sausalito, recently received \$20,000 to create a production, which will combine elements from museum exhibits, radio theater, and audience participation.

Sonoma County benefits from Endowment-funded opera performances in Santa Rosa, and public radio and television programs based in Rohnert Park.

The Kids Street Theater in Santa Rosa, however, a non-profit theater group, which is made up of former school drop-outs, homeless kids, and other at-risk youth does not receive NEA funding. The director, Linda Conklin, recently brought her plea for financial assistance to me at a hearing on the NEA that was held in my district. She desperately wants to help

more children, but she is in constant danger of losing her building and resources because she relies solely on private donations. A small grant from the NEA may be all she needs to stabilize her terrific program and pull in other funds.

Mr. Chairman, all these extraordinary activities by the NEA costs the individual taxpayer 68 cents a year. The total Federal commitment to the arts is less than two ten-thousandths of one percent of our budget.

Being a member of the Budget Committee, I firmly believe cutting unnecessary and unworkable programs is vitally important. I say to my colleagues, if you are serious about having some real impact in debt reduction, look elsewhere in the budget. The NEA is an excellent program that fits the criteria for deserving Federal support.

I urge my colleagues to vote no on this weakening amendment.

□ 1720

Mr. CRANE. Mr. Chairman, I yield the remainder of my time to our distinguished colleague, the gentleman from California [Mr. DORNAN], and I would just remind everyone of one very important point, and that is, if all of this money that has been diverted from law enforcement in Arizona is going into art works, why is it, with the third highest funding in the Nation here in DC, we have the highest per capita homicide rate in the world?

The CHAIRMAN. The gentleman from California [Mr. DORNAN] is recognized for 3½ minutes.

Mr. DORNAN. Mr. Chairman, more than any other debate in this great Chamber the one over NEA mystifies me. Well over 99 percent of NEA-funded art is certainly fine art. We are going to revisit this debate every single year because of that less than 1 percent that is so utterly offensive and blasphemous. I may come up with a creative amendment to give it to high school art programs which are closing every week all around the country.

I know that my distinguished colleague, the gentleman from Illinois [Mr. YATES], is a lover and a participant in the arts and wants to defend this program with all the fiber of his being. However, he too is embarrassed by this less than 1 percent, but the 1 percent keeps getting funded again and again and again.

Now here are quotes from two members of an NEA peer review board.

Helen Frankenthaler, a member of one of the peer review panels, a renowned and respected American painter and a heroine of the feminist movement, rejected some of the applications on the grounds that we should not fund this junk. She called it junk. There is plenty of junk. And I want to come back to some of the junk that got through.

Here is Phyllis Berney, another distinguished peer review panel member.

She said that many of the works were politically inspired as opposed to primarily artistically inspired.

Why are these same people and this same garbage being now funded under Jane Alexander, a distinguished actress and artist who more or less promised that she was trying to get a handle on this?

Look what comes back again. Jerk, Tim Miller, who has heretofore used NEA funds to disrobe and masturbate on stage, and then do it in the audience, under a performance, quote, art presentation entitled "My Queer Body." How did this guy get back on the public dole again?

Here is Holly Hughes back again to receive more funds. We do not even know what she is going to do, but she is the Hughes of sewer performances like "The Well of Horniness."

Here is Karen Finley back again, whose past grants were used to deliver vicious antireligious and radical feminist harangues on stage while totally naked and covered in what we were told is chocolate syrup. She gets more money even though no one knows what her project is even going to be.

Here are Hughes, and Finley, and Miller back again, who sued and won because Jane Alexander's predecessor went into the courtroom and took a dive, as they say in prizefighting parlance. Here is the Kitchen Theater again. They paid money to Annie Sprinkle to invite the audience to give her, and I am going to change the writing in front of me, to conduct a gynecological examination upon her naked body with a flashlight.

Here is Frameline back again with more money for more pornographic, hard-core, close-in pornography at the Gay and Lesbian Film Festival in San Francisco.

Here is Marlon Riggs back again, and the list goes on, and on, and on, and I will finish it under the amendment to be offered by the gentleman from Florida [Mr. STEARNS] which probably will win. We need to rattle their bell and get their attention to stop giving money to these nonartistic jerks.

Mr. YATES. Mr. Chairman, I yield the balance of my time to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I ask the House again to overwhelmingly reject the amendment offered by the gentleman from Illinois [Mr. CRANE], and there has been much made of the fact that some of the grants that have been made to various arts institutions have occasionally wound up with controversial art. This is what art is all about. It has always been controversial, and it will always be so.

The gentleman from Ohio and others in the leadership have stated to the National Endowment for the Arts that artistic excellence should be the guiding principle. I believe that that is correct.

I will say this:

Jane Alexander is an outstanding chairman of the Endowment. She is an artist. She is an actress. She is someone who is traveling all over the country trying to convince the American people that the investment for the National Endowment for the Arts is a good one.

I would say this:

The test is in the private sector, and ever since the Endowment was created, Mr. Chairman, the private sector has responded. For every dollar we invest as seed money through the National Endowment for the Arts we are receiving \$11 in private sector investment, much of which is in matching grant money.

I would also point out that this is a major job-creation activity. The National Assembly of Local Arts Agencies report, Arts in the Economy, 1994, demonstrates that nonprofit art organizations have a significant impact on the Nation's economy. For example, 1.3 million full-time jobs are supported, 908,000 in the arts industry and 391,000 in supporting jobs. Twenty-five point two billion dollars is earned through the salaries, wages and entrepreneurial income. Local governments received \$790 million in fees and taxes. State government receives \$1.2 billion in fees and taxes. And the Federal Government receives \$3.4 billion in income tax revenue.

I think this is a very good investment of the American taxpayers' money. Every poll shows that they overwhelmingly support the National Endowment for the Arts.

Jane Alexander is trying to use the arts in our inner cities to reach out to young people, to give them an alternative to crime, and violence, and drugs, and degradation. This is a positive program for the American people, and I think we should support it and again reject the Crane amendment because it simply is too severe. It restricts this agency too much.

I also hope that we will defeat the other amendment as well, Mr. Chairman.

This budget, by the way, in 1979 was \$149 million. It has been eroded by 46 percent. We have held the line on this.

So, Mr. Chairman, I think this Congress has been responsible. This committee has been responsible. One hundred seventy-one million dollars is not enough, frankly. We need more money for the arts.

So I say to my colleagues, "Let's reject the Crane amendment as we did last year."

Ms. LOWEY. Mr. Chairman, I rise in strong opposition to the amendment.

All over America, local artists and local arts groups rely on the National Endowment for the Arts for essential support. These groups are doing tremendous work, but they are struggling for survival.

No one has ever questioned the work of hundreds of groups around the Nation. They

have enriched our community and the quality of life.

Let me tell you some of the things the NEA does in my district. Support for the Westchester Council for the Arts; support for the Hudson River Museum in Yonkers, support for the Emelin Theater for the Performing Arts in Mamaroneck; and fellowship support for artists in Bronxville and City Island.

But this amendment could put many of them out of business. It will shut down deserving arts organizations all over this Nation, and it will do real damage to the cultural vitality of our Nation.

But that is not all. Abolishing the NEA would do damage to our local schools who rely on the Endowment to expand arts education in difficult financial times. It would take funds out of our schools and away from our children, at a time when the NEA is developing innovative programs to reach and educate at-risk Youth. The A.P.P.L.E. Corps programs, for example, is an innovative partnership of artists and law enforcement officials who understand that participation in the arts provides young people an opportunity to build self-confidence and self-esteem, and strengthens their resolve against drugs. This amendment would cripple programs like A.P.P.L.E.

And finally, this amendment would also undermine the economy of many areas of this country.

Last year the Port Authority of New York and New Jersey released a study on the economic impact of arts activities on the New York economy. The findings were dramatic, and cannot be ignored: While the economy of the New York metropolitan region has suffered, one sector of the regional Economy has grown—the arts. Indeed, the Arts directly employ over 40,000 people, and pump at least \$9.8 billion a year into the economy of the New York Area.

An amendment to cut the NEA is an amendment to undermine an important growth area in our economy. The Arts are a lifeline not just for the creativity of many New Yorkers, but also a lifeline for the economy of our region.

Mr. Chairman, an amendment that will harm our Nation's schools, damages our cultural heritage, and damage local economies, at the same time, does not deserve the support of this House. I urge a "no" vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CRANE].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 113, noes 313, not voting 13, as follows:

[Roll No. 263]

AYES—113

Allard	Barrett (NE)	Bunning
Archer	Bartlett	Burton
Armey	Barton	Buyer
Bachus (AL)	Bilirakis	Callahan
Baker (CA)	Billiey	Calvert
Baker (LA)	Boehner	Canady
Barcia	Bonilla	Coble

Collins (GA)	Hunter	Paxon
Combest	Hutchinson	Petri
Condit	Hutto	Pombo
Cox	Hyde	Quillen
Crane	Inglis	Quinn
Cunningham	Inhofe	Roberts
DeLay	Istook	Rohrabacher
Dickey	Johnson, Sam	Roth
Doolittle	Kim	Royce
Dornan	King	Sarpalius
Dreier	Kingston	Schaefer
Duncan	Knollenberg	Sensenbrenner
Emerson	Kyl	Shuster
Everett	Laughlin	Skelton
Fawell	Levy	Smith (MI)
Flelds (TX)	Lewis (FL)	Smith (NJ)
Gallegly	Lewis (KY)	Smith (OR)
Gekas	Lightfoot	Smith (TX)
Geren	Linder	Stearns
Gilchrest	Livingston	Stenholm
Gingrich	Lucas	Stump
Goodlatte	Manzullo	Talent
Grams	McCandless	Tanner
Greenwood	McCrery	Tauzin
Hall (TX)	McHugh	Taylor (MS)
Hancock	McKeon	Taylor (NC)
Hastert	Miller (FL)	Thomas (CA)
Hayes	Moorhead	Vucanovich
Hefley	Myers	Walker
Herger	Orton	Young (AK)
Holden	Parker	

NOES—313

Abercrombie	Dellums	Hochbrueckner
Andrews (ME)	Derrick	Hoekstra
Andrews (NJ)	Deutsch	Hoke
Andrews (TX)	Diaz-Balart	Horn
Applegate	Dicks	Hoyer
Bacchus (FL)	Dingell	Huffington
Baessler	Dixon	Hughes
Ballenger	Dooley	Inslee
Barca	Dunn	Jacobs
Barlow	Durbin	Jefferson
Barrett (WI)	Edwards (CA)	Johnson (CT)
Bateman	Edwards (TX)	Johnson (GA)
Becerra	Ehlers	Johnson (SD)
Bellenson	Engel	Johnson, E. B.
Bentley	English	Johnston
Bereuter	Eshoo	Kanjorski
Berman	Evans	Kaptur
Bevill	Ewing	Kasich
Bilbray	Faleomavaega	Kennedy
Bishop	(AS)	Kennelly
Blackwell	Farr	Kildee
Blute	Fazio	Kleczka
Boehert	Fields (LA)	Klein
Bonior	Filner	Klink
Borski	Fingerhut	Klug
Boucher	Fish	Kolbe
Brewster	Flake	Kopetski
Brooks	Foglietta	Kreidler
Browder	Ford (MI)	LaFalce
Brown (CA)	Ford (TN)	Lambert
Brown (FL)	Fowler	Lancaster
Brown (OH)	Frank (MA)	Lantos
Bryant	Franks (CT)	LaRocco
Byrne	Franks (NJ)	Lazio
Camp	Frost	Leach
Cantwell	Furse	Lehman
Cardin	Gallo	Levin
Carr	Gejdenson	Lewis (CA)
Castle	Gephardt	Lewis (GA)
Chapman	Gibbons	Lipinski
Clay	Gillmor	Long
Clayton	Gilman	Lowey
Clement	Glickman	Maloney
Clinger	Gonzalez	Mann
Clyburn	Goodling	Manton
Coleman	Gordon	Margolies-
Collins (IL)	Goss	Mezvinsky
Collins (MI)	Grandy	Markey
Conyers	Green	Martinez
Cooper	Gunderson	Matsui
Coppersmith	Gutierrez	Mazzoli
Costello	Hall (OH)	McCloskey
Coyne	Hamburg	McCollum
Cramer	Hamilton	McDade
Crapo	Hansen	McDermott
Danner	Harman	McHale
Darden	Hastings	McInnis
de la Garza	Hefner	McKinney
de Lugo (VI)	Hilliard	McMillan
Deal	Hinchey	McNulty
DeFazio	Hoagland	Meehan
DeLauro	Hobson	Meek

Menendez	Rahall	Strickland
Meyers	Ramstad	Studds
Mfume	Rangel	Stupak
Mica	Ravenel	Sundquist
Michel	Reed	Sweet
Miller (CA)	Regula	Swift
Mineta	Richardson	Synar
Minge	Ridge	Tejeda
Kim	Roemer	Thomas (WY)
Moakley	Rogers	Thompson
Molinar	Romero-Barcelo	Thornton
Mollohan	(PR)	Thurman
Montgomery	Ros-Lehtinen	Torkildsen
Moran	Rose	Torres
Morella	Rostenkowski	Tortorelli
Murphy	Roukema	Towns
Murtha	Rowland	Trafiacant
Nadler	Roybal-Allard	Tucker
Neal (MA)	Rush	Unsoeld
Neal (NC)	Sabo	Upton
Norton (DC)	Sanders	Valentine
Nussle	Sangmeister	Vento
Obey	Santorum	Viscosky
Olver	Sawyer	Volkmer
Ortiz	Saxton	Walsh
Owens	Schenck	Waters
Oxley	Schiff	Watt
Packard	Schroeder	Waxman
Pallone	Schumer	Weldon
Pastor	Scott	Wheat
Payne (NJ)	Shaw	Whitten
Payne (VA)	Shays	Williams
Pelosi	Shepherd	Wilson
Penny	Sisisky	Wise
Peterson (FL)	Skaggs	Wolf
Peterson (MN)	Skeen	Woolsey
Pickett	Slattery	Wyden
Pickle	Slaughter	Wynn
Pomeroy	Smith (IA)	Yates
Porter	Snowe	Young (FL)
Portman	Spence	Zeliff
Poshard	Spratt	Zimmer
Price (NC)	Stark	
Pryce (OH)	Stokes	

NOT VOTING—13

Ackerman	Oberstar	Underwood (GU)
Houghton	Reynolds	Velazquez
Lloyd	Serrano	Washington
Machtley	Sharp	
McCurdy	Solomon	

□ 1749

Mr. SAXTON, Mr. DOOLEY, and Ms. DANNER changed their vote from "aye" to "no."

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

So the amendment was rejected.

The result of the vote was announced as recorded.

□ 1750

Mr. YATES. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DE LA GARZA) having assumed the chair, Mr. GLICKMAN, 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. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. BARRETT of Nebraska. Mr. Speaker, on Wednesday, June 22, I inadvertently voted "aye" on roll call vote No. 263. This roll call vote occurred on an amendment offered by

Rep. PHIL CRANE to eliminate funding for the National Endowment for the Arts [NEA]. In past Interior appropriation's bills, I've consistently voted against similar amendments, and I had intended to do the same on roll call No. 263.

The NEA, through the Nebraska Arts Council, has brought outstanding art programs to my district, which has enriched the artistic knowledge of my constituents, and their children—and I support those efforts. Without the NEA, poor rural schools would be without artist in residence programs, rural community art programs would not exist, and communities would not benefit from touring theatre and orchestra companies. From October 1992 through September 1993, 146 NEA-sponsored grants, which received \$136,000 in NEA funds, were awarded to Nebraska's Third Congressional District. These programs attracted 456,856 people. This is the primary reason why I've consistently opposed past amendments to completely eliminate the NEA.

That's not to say that I support all of the NEA's funding decisions. I've been shocked and concerned that some highly objectional projects received taxpayer-provided funding. Thus, I have supported amendments in the past to reduce NEA funding by 5 percent.

I hope this explanation is helpful.

REPORT ON H.R. 4624, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND SUNDRY INDEPENDENT AGENCIES, BOARDS, COMMISSIONS, CORPORATIONS, AND OFFICES APPROPRIATIONS ACT, 1995

Mr. STOKES, from the Committee on Appropriations, submitted a privileged report (Rept. No. 103-555) on the bill (H.R. 4624) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

Mr. LEWIS of California reserved all points of order on the bill.

MOTION TO INSTRUCT CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

Mr. MCCOLLUM. Mr. Speaker, I offer a privileged motion to instruct conferees on the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCCOLLUM moves that the managers on the part of the House at the conference on

the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 3355 be instructed not to make any agreement that would have the effect of reducing the funding provided for prisons to a level that is less than the level provided in titles VI and VIII of the House amendment.

The SPEAKER pro tempore. The gentleman from Florida [Mr. MCCOLLUM] is recognized for 30 minutes.

Mr. HUGHES. Mr. Speaker, I would like to claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. HUGHES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

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

Mr. Speaker, the motion to instruct conferees on the crime bill that I am offering tonight is very straightforward, as was read. It is a motion to stick with the House funding level for prison construction that is in the House bill when the conferees agree and meet with the Senate on what the final product of the crime bill will be.

Mr. Speaker, that position in the crime bill is a total on the House side of \$13.5 billion. It appears from the chairman's mark that at least has been circulated around, whether it is the formal mark or not, that there may be an indication there is movement to make the figure for prison construction in the final product \$6.35 billion or so, instead of the \$13.5 billion that is in our bill today.

That is simply not an adequate amount of money, Mr. Speaker, for the prison construction necessary for us to assist the States in a partnership to get those who are repeat violent criminals and felons off the street and stop the revolving door that is causing the bulk of our crime problem in this country today.

Mr. Speaker, we know, for example, that roughly 6 percent of all criminals commit better than 70 percent of the violent crimes in this country and are serving only an average of 37 to 38 percent of their sentences. The fact of the matter is that there is nothing that could possibly be more important in the crime legislation we are about to do than to provide the resources that are necessary to get this 6 percent of these repeat violent offenders off the streets, lock them up, and throw away the keys. That is the first step.

It is like somebody who is bleeding to death, who has been run over by a car and has a lot of internal injuries. There may be some underlying problems causing crime in this Nation that we all would like to see addressed, but if you do not apply the tourniquet to the arm to stop the bleeding when you arrive on the scene, you cannot have a patient alive to work on the rest of the problems that he has.

The tourniquet in this case is our money and our resources to help the

States to provide the prison space necessary to get these really bad guys off the streets. That is the crisis of the moment.

Mr. Speaker, the fact of the matter is the same mark bill that has been circulated, and I do not know the authenticity of it, because we have only met in pro forma type of session on the conference committee so far, but it looks like there is going to be about 30 billion dollars' worth of money in the final product that is proposed by the conference managers to the conference committee on the crime bill, \$30 billion in this bill, only \$6.5 billion of which would be for prisons, less than half of what we proposed in our bill.

Mr. Speaker, my motion to instruct is very simple. It is simply to say that we on the House side believe our conferees should stick to their guns, stick with what we put in the bill, and the dollar amount, not the details of how it is done, but just the dollar amount, at a level that is responsible.

The Bureau of Prisons has told me that we cannot begin to capture the repeat violent offenders for less than \$10 billion, the ones that actually repeat. The bill itself and language that will probably come out of conference will cover for prison moneys a lot of people who are not repeat violent offenders, so we need to keep the higher dollar amount up there that is involved in this.

In fact, what we have seen, some of the money that is involved may be allocated for other programs, rather than strictly building straight prisons that will be labeled prison construction.

Mr. Speaker, I would like to make a couple of points about what happens every day in America to drive home. Then I have a colleague on the other side of the aisle who has been very instrumental in this that I would like to yield to.

Every day in America 14 people are murdered, 48 women are raped, and 578 people are victims of a robbery by a criminal who has already been caught, convicted, and then returned to the streets on probation or early release. Mr. Speaker, that simply must stop. That is why it is important to keep the money in the final product of this crime conference that will build the prisons necessary to take these repeaters off the streets and keep them locked up.

Mr. Speaker, I introduce the gentleman from Texas [Mr. CHAPMAN], who has been so instrumental in this process, and has been a cohort in trying to get truth in sentencing to stop this revolving door, and who supports this motion to instruct today.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. CHAPMAN] to discuss this motion to instruct. He has been a very good cosponsor of our efforts at truth in sentencing, and I believe he firmly supports this motion to instruct today.

Mr. CHAPMAN. I thank the gentleman for yielding time to me, Mr. Speaker.

Mr. Speaker, I want to commend the gentleman on this particular motion and tell him that I will gladly support him. While the crime conference is working and working hard on a bill that we certainly hope is going to enjoy overwhelming bipartisan support in the House, one of the things I think we in the House of Representatives did was vote for a balanced crime bill.

If in fact what we hear may be happening from pressures and from other initiatives, that the prison portion of this bill is being reduced perhaps to as low as \$6.5 billion, while the price of the crime bill is going up to \$30 billion, I would have to suggest to my colleagues in the House that is hardly balanced.

While we are going to work hard to get a prison grant program, Mr. Speaker, and truth in sentencing initiatives that we can all support and support in a bipartisan way, I think the gentleman from Florida [Mr. MCCOLLUM] is correct to say that if we are going to make a positive difference in stopping crime in this country, violent crime, if we are really going to offer a meaningful carrot to the States to do something to get the violent criminals off the street, then we really need to support the House funding level.

Mr. Speaker, I think it is important. It is positive. It is something we all ought to support, to ask our conferees to stick to their guns, stick to the House position, stick to the funding level for the prison grant program that will make a meaningful difference on truth in sentencing in this country.

□ 1800

Mr. Speaker, I hope that all my colleagues on both sides of the aisle will vote for this motion to instruct, will give the House conferees the reinforcement, the strength that they need to fully fund, appropriately fund and in a meaningful way fund truth-in-sentencing for this crime bill.

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

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

Mr. Speaker, I do not disagree with much of anything that my colleagues, the gentleman from Florida and the gentleman from Texas, have said. The prison grant money is extremely important. I happen to think it is one of the most important provisions in the bill. That is probably because I wrote much of that in subcommittee working with my colleague, the gentleman from Florida, and our other colleagues on the Subcommittee on Intellectual Property and Judicial Administration.

I think it is very important, I think it is very important that we begin to move the States toward truth-in-sentencing, that we have the States de-

velop comprehensive plans that will do a far better job of classification, which inmates come into the system, a better job or risk assessment before they leave the system, a far better job than we have done in the State systems in trying to provide skills and training, trying to deal with their drug problems and mental problems when they are in the prison system.

Mr. Speaker, there is no question, I think that that is extremely important, because prisons have become revolving doors and we are not incarcerating violent offenders for as long as we should be incarcerating them. I cannot argue with any of that. But I do not know on what basis my colleague, the gentleman from Florida, suggests that the funding level is going to be at \$6 billion. I have seen that kind of a mark circulated, also.

I do not know, but I can tell Members that I want to fight for as much of this funding as we can. But I am not so sure it is realistic at this time since we have not even met except for opening statements to decide how much money we can spend for this, because we are talking about real money, folks. It is going to be a trust fund, we are going to have to find whatever resources we commit to prison grant programs and other programs within the crime bill, we are going to have to find that money somewhere. It is going to have to come from other programs.

Mr. Speaker, I think at the same time we want to fund these programs realistically, I hope we are not talking about overpromising once again and underdelivering, because I think we need to talk in terms of real dollars, not authorize anything that we are not prepared to appropriate and spend.

Mr. Speaker, one of the reasons why I think our constituencies are very frustrated with us is because we have overpromised and we have underdelivered. If what my colleagues, the gentleman from Florida [Mr. MCCOLLUM], and the gentleman from Texas, Mr. JIM CHAPMAN, are talking about is fighting for as much as we can for this particular program, I am on board. I want to fight for whatever we can in the context of this conference. Just to make sure, however, that we are talking about real dollars and we are not talking about an authorization and not moneys to follow what we authorize.

Mr. Speaker, with that I do not have any other requests for time. I do not see any need to basically prolong this debate, because I do not think there is any difference between my colleague's position and mine. I want to get as much for prison grant programs as we can and have the best prison grant program for the States that we can develop so that we can move the States toward truth-in-sentencing and that we review inadequate sentences and do a far better job of incarcerating violent

offenders until they are ready to go back into society.

Mr. Speaker, if that is what my colleague is for today, then frankly I do not see much difference between our positions. I cannot say, however, that we are going to be able to make a \$13.5 billion mark. My colleague knows that we will do the best we can and try to preserve as much money for grant programs as we can for the States.

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

Mr. MCCOLLUM. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I simply want to say to the gentleman from New Jersey, I respect him a great deal. I know his intents are the same as mine and general principle. What my primary concern is in some of the things we have seen circulated, yes, we have not met, is there may be even more money in the prevention programs than there are for prisons and no priorities set. I just want to see the House send a strong message of the importance of prison monies of our body to the conferees, that we stick with it and make that the priority in this bill for spending when we start whittling away and start trying to find where to save money.

Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. SCHIFF], a member of the Committee on the Judiciary.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, before I was elected to Congress, I was a career criminal prosecutor. I served 8 years as an elected district attorney, a number of years as an assistant prosecutor before that, and also 2 years as a defense lawyer.

I want to join particularly in the remarks made by the gentleman from Florida that although funds, of course, are not endless, the gentleman from New Jersey is very correct about that, of course, it is a matter of setting priorities. The highest priority I can recommend is to ensure adequate funding for prisons. This is not because I believe that every person convicted of every crime should go to prison. Quite the contrary. I think there are a number of occasions where an individual makes a real mistake in life, really is remorseful about it, really will not repeat it and really deserves the opportunity to stay in the community.

Mr. Speaker, the point is, those individuals who are returned to the community should be returned to the community only because we believe that the best expectation is they will not damage society further.

That is not what is happening today. Right now individuals are being released from prison back to society early or not going to prison at all simply to make space for other criminals.

Mr. Speaker, we should not have people on the streets who will break into

our homes, who will steal our cars, who will embezzle from their employers and commit other offenses over and over and over again because we are trying to keep other criminals in prison. The fact of the matter is all those who endanger society and are judged that way should serve their time in prison. If they are released, it is because they deserve release, not because the space is limited.

Mr. Speaker, I would like to conclude by mentioning next to prisons, the next priority is prosecutors and law enforcement agencies. The public is asking for more prosecution of criminals. More criminals will be prosecuted with more prosecutors than with more laws. Although the appropriations subcommittee that we will vote on tomorrow in the Department of Justice budget did an excellent job in trying to set law enforcement priorities, there is one glaring omission. In the proposed budget tomorrow, the antitrust division of the Department of Justice is proposed for a 13 percent increase while the U.S. attorneys who do the day-to-day street prosecutions are proposed for a 1.6-percent increase. That priority is all wrong. The priority should be on the violent criminal prosecutors, because the President of the United States when he spoke to Congress said, "The American people are concerned about violent criminals." He did not say they were afraid of being mugged by anti-trust violators.

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, very briefly it seems we are knocking on an open door. There is not any opposition really to this motion to instruct. The value of the motion to instruct is that we go into the conference where we have a history of being rolled time and time again with a strong statement that the House means what it said when it passed and authorized \$13.5 billion for prisons. If we want to go home and say that we are a fearless fighter of crime and then we did not support the \$13.5 billion, or the maximum amount available, to get violent criminals off the street and in jail, then we are going to have a hard sell.

Mr. Speaker, I think the first thing in the list of priorities, as the gentleman from New Mexico [Mr. SCHIFF] said, is to have prisons adequate to the potential prison population.

In Chicago, IL, people are arrested who are dangerous to themselves, dangerous to the community, they are released on their own recognizance in droves because there is no place to put them. The first duty of government is to protect the people, provide for their safety, and it seems to me if we are lacking prison space, that ought to be first on our priority.

The gentleman from Florida [Mr. MCCOLLUM] deserves a lot of credit for

being the leader certainly on our side of the aisle on this issue. I hope we all send a resounding, ringing message to the gentlemen from the other body that when we authorized \$13.5 billion for prisons, we meant it.

Mr. MCCOLLUM. Mr. President, I yield 3 minutes to the gentleman from Florida [Mr. CANADY], a member of the Committee on the Judiciary.

Mr. CANADY. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, this motion which is under consideration now goes to the very core of the concerns that this Congress should address in any meaningful crime bill. The American people understand that the criminal justice system in this country is failing them and that we can no longer tolerate the status quo. Criminals throughout the country are making the rational calculation that crime pays, that the small risk of punishment is well worth the benefits to be derived from their criminal activities.

□ 1810

The system has lost its credibility, and the deterrent effect of the law has been undermined in a devastating way.

This motion to instruct conferees represents an essential means of restoring the credibility and deterrent force that has been lost in our system.

There is no greater problem affecting our criminal justice system today than the problem of early release. Just talk to your constituents. You will see their frustration and their fear occasioned by this problem.

Today violent offenders serve only 37 percent of their sentences. The gentleman from Florida [Mr. MCCOLLUM] cited that statistic, but it is a statistic that bears repeating. It is intolerable, and it must be changed.

This Congress can help correct this fundamental problem by assisting the States, expanding the capacity of prison systems, and keep hardened criminals off the street. That should be our top priority.

In Florida alone, 20,350 inmates were released early in fiscal year 1992-1993 to maintain the State's prison population within its court-mandated capacity.

In February, a tragedy occurred in the Ocala National Forest because a criminal was released early from a Florida prison. John Edwards was murdered and his sister was brutally raped and beaten by two men. One of the accused men had been released from a Florida prison after serving less than one-fourth of his sentence. This is just one example of something that happens day after day all across this country.

If we in this House are serious about protecting law-abiding people of America against the violence of hardened criminals, we will put our money where our rhetoric is. We will support the funding level previously approved by

this House, and we will pass this motion to instruct to send a strong message that we will not settle for anything less than \$13.5 billion to help the States deal with this problem.

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

Mr. Speaker, I do not know what this debate is about, because, frankly, it sounds to me like we are on the same side.

But one thing I do want to point out, it is one thing to talk about housing violent offenders, taking them out of circulation, taking them off the streets, and that is very important. But no matter what kind of a sentence you give them short of life without parole, they are going to come out at some point.

It seems to me some of the speakers have lost sight of the fact that we need to start dealing with some of the problems when they are in the system. We have not done a good job throughout the country of classification of the inmates. We have not done a good job of risk assessment before inmates are released back into society. We have not done a good job of providing skills to them. We have not done a good job of dealing with their psychiatric, their mental problems, their drug problems. So, you know, in addition to housing violent offenders, we need to make sure that we are also dealing with their problems when they are in the system. And that is every bit as important as any other consideration, whether it be truth in sentencing, whether it be an adequate sentence or any other consideration in the bill.

Frankly, nobody is talking about that. I do not think the public is fooled. They know that the prison system is a revolving door, and often inmates are coming out of the system worse for the experience. We need to do a far better job, and that is what I hope my colleague, the gentleman from Florida, will help me get across in conference. Because that is every bit as important.

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

Mr. MCCOLLUM. Mr. Speaker, I yield myself such time as I may consume to conclude this little debate.

As the gentleman from New Jersey said, there is not really a debate over enforcing our will or expressing the fact we want to see it enforced in the conference today, and I assume we will have a very strong vote in favor of this motion to recommit.

But there is an important underlying current here. I agree with the gentleman from New Jersey that there are many other facets we need to address in terms of the criminal problems of this Nation that we face other than simply incarcerating the very violent and getting them off the street and incapacitating them.

In my judgment, and I think the judgment of the majority of the Members here and in the eyes of the Public,

there is not anything more important or more immediate than doing this, and that in setting priorities when we go and sit down as conferees over the next few days, it is going to be very important for the conferees to think always the top priority is as much money as is needed to have it there for the prisons first and foremost, and if we do get down to having to make tough choices because of a limited amount of resources, that it not be the prison moneys that are cut, that we stick with those funds, and that if, indeed, there is a \$20 billion instead of a \$30 billion bill that comes out, that we still put \$13 billion, or \$13.5, as the House wishes here, into prisons, that we make those reductions and those adjustments elsewhere and protect the funding for the prisons first and foremost.

I think there is some flavor in a few of the documents circulated, again, preliminary documents that would indicate there may be some members of the conference, or perhaps some of the staff, who do not see it that way, who would put actually more money into the prevention programs in the final product than they would put into the prison moneys that are needed.

I would just close by pointing out the importance of the point I am making by citing a few of the statistics that are not cited very often. More than 40 percent of the murderers released from State prisons are rearrested for a felony or serious misdemeanor within 3 years. More than 20 percent are rearrested for a violent crime within 3 years. One in 15 is rearrested for another homicide. At least 30 percent of the murders in this country are committed by people on probation, parole, or bail. Thirty percent, a tremendous amount. And that is nonsense. Of the 50,000 violent criminals put on probation this year, over 9,000 will be rearrested for a violent crime within 3 years in the same State.

It is this revolving door that we are talking about. It is this incredible amount of violent crime being committed by the same people that must be stopped first and foremost, and it is for that reason and because of the importance of the priorities involved in this that the motion to recommit tonight is being offered to try to shore up for our conferees the House position of sticking with the \$13.5 billion figure and not reducing it by some dramatic figure in order to find money for something else in the scope of things that are going on when, indeed, that money could be there and fully funding the prisons which take the priority.

With that in mind and, again, urging my colleagues to recognize the importance of the message being sent tonight, I urge a yes vote on the McCollum motion to instruct conferees to stick with the House funding for full funding of prisons at \$13.5 billion.

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

The SPEAKER pro tempore (Mr. DE LA GARZA). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Florida [Mr. McCOLLUM].

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 338, nays 81, not voting 15, as follows:

[Roll No. 264]
YEAS—338

- | | | |
|--------------|--------------|---------------|
| Allard | Cooper | Goss |
| Andrews (ME) | Coppersmith | Grams |
| Andrews (NJ) | Costello | Grandy |
| Andrews (TX) | Cox | Green |
| Applegate | Cramer | Greenwood |
| Archer | Crane | Gunderson |
| Army | Crapo | Hall (OH) |
| Bacchus (FL) | Cunningham | Hall (TX) |
| Bacchus (AL) | Danner | Hamburg |
| Baesler | Darden | Hamilton |
| Baker (CA) | de la Garza | Hancock |
| Baker (LA) | Deal | Hansen |
| Ballenger | DeLauro | Harman |
| Barca | DeLay | Hastert |
| Barca | Derrick | Hefley |
| Barrett (NE) | Deutsch | Hefner |
| Barrett (WI) | Diaz-Balart | Hergert |
| Bartlett | Dickey | Hoagland |
| Barton | Dicks | Hobson |
| Bateman | Dooley | Hochbrueckner |
| Bentley | Doolittle | Hoekstra |
| Bereuter | Dornan | Hoke |
| Bevill | Dreier | Holden |
| Bilbray | Duncan | Horn |
| Bilirakis | Dunn | Hoyer |
| Bishop | Durbin | Huffington |
| Billey | Edwards (TX) | Hunter |
| Blute | Emerson | Hutchinson |
| Boehlert | Engel | Hutto |
| Boehner | English | Hyde |
| Bonilla | Eshoo | Inglis |
| Borski | Everett | Inhofe |
| Boucher | Ewing | Inslee |
| Brewster | Farr | Istook |
| Browder | Fawell | Jacobs |
| Brown (OH) | Fazio | Jefferson |
| Bryant | Fields (TX) | Johnson (CT) |
| Bunning | Fingerhut | Johnson (GA) |
| Burton | Fish | Johnson (SD) |
| Buyer | Fowler | Johnson, Sam |
| Byrne | Franks (CT) | Johnston |
| Callahan | Franks (NJ) | Kanjorski |
| Calvert | Frost | Kaptur |
| Camp | Furse | Kasich |
| Canady | Gallely | Kennelly |
| Cantwell | Gallo | Kildee |
| Cardin | Ejdenson | Kim |
| Carr | Gekas | King |
| Castle | Gephardt | Kingston |
| Chapman | Geren | Kieccka |
| Clayton | Gibbons | Klein |
| Clement | Gilchrest | Klink |
| Clinger | Gillmor | Klug |
| Clyburn | Gilman | Knollenberg |
| Coble | Gingrich | Kolbe |
| Coleman | Glickman | Kreidler |
| Collins (GA) | Goodlatte | Kyl |
| Combest | Goodling | Lambert |
| Condit | Gordon | Lancaster |

- | | | |
|-------------|---------------|-------------|
| Lantos | Ortiz | Siskiy |
| LaRocco | Orton | Skeen |
| Laughlin | Oxley | Skelton |
| Lazio | Packard | Slattery |
| Leach | Pallone | Slaughter |
| Lehman | Parker | Smith (IA) |
| Levin | Pastor | Smith (MI) |
| Levy | Paxon | Smith (NJ) |
| Lewis (CA) | Payne (VA) | Smith (OR) |
| Lewis (FL) | Peterson (FL) | Snowe |
| Lewis (GA) | Peterson (MN) | Spence |
| Lewis (KY) | Petri | Spratt |
| Lightfoot | Pickett | Stearns |
| Linder | Pickle | Stenholm |
| Lipinski | Pombo | Strickland |
| Livingston | Pomeroy | Stump |
| Long | Porter | Stupak |
| Lowey | Portman | Sundquist |
| Lucas | Poshard | Sweet |
| Maloney | Price (NC) | Swift |
| Manton | Pryce (OH) | Talent |
| Manzullo | Quillen | Tanner |
| Marzullo | Quinn | Tauzin |
| Margolles- | Rahall | Taylor (MS) |
| Mezvinsky | Ramstad | Taylor (NC) |
| Martinez | Ravenel | Tejeda |
| Matsui | Reed | Thomas (CA) |
| Mazzoli | Regula | Thomas (WY) |
| McCandless | Reynolds | Thompson |
| McCloskey | Richardson | Thornton |
| McCollum | Ridge | Thurman |
| McCrary | Roberts | Torkildsen |
| McDade | Roemer | Torricelli |
| McHale | Rogers | Trafficant |
| McHugh | Rohrabacher | Tucker |
| McInnis | Ros-Lehtinen | Unsold |
| McKeon | Rose | Upton |
| McKinney | Roth | Valentine |
| McMillan | Roukema | Volkmer |
| McNulty | Rowland | Vucanovich |
| Menendez | Royce | Walker |
| Meyers | Sangmeister | Walsh |
| Mica | Santorum | Weldon |
| Michel | Sarpatius | Wheat |
| Miller (FL) | Sawyer | Williams |
| Moakley | Saxton | Wilson |
| Molinar | Schaefer | Wise |
| Montgomery | Schenk | Wolf |
| Moorhead | Moran | Wyden |
| Morell | Schiff | Wynn |
| Myers | Sensenbrenner | Young (AK) |
| Neal (MA) | Shaw | Young (FL) |
| Neal (NC) | Shays | Zeliff |
| Nussle | Shepherd | Zimmer |
| | Shuster | |

NAYS—81

- | | | |
|--------------|----------------|---------------|
| Abercromble | Frank (MA) | Owens |
| Barlow | Gonzalez | Payne (NJ) |
| Becerra | Gutierrez | Pelosi |
| Bellenson | Hastings | Penny |
| Berman | Hillard | Rangel |
| Blackwell | Hinches | Roybal-Allard |
| Bontor | Hughes | Rush |
| Brooks | Johnson, E. B. | Sabo |
| Brown (CA) | Kennedy | Sanders |
| Brown (FL) | Kopetski | Schroeder |
| Clay | LaFalce | Scott |
| Collins (IL) | Mann | Serrano |
| Collins (MI) | Markey | Skaggs |
| Conyers | McDermott | Stark |
| Coyne | Meehan | Stokes |
| DeFazio | Meek | Studds |
| Dellums | Mfume | Synar |
| Dingell | Miller (CA) | Torres |
| Dixon | Mineta | Towns |
| Edwards (CA) | Minge | Velazquez |
| Ehlers | Mink | Vento |
| Evans | Mollohan | Visclosky |
| Fields (LA) | Murphy | Waters |
| Filner | Nadler | Watt |
| Flake | Oberstar | Waxman |
| Foglietta | Obey | Woolsey |
| Ford (TN) | Oliver | Yates |

NOT VOTING—15

- | | | |
|-----------|--------------|------------|
| Ackerman | Machtley | Sharp |
| Ford (MI) | McCurdy | Smith (TX) |
| Hayes | Murtha | Solomon |
| Houghton | Rostenkowski | Washington |
| Lloyd | Schumer | Whitten |

□ 1840

Messrs. COYNE, OWENS, and TORRES, Ms. WOOLSEY, and Mr.

FIELDS of Louisiana changed their vote from "yea" to "nay."

So the motion to instruct conferees was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1840

ANNOUNCEMENT OF INTENT TO OFFER ON TOMORROW, JUNE 23, 1994, A MOTION TO INSTRUCT CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993

Mr. McCOLLUM. Mr. Speaker, pursuant to clause 1(c) of rule XXVIII, I am announcing to the House that I intend to offer a motion to instruct conferees on the crime bill, H.R. 3355.

The form of the motion is as follows:

Mr. McCOLLUM moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 3355 be instructed not to agree to any provision similar to subtitle I, relating to the local partnership Act, or to any provision similar to it, of title X of the House amendment.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2866

Mr. STUPAK. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2866.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ISSUANCE OF EXECUTIVE ORDER BLOCKING PROPERTY OF CERTAIN HAITIAN NATIONALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

On October 4, 1991, pursuant to the International Emergency Economic Powers Act ("IEEPA") (50 U.S.C. 1701 *et seq.*) and section 301 of the National Emergencies Act ("NEA") (50 U.S.C. 1601 *et seq.*), President Bush exercised his statutory authority to issue Executive Order No. 12775, declaring a national emergency and blocking Haitian government property.

On October 28, 1991, pursuant to the above authorities, President Bush exercised his statutory authority to issue Executive Order No. 12779, blocking certain property of and prohibiting certain transactions with Haiti.

On June 30, 1993, pursuant to above authorities, as well as the United Nations Participation Act of 1945, as amended ("UNPA"), (2 U.S.C. 287c), I exercised my statutory authority to issue Executive Order No. 12853, to impose additional economic measures with respect to Haiti. This latter action was taken, in part, to ensure that the economic measures taken by the United States with respect to Haiti would fulfill its obligations under United Nations Security Council Resolution 841 of June 16, 1993.

On October 18, 1993, pursuant to the IEEPA and the NEA, I again exercised my statutory authority to issue Executive Order No. 12872, blocking property of various persons with respect to Haiti.

On May 6, 1994, the United Nations Security Council adopted Resolution 917, calling on States to take additional measures to tighten the embargo against Haiti. On May 27, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12914, to impose additional economic measures with respect to Haiti. On May 21, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12917, to impose those economic measures required by Resolution 917 that became effective May 21, 1994. These latter actions were taken, in part, to ensure that the economic measures taken by the United States with respect to Haiti would fulfill its obligations under the provisions of United Nations Security Council Resolution 917.

On June 10, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12920, prohibiting additional transactions with Haiti.

On June 21, 1994, pursuant to the above authorities, I exercised my statutory authority to issue Executive Order No. 12922.

This new Executive order:

—blocks all property in the United States, or within the possession or control of United States persons, of any Haitian national resident in Haiti, or any other person subject to the blocking provisions of Executive Order Nos. 12775, 12779, 12853, 12872, or 12914 or a Haitian citizen who is a member of the immediate family of such a person, as identified by the Secretary of the Treasury; and makes limited exceptions for certain payments and transfers, and for the property of nongovernmental organizations engaged in the provision of essential humanitarian assistance or the conduct of refugee and migration operations in Haiti, that are identified by the Secretary of the Treasury;

—prohibits any transaction that evades or avoids or has the purpose of evading or avoiding, or attempts

to violate, any of the prohibitions of the order; and

—authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to issue regulations implementing the provisions of the order.

The new Executive order is necessary to tighten the embargo against Haiti with the goal of the restoration of democracy in that nation and the prompt return of the legitimately elected President, Jean-Bertrand Aristide, under the framework of the Governors Island Agreement.

I am providing this notice to the Congress pursuant to section 204(b) of the IEEPA (50 U.S.C. 1703(b)) and section 301 of the NEA (50 U.S.C. 1631). I am enclosing a copy of the Executive order that I have issued.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 21, 1994.

MODIFICATION IN APPOINTMENT OF CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND PREVENTION ACT

The SPEAKER pro tempore. Without objection, the Speaker makes the following modification in the appointment of conferees on the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety:

In the paragraph naming additional conferees from the Committee on Merchant Marine and Fisheries, add Mr. BATEMAN in lieu of Mr. YOUNG of Alaska.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members are recognized for 5 minutes each.

HEALTH CARE REFORM VOTES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, I submit for the RECORD the votes on health care reform which took place in full committee in the Ways and Means Committee and in the Education and Labor Committee on June 21, 1994:

The following recorded votes were taken on June 21, 1994, in the Committee on Ways and Means during consideration of Acting Chairman Gibbons' substitute proposal for H.R. 3600, The Health Security Act of 1994:

An amendment by Mr. Thomas which would remove the Secretary of HHS' authority to exclude Medicare Part B and C coverage of prescription drugs for off-label uses,

simply because the Secretary has determined such use of the drug is not medically appropriate. In order to be covered, off-label use of a particular drug would still have to meet the following: (1) FDA approval; (2) such use is supported by at least one specified compendium and (3) the carrier managing the Medicare coverage determines (with guidance from the Secretary) that such use is medically appropriate, based on supportive clinical evidence in peer reviewed medical literature. Defeated 24 to 14.

DEMOCRATS

Mr. Gibbons, "nay."
Mr. Rostenkowski, "nay."
Mr. Pickle, "nay."
Mr. Rangel, "nay."
Mr. Stark, "nay."
Mr. Jacobs, "nay."
Mr. Ford of Tennessee, "nay."
Mr. Matsui, "nay" by proxy.
Mrs. Kennelly, "nay."
Mr. Coyne, "nay."
Mr. Andrews of Texas, "nay."
Mr. Levin, "nay."
Mr. Cardin, "nay."
Mr. McDermott, "nay."
Mr. Kleczka, "nay."
Mr. Lewis of Georgia, "nay."
Mr. Payne of Virginia, "nay."
Mr. Neal of Massachusetts, "nay."
Mr. Hoagland, "nay."
Mr. McNulty, "nay."
Mr. Kopetski, "nay."
Mr. Jefferson, "nay."
Mr. Brewster, "nay."
Mr. Reynolds, "nay."

REPUBLICANS

Mr. Archer, "yea."
Mr. Crane, "yea" by proxy.
Mr. Thomas of California, "yea."
Mr. Shaw, "yea."
Mr. Sundquist, "yea."
Mrs. Johnson of Connecticut, "yea."
Mr. Bunning, "yea."
Mr. Grandy, "yea."
Mr. Houghton, "yea."
Mr. Herger, "yea."
Mr. McCrery, "yea."
Mr. Hancock, "yea."
Mr. Santorum, "yea."
Mr. Camp, "yea."

On an amendment by Mrs. Johnson of Connecticut to the Sundquist amendment providing that the entire budget for women's health services be kept budget neutral including the benefits provided in the Sundquist amendment. [The Sundquist amendment required the Secretary of HHS to promulgate regulations (with the advice of the American Cancer Society and the American College of Obstetrics and Gynecology) setting forth the schedule for mammography, pap smears and pelvic exams to ensure more frequent screenings based on the latest medical research. The Sundquist amendment was withdrawn.] Defeated 21-17.

DEMOCRATS

Mr. Gibbons, "nay."
Mr. Rostenkowski, "nay."
Mr. Pickle, "nay."
Mr. Rangel, "nay."
Mr. Stark, "nay."
Mr. Jacobs, "nay."
Mr. Ford of Tennessee, "nay" by proxy.
Mr. Matsui, "nay."
Mrs. Kennelly, "nay."
Mr. Coyne, "nay."
Mr. Andrews of Texas, "nay."
Mr. Levin, "nay."
Mr. Cardin, "yea."
Mr. McDermott, "yea."
Mr. Kleczka, "nay."

Mr. Lewis of Georgia, "nay" by proxy.
Mr. Payne of Virginia, "nay."
Mr. Neal of Massachusetts, "nay."
Mr. Hoagland, "nay."
Mr. McNulty, "nay."
Mr. Kopetski, "yea."
Mr. Jefferson, "nay."
Mr. Brewster, "nay" by proxy.
Mr. Reynolds, "nay."

REPUBLICANS

Mr. Archer, "yea" by proxy.
Mr. Crane, "yea" by proxy.
Mr. Thomas of California, "yea" by proxy.
Mr. Shaw, "yea."
Mr. Sundquist, "yea."
Mrs. Johnson of Connecticut, "yea."
Mr. Bunning, "yea" by proxy.
Mr. Grandy, "yea."
Mr. Houghton, "yea" by proxy.
Mr. Herger, "yea" by proxy.
Mr. McCrery, "yea."
Mr. Hancock, "yea."
Mr. Santorum, "yea" by proxy.
Mr. Camp, "yea."

COMMITTEE ON EDUCATION AND LABOR—FULL COMMITTEE

HEALTH CARE MARK-UP, JUNE 21, 1994

The following recorded votes were taken on June 21, 1994 in the Committee on Education and Labor during full Committee consideration of Chairman Ford's mark, H.R. 3600, Health Security Act of 1994:

1. An amendment by Rep. Miller (FL) that would allow working Medicare-eligible individuals and their spouses to have the option to keep Medicare as their primary health insurance. The amendment was defeated 15-27-1.

DEMOCRATS

Mr. Ford, "nay."
Mr. Clay, "nay" by proxy.
Mr. Miller of California, "nay" by proxy.
Mr. Murphy, "nay" by proxy.
Mr. Kildee, "nay."
Mr. Williams, "nay."
Mr. Martinez, "nay."
Mr. Owens, "nay" by proxy.
Mr. Sawyer, "nay."
Mr. Payne, "nay" by proxy.
Ms. Unsoeld, "nay" by proxy.
Ms. Mink, "nay."
Mr. Andrews, not voting.
Mr. Reed, "nay."
Mr. Roemer, "nay."
Mr. Engel, "nay" by proxy.
Mr. Becerra, "nay" by proxy.
Mr. Scott, "nay."
Mr. Green, "nay."
Ms. Woolsey, "nay."
Mr. Romero-Barcelo, "nay."
Mr. Klink, "nay" by proxy.
Ms. English, "nay" by proxy.
Mr. Strickland, "nay" by proxy.
Mr. deLugo, "nay."
Mr. Faleomavaega, "nay" by proxy.
Mr. Baesler, "nay."
Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
Mr. Petri, "yea" by proxy.
Ms. Roukema, "yea."
Mr. Gunderson, "yea."
Mr. Armey, "yea" by proxy.
Mr. Fawell, "yea."
Mr. Ballenger, "yea."
Ms. Molinari, "yea" by proxy.
Mr. Barrett, "yea" by proxy.
Mr. Boehner, "yea."
Mr. Cunningham, "yea" by proxy.
Mr. Hoekstra, "yea."
Mr. McKeon, "yea" by proxy.
Mr. Miller of Florida, "yea."

Mr. Castle, "yea."

2. An amendment by Rep. Miller (FL) that makes clear that nothing in the Act shall prevent Medicare-eligible individuals from electing to continue receiving their health benefits through the Medicare program, rather than through either an employer health plan or another health plan mandated by the State. The amendment was defeated 17-24-2.

DEMOCRATS

Mr. Ford, "nay."
Mr. Clay, "nay" by proxy.
Mr. Miller of California, "nay" by proxy.
Mr. Murphy, "nay" by proxy.
Mr. Kildee, present, not voting.
Mr. Williams, "nay."
Mr. Martinez, "nay."
Mr. Owens, "nay" by proxy.
Mr. Sawyer, "nay."
Mr. Payne, "nay" by proxy.
Ms. Unsoeld, "nay" by proxy.
Ms. Mink, "nay."
Mr. Andrews, not voting.
Mr. Reed, "nay."
Mr. Roemer, "nay."
Mr. Engel, "nay" by proxy.
Mr. Becerra, "nay" by proxy.
Mr. Scott, "nay."
Mr. Green, "yea."
Ms. Woolsey, "nay."
Mr. Romero-Barcelo, "nay."
Mr. Klink, "nay" by proxy.
Ms. English, "nay" by proxy.
Mr. Strickland, "nay" by proxy.
Mr. deLugo, "nay."
Mr. Faleomavaega, "nay" by proxy.
Mr. Baesler, "yea."
Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
Mr. Petri, "yea" by proxy.
Ms. Roukema, "yea."
Mr. Gunderson, "yea."
Mr. Armey, "yea" by proxy.
Mr. Fawell, "yea."
Mr. Ballenger, "yea."
Ms. Molinari, "yea" by proxy.
Mr. Barrett, "yea" by proxy.
Mr. Boehner, "yea."
Mr. Cunningham, "yea" by proxy.
Mr. Hoekstra, "yea."
Mr. McKeon, "yea" by proxy.
Mr. Miller of Florida, "yea."
Mr. Castle, "yea" by proxy.

3. An amendment by Rep. Armey to strike the provision in the Chairman's mark requiring that the National Council on Graduate Medical Education, in making allocations among eligible programs for each medical specialty, consider (A) the extent to which the population of training participants in the program includes training participants who are members of racial or ethnic minority groups, and (B) with respect to a racial or ethnic group represented among the training participants, the extent to which the group is underrepresented in the field of medicine generally and in the various medical specialties. The amendment was defeated 14-29.

DEMOCRATS

Mr. Ford, "nay."
Mr. Clay, "nay."
Mr. Miller of California, "nay."
Mr. Murphy, "nay" by proxy.
Mr. Kildee, "nay."
Mr. Williams, "nay."
Mr. Martinez, "nay" by proxy.
Mr. Owens, "nay."
Mr. Sawyer, "nay."
Mr. Payne, "nay."
Ms. Unsoeld, "nay" by proxy.
Ms. Mink, "nay."

Mr. Andrews, "nay."
 Mr. Reed, "nay."
 Mr. Roemer, "nay" by proxy.
 Mr. Engel, "nay" by proxy.
 Mr. Becerra, "nay" by proxy.
 Mr. Scott, "nay."
 Mr. Green, "nay."
 Ms. Woolsey, "nay."
 Mr. Romero-Barceló, "nay" by proxy.
 Mr. Klink, "nay."
 Ms. English, "nay" by proxy.
 Mr. Strickland, "nay" by proxy.
 Mr. de Lugo, "nay."
 Mr. Faleomavaega, "nay" by proxy.
 Mr. Baesler, "nay."
 Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
 Mr. Petri, "yea" by proxy.
 Ms. Roukema, "yea."
 Mr. Gunderson, "nay."
 Mr. Armey, "yea."
 Mr. Fawell, "yea."
 Mr. Ballenger, "yea."
 Ms. Molinari, "yea" by proxy.
 Mr. Barrett, "yea."
 Mr. Boehner, "yea" by proxy.
 Mr. Cunningham, "yea."
 Mr. Hoekstra, "yea."
 Mr. McKeon, "yea."
 Mr. Miller of Florida, "yea."
 Mr. Castle, "yea."

4. An amendment by Rep. Becerra, as modified by Rep. Cunningham, that would increase the vulnerable population adjustment funding from the \$800 million/year provided in the bill to \$2 billion/year. The Cunningham amendment, which was accepted on a voice vote, requires that providers be reimbursed from the vulnerable population adjustment fund for costs incurred providing health services to illegal aliens. The amendment, as amended, was adopted 27-13.

DEMOCRATS

Mr. Ford, "yea."
 Mr. Clay, "yea" by proxy.
 Mr. Miller of California, "yea" by proxy.
 Mr. Murphy, "yea" by proxy.
 Mr. Kildee, "yea" by proxy.
 Mr. Williams, "yea."
 Mr. Martinez, "yea" by proxy.
 Mr. Owens, "yea" by proxy.
 Mr. Sawyer, "yea."
 Mr. Payne, "yea."
 Ms. Unsoeld, "yea" by proxy.
 Ms. Mink, "yea."
 Mr. Andrews, not voting.
 Mr. Reed, "yea."
 Mr. Roemer, "nay."
 Mr. Engel, "yea."
 Mr. Becerra, "yea."
 Mr. Scott, "yea."
 Mr. Green, "yea."
 Ms. Woolsey, "yea."
 Mr. Romero-Barceló, "yea" by proxy.
 Mr. Klink, "nay."
 Ms. English, "yea" by proxy.
 Mr. Strickland, "yea" by proxy.
 Mr. de Lugo, "yea."
 Mr. Faleomavaega, "yea" by proxy.
 Mr. Baesler, "nay."
 Mr. Underwood, "yea" by proxy.

REPUBLICANS

Mr. Goodling, "nay."
 Mr. Petri, "nay" by proxy.
 Ms. Roukema, "nay."
 Mr. Gunderson, not voting.
 Mr. Armey, not voting.
 Mr. Fawell, "nay" by proxy.
 Mr. Ballenger, "nay."
 Ms. Molinari, "yea" by proxy.
 Mr. Barrett, "nay" by proxy.
 Mr. Boehner, "nay" by proxy.

Mr. Cunningham, "yea."
 Mr. Hoekstra, "nay" by proxy.
 Mr. McKeon, "yea" by proxy.
 Mr. Miller of Florida, "nay" by proxy.
 Mr. Castle, "nay."

5. An amendment by Rep. Roukema to provide that a package of benefits and services equivalent to those available under the Federal Employees Health Benefit Plan (FEHBP) would be considered as meeting the requirements of the "comprehensive benefit package" under H.R. 3600. The amendment was defeated 15-27.

DEMOCRATS

Mr. Ford, "nay."
 Mr. Clay, "nay" by proxy.
 Mr. Miller of California, "nay" by proxy.
 Mr. Murphy, "nay."
 Mr. Kildee, "nay" by proxy.
 Mr. Williams, "nay" by proxy.
 Mr. Martinez, "nay" by proxy.
 Mr. Owens, "nay."
 Mr. Sawyer, "nay."
 Mr. Payne, "nay" by proxy.
 Ms. Unsoeld, "nay" by proxy.
 Ms. Mink, "nay."
 Mr. Andrews, "nay."
 Mr. Reed, "nay."
 Mr. Roemer, "nay."
 Mr. Engel, "nay" by proxy.
 Mr. Becerra, "nay" by proxy.
 Mr. Scott, "nay."

SUBSTANTIVE PRINCIPLES BEHIND HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

Mr. GEPHARDT. Mr. Speaker, I rise this evening to talk about health care reform.

And I rise to talk not about the politics of health care reform—not about the partisan horse race that dominates so much of this debate—but to talk about the real, substantive principles behind health care reform.

Ever since this debate began last fall, President Clinton and the Democrats in this Congress have been fighting for a health care plan that guarantees affordable coverage for every single American.

That is our bottom line. The President has pledged to use his veto pen to make sure we do not stray from that fundamental principle.

In the past week, we have been under increasing pressure to lower that bottom line.

The lobbyists and the apologists want to overhaul our health care system, without guaranteeing coverage for everybody.

The press and the pundits say we are losing the debate about guaranteed coverage. And as a result, we are losing the votes to make it happen.

But I say: We are not losing the debate, because we have never had a real debate. For all the slogans and soundbites, we have never engaged in a serious discussion about why guaranteed coverage is critical to health care reform.

That is why I am here tonight. The simple fact is, guaranteed coverage is

not just another element of the plan. It is the very core of the plan. Without it, there can be no meaningful health care reform. And without it, our health care system will bring us to the brink of bankruptcy.

Let us look at the facts.

Health care costs are soaring past the rate of inflation. Since 1978, when I started speaking out about health care, the average cost of a family policy has skyrocketed—from \$800 a year to more than \$5,000 a year.

Think about what that means to a family that's already struggling to get ahead—to pay off a mortgage, and put their children through college. It means that, at the rate we are going, they will just have to give up health care. They will have no other choice.

The same is true for American businesses. The cost of health care for a single employee doubled between the mid-80's and the early 1990's.

In 1990, because of these rising costs, General Motors spent more on employee health care than it spent on steel.

So the question is not whether we should change our health care system, the greatest and most envied network of care in the world—the question is whether we have the courage to save it, and keep health care from drifting beyond the reach of hardworking, middle-class Americans.

The only way to do that is by making sure that every single American has health insurance. There is simply no other way to make health care affordable for everybody—those who have insurance already, and those who have never had it.

You see, when an uninsured American shows up at the emergency room, we do not turn them away—even if they cannot pay. That is what a compassionate society must do.

But then who pays for the uninsured? Those of us who have insurance.

The head of one major insurance company told me that uncompensated care accounted for almost half of last year's cost increases.

The real losers under this cost-shifting scheme are the hard-working families and employers who take the responsibility to pay their own way.

Did you know that a full third of employers' health care costs subsidize companies that do not bother to offer insurance?

That is not health care—it is stealth care.

It is a hidden tax that drives the cost of health insurance through the roof. Guaranteed coverage is the only way to stop it.

And it will stop it in two ways. First of all, if we make sure that everyone has insurance, then everyone will have access to decent, ongoing, primary health care.

It will save the lives of many who are now uninsured—and it will save the

rest of us billions of dollars in the process.

Second, by bringing everybody into the system, we'll make sure that those costs are spread fairly and evenly—no more free subsidies, no more hidden taxes.

This would be a boon for businesses that provide health care today.

After all, if you are in business, you are in business to compete. And free competition means you should not have to subsidize your competitors. Guaranteed coverage will level the playing field, once and for all.

Some argue that health care reform will destroy jobs, by making it hard to start or run a profitable business.

That is just plain wrong. By lowering the cost of health care for businesses that already provide it, we will free up tens of billions of dollars in private capital. The Congressional Budget Office has estimated that businesses would save \$90 billion in the first year of the Clinton plan—with even greater savings in the years to follow.

That is \$90 billion that can be used to hire new employees, or increase wages, or invest in new research or equipment.

Two highly respected private studies have estimated job creation in the hundreds of thousands. The Economic Policy Institute says that more than 250,000 manufacturing jobs will be created. The Employee Benefit Research Institute says 660,000 jobs will be created.

And those figures are in addition to the health care jobs that would be created. The Brookings Institution estimates that 750,000 home health care jobs alone would be created—750,000.

Small businesses, which now pay as much as 35 percent more than large businesses for health care, will get dramatic discounts. That may be why the Wall Street Journal called health care reform an "unexpected windfall" for small businesses.

And what about those businesses that do not pay for health care today? Will they have to pay more?

They will. To make the system fair, everybody has to pitch in. But when you look at the costs of covering workers in a typical small business, it is less than a modest minimum wage increase.

Recent minimum wage increases have not destroyed jobs. Many economists believe they have led to higher employment. And the benefits of guaranteed coverage, the benefits of a system that is both fairer and cheaper than the one we have today, are well worth those extra pennies.

This year, we have a real opportunity to change—a real opportunity to move this Nation forward, together.

This Congress can undertake the most comprehensive reform of our health care system in the history of this Nation.

I know that health care reform concerns many Americans. Change always

brings a degree of uncertainty. We can never know if every number and target will be correct, if every assumption will work out the way we want it to.

But then, 30 years ago, many wondered whether Medicare would succeed. Today, it has given millions of older Americans the gift of life, and hope, and faith in the future.

Sixty years ago, people wondered whether Social Security was a good idea. Today, it is hard to imagine what America would be like without the reason and compassion of our Nation's retirement program.

And let me tell you, a lot of us are grateful that, despite all of the partisan battle cries, both of those landmarks bills passed with broad bipartisan support.

So let us join together in a partnership for real reform—as a matter of public policy, and as a matter of human decency.

Let us make sure that no American's health is determined by their wealth.

And let us make American health care work—for the dignity and security that all Americans demand and deserve.

□ 1850

FIFTIETH ANNIVERSARY OF THE GI BILL

The SPEAKER pro tempore (Mr. ABERCROMBIE). Under a previous order of the House, the gentleman from Texas [Mr. LAUGHLIN] is recognized for 5 minutes.

Mr. LAUGHLIN. Mr. Speaker, I rise to congratulate all American veterans on the 50th anniversary of the Servicemen's Readjustment Act of 1944, popularly known as the GI bill.

This important, social legislation has helped millions of American veterans, who made great sacrifices by serving in this Nation's military forces, to achieve the American Dream.

Over the past 50 years, 20 million veterans have become better educated and more than 14 million homes have been purchased.

This has been possible because the American Legion had the courage to insist on this legislation and President Franklin D. Roosevelt had the wisdom to sign it into law 50 years ago today.

I urge this body to continue its support of this legislation. We owe it to the veterans of this Nation.

They have made the sacrifices necessary for each of us to enjoy the freedoms our Constitution and Bill of Rights guarantee.

It is the least we can do for the tremendous sacrifices our veterans have made.

Mr. Speaker, I yield to the gentleman from Mississippi [Mr. MONTGOMERY], distinguished chairman of the Committee on Veterans' Affairs.

Mr. MONTGOMERY. Mr. Speaker, I want to commend the gentleman for

bringing up about the GI bill of rights, which is celebrated today, of 50 years and to commend him for it and thank the veterans' organizations, such as the American Legion, which back in 1944 had a lot to do with getting this legislation passed.

It has been said by historians that this is probably the most important piece of legislation that has been passed in this century. It has helped young, middle-class Americans get an education. It has helped middle-class Americans get a home. I was one of those that used the GI bill home loan. In fact, I still live in that home back in Mississippi. So it has helped a number of people, and it is just great for our country.

It moved us from being an isolated nation into a progressive nation with better education, and we became a leadership country.

There was a very nice ceremony today down at the Veterans' Department. The President of the United States spoke as well as his Secretary of the Veterans' Department, Jessie Brown. I am glad that they are bringing to the attention of Americans this great event. World War II was terrible. Congressman DORNAN on the floor here and also Congressman STEARNS, we saw all of those white crosses over there of young men, 18 and 19 years of age, who had lost their lives for this country. But something good did come out of this war in that we got the GI bill of rights, and I appreciate very much the gentleman giving me this opportunity.

Mr. LAUGHLIN. Mr. Speaker, I know the gentleman from California [Mr. DORNAN] speaks in support and in strong support of the veterans and this legislation.

I yield to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I just wanted to indicate and thank all the gentlemen on the floor this evening that in celebration of the 50th anniversary of World War II, the coins that were minted in our country by the U.S. Mint in order to create a World War II memorial here in Washington will only be on sale through the U.S. Mint through June 30 of this month. And there is a dollar coin, a clad half-dollar coin and a gold coin, ranging in price from \$10 all the way to the golden coin, which costs \$220. If veterans are listening and they want to call the Mint, which is an 800 toll-free number or call our office, we would tell them how to order these coins. If they buy them, the proceeds go to the construction of the World War II memorial here in our Nation's Capital to honor the causes for which you have spoken.

DEADLY ATTACKS IN NORTHERN IRELAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I rise in genuine sorrow and anger to report a series of deadly attacks in Northern Ireland. Last Thursday, Protestant paramilitaries of the Ulster Freedom Fighters killed a Catholic shopkeeper in Belfast. That same day, the Irish National Liberation Army, which seeks to oust the British from Northern Ireland by force, murdered two Protestant workers and wounded two others in a drive-by shooting in Belfast. Then, on Friday, two more people were killed in retaliation—one Catholic, one Protestant—although it seems likely that the Protestant was mistaken for a Catholic coworker by his killers, who wanted to even Thursday's score.

Finally, on Saturday, the Ulster Volunteer Force, a Protestant paramilitary group that wants to secure British rule, attacked and killed 6 Catholics, wounding 10. All were patrons of a pub and were cheering on the Irish national soccer team as it took on Italy in Giants Stadium in East Rutherford, NJ.

That there should be this tit-for-tat cycle of killings is not new. That there should be a rising number—and now a majority—of killings of Catholics by Protestant paramilitary groups is a disturbing phenomenon of the last year. That these attacks should occur, and with such bloody results, as all of Ireland and Britain await a statement by the Irish Republican Army concerning the British and Irish Governments' peace declaration cannot encourage optimism that the climate for peaceful dialog will exist if the IRA ever delivers such a response.

Both governments have condemned these killings—calling them slaughter and savagery. So too do the vast majority of people in the North, regardless of confessional status, because they want more than anything else to see an end of such barbarism. The paramilitary groups, as is their custom, condemn killings by the other side, but not by their own. However horrific, this pattern of paramilitary violence seems too familiar, too predictable.

Mr. Speaker, there is a way out of this death spiral that is choking the chance for peace. The IRA, the INLA, the UVF and all their violent progeny must end the killing that never seems to diminish the resolve of those they seek to terrorize. They must return the fate of the North to its people, and to the choices they freely make at the ballot box. Both governments have issued—and clarified at length—guarantees that the people of the two parts of the island of Ireland alone will determine their relationships.

Yet none of the efforts that have gone into the peace process, or which could be poured into it if given a chance, will have the slightest effect unless the men of violence acknowledge that the path they embrace has produced, not the victory they promise, but only the fervid and fatal aping of equally committed paramilitary groups of the opposite persuasion. Killings by one side begets only more killing by the other.

When the IRA or UVF kills an invariably innocent bystander, their political cause is not

advanced one iota. The carnage they cause only serves to harden the hearts of those they seek to coerce.

Sir Patrick Mayhew, the British Secretary of State for Northern Ireland, visited the pub where the six were killed on Saturday. The horror of the crime was such that he suggested that the only explanation for their deaths one of the killers might give to his children would go something like this: "I killed a man of 87. He was sitting with his back to me. He was watching the World Cup. I shot him dead."

Mr. Speaker, Solzhenitsyn, in describing Stalin's Gulag, said, "Violence does not and cannot exist by itself; it is invariably intertwined with the lie." The big lie in Northern Ireland is that the brutality of the paramilitaries ever has or ever could bring peace to Northern Ireland. It can reap only what it sows. Reconciliation alone can bring peace to the North. Yet reconciliation is possible only when it is finally safe to watch a soccer match in your neighborhood pub with your back to the door.

□ 1900

SURGEON GENERAL ELDERS SHOULD RESIGN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. STEARNS] is recognized for 5 minutes.

Mr. STEARNS. There is a great deal of debate throughout America today on the need to shape a new set of shared values for this Nation. Like most Americans, I find this to be a welcome sign that, after three decades of moral relativism, we as a Nation are turning back to the idea that we need these core values.

That brings me to my main topic tonight. Along with over 70 of my House colleagues, tomorrow, I will be sending President Clinton a letter requesting the resignation of Surgeon General Joycelyn Elders. At the very time when voices from across the political spectrum are calling for greater personal responsibility, the Surgeon General has staked out an extremist position opposed to these ideals and often vilified the majority of Americans who disagree with her.

I do not make this call for her resignation lightly, nor make it based on any one remark by Dr. Elders, but rather on a continuing series of statements she has made since her appointment. These comments, on issues ranging from drug legalization to health care for older Americans, demonstrate a strange hostility to mainstream American values.

Dr. Elder's general philosophy is that the Government's role is to force those who act responsibly to subsidize the lifestyles of those who do not. She attacks those who believe we must instill values in our children, recommending instead a government-mandated philosophy of relativism.

Just today, Dr. Elders launched her most vicious attack yet on those who support traditional values at the National Gay and Lesbian Health Conference in New York, vilifying "the Un-Christian religious right," stating "we've got to be strong to take on those people who are selling out our children in the name of religion."

In my time in politics, I have disagreed with Members on both sides of the aisle on a wide variety of issues. But, as one who is proud to call myself a Christian and a conservative, I would never call someone who opposed me on a matter of principle Un-Christian.

That simply has no place in our public dialog, and there is no way that the Surgeon General can claim to represent all Americans when she is making these types of blanket condemnations of a large segment of American society.

That is the type of vituperative, divisive rhetoric that represents her only noteworthy accomplishment as Surgeon General. Rather than use this valuable bully pulpit to advance matters of general health concern, she has targeted the resources of her office to promoting her extremist agenda.

Allow me to take a moment to catalog some of Dr. Elders' statements—

Dr. Elders stated at a May Senate hearing that cancer and heart disease research should receive a lower priority than AIDS, because, and I quote, "most of the people that die with heart disease and cancer are our elderly population, you know, and we all will probably die with something sooner or later."

In December, in Newsweek magazine, she responded to a question of whether it was wrong to deliberately have a child out of wedlock by saying, "No. Everyone has different moral standards." This brought a response by the generally liberal columnist Joe Klein that "It is difficult to imagine a more succinct statement of moral relativism."

She has condemned those who oppose government funding of abortion on demand saying that the 70 percent of Americans who share this view are trying to force slave-like conditions on poor women. She has also instructed those who morally oppose abortion to get over their love affair with the fetus.

This is not only offensive to those who oppose abortion, but also to millions of other Americans who support abortion rights, but agree that there are profound moral questions involved in this debate and seek to minimize abortion.

The Surgeon General also has suggested that one of the benefits of legalized abortion is that it has reduced the number of Down's syndrome children.

She is on record as supporting abortion in the case of possible genetic predisposition to being homosexual. That,

she said, would be the parents' choice. I imagine sex selection abortions would be acceptable to her too, under this theory.

She has stated that our public schools should provide condoms on request, and without parental notification, to our children, even elementary schoolers. "We must teach them responsibility and make sure they have the availability of a condom." She also made known her beliefs on casual sex stating, "I tell every girl when she goes out on a date—put a condom in her purse."

Dr. Elders has repeatedly made attacks against the Catholic Church, including referring to it derisively as a male-dominated, celibate church opposed to women.

As Americans, we can all rest more comfortably knowing that President Clinton disassociated himself from these and other statements directed against Catholics, but Dr. Elders refused to.

And, in her most famous statement, she stated that legalizing narcotics would improve public health and welfare in this country. Again, President Clinton quickly disavowed these statements.

This abuse of the office of the Surgeon General must stop. The office should be used to fight sickness and disease, not parents and churches.

In her remarks today, Joycelyn Elders concluded by saying that she knew President Clinton and had taught him well. By allowing Dr. Elders to remain a Surgeon General, the President is giving credence to those claims and tying himself to an agenda of extremism and hostility toward mainstream America.

He should take Dr. Elders remarks today, along with her many previous statements, as evidence that she will never be the type of Surgeon General who can unite all Americans behind the cause of public health. And, while the Surgeon General certainly has the right to engage in substantive debate on matters related to public health, Dr. Elders has shown herself unable to do so within normal and reasonable bounds of political discourse.

The Office of the Surgeon General is a small one with largely symbolic functions. But I believe it is also an important one, and past holders of the office have shown us the positive effects that can come through proper use of the position.

I am certain that there are any number of outstanding health professionals in this country who could serve the Nation well as Surgeon General without dividing Americans—especially on the basis of religion. The President should choose a new Surgeon General who will use the powers of that office to bring Americans together, not drive us apart.

I'd like to ask all of my colleagues, both Democrats and Republicans, to

please join me in asking President Clinton to request the resignation of Surgeon General Joycelyn Elders.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4603, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994, AND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-556) on the resolution (H. Res. 461) waiving certain points of order against the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CALLING FOR THE RESIGNATION OF JOYCELYN ELDERS AS SURGEON GENERAL OF THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minute.

Mr. DORNAN. Mr. Speaker, I had planned to come to the floor tonight to discuss D-day, the major turning point in 1944 in the Pacific, the battle for the islands of Saipan and Tinian. Both of them turned into major air base islands for the 20th Air Force and Gen. Curtis Lemay and the eventual destruction of the warlords' machine of conquest coming from Imperial Japan.

As a matter of fact, it was the final collapse of Tinian that caused the resignation in disgrace of Hideki Tojo, warlord Tojo. Most people know Hitler was driven to suicide by General Eisenhower in the great crusade of our efforts across Europe and into Germany, but Tojo went into disgraced isolation after the battle that took place from June 15, just nine days after D-day on the beaches of Normandy had started.

Only July 9 we had completely taken the island of Saipan, with civilians so terrified by propaganda of our Marines and National Guard, Army soldiers, that they jumped to their death off what became known as the Banzai Cliffs. And then on the island of Tinian, we invaded on July 24, finished that operation on August 1, where again, on what is called Suicide Cliffs, terrified civilians with their babies in their arms jumped to their death, and those few that had faced surrender found out that Americans were truly

the most unusual conquerors in all of history, that we were bringing them freedom, not oppression.

Mr. Speaker, I include for the CONGRESSIONAL RECORD a very excellent Washington Post article from the invasion day itself, June 15, and I will discuss it next week:

SAIPAN: LITTLE FANFARE FOR THE OTHER D-DAY

(By William Branigin)

MARPI POINT, NORTHERN MARIANAS.—As the Japanese woman scrambled along the edge of what came to be known as Banzai Cliff here on the island of Saipan, she turned to glance at American Marines calling to her.

Film shot by a combat cameraman that day in July 1944 caught a look of terror on her face just before she jumped to her death.

Pfc. Guy Gabaldon, a highly decorated Marine who learned to speak Japanese while growing up in East Los Angeles, remembers pleading with her not to throw her baby to the jagged rocks below before she jumped. But like thousands of other Japanese civilians and soldiers who leaped from cliffs, blew themselves up with grenades or made suicidal charges on Saipan and neighboring Tinian, the woman chose death rather than capture by the Americans.

This and other terrible scenes followed the U.S. landing on Saipan on June 15, 1944. For two Marine divisions commanded by Lt. Gen. Holland M. "Howling Mad" Smith—the spearhead of an invasion force that eventually totaled 71,000 men—it was D-Day in the Pacific war against imperial Japan.

Like the more famous landing on the beaches of Normandy 50 years ago, the invasion of Saipan, code-named Operation Forager, marked a critical point in World War II and was the scene of some of the war's bloodiest combat. It caused the resignation of Japan's military commander and prime minister, Gen. Hideki Tojo, allowed land-based U.S. bombers to devastate the Japanese homeland and helped cripple the country's shipping.

"Saipan has the same importance as Normandy," said Samuel McPhetres, a historian here. "It gave the Americans a foothold within bombing range of Tokyo and led to the eventual end of the war a year later." It also marked the first time that American forces encountered large numbers of Japanese civilians.

But unlike this month's commemoration of the Allied invasion of Normandy, ceremonies marking the 50th anniversary of the Pacific D-Day are going ahead with little fanfare. The highest-ranking U.S. official scheduled to attend the dedication today of the \$3 million American Memorial Park are the Air Force and Navy commanders on nearby Guam. About 150 U.S. veterans, and 52 Japanese, including 11 veterans, are to attend commemorations at the park.

For many of Saipan's native Chamorro and Carolinian inhabitants, the low-key nature of the anniversary celebration may be just as well. Although the island is U.S. territory and has received more than \$250 million from Washington since 1986, its economy depends heavily on Japanese tourism and investment.

The Northern Mariana Islands, the largest of which are Saipan, Tinian and Rota, were sold by Spain to Germany in 1898 and taken over by Japan in 1914. Japanese settlers established sugar plantations and brought in laborers from Okinawa and Korea.

Today, the islands are the only enemy territory occupied by U.S. forces during World

War II that later became part of the United States. Under a commonwealth arrangement, the islanders became U.S. citizens in 1986.

Yet more than 85 percent of the tourists who visit Saipan are Japanese, and Japan accounts for an estimated 95 percent of outside investment. Japanese investors own almost all the major hotels, and the Japanese war memorials that dot the island far outnumber the American ones.

"I hate to remind the Japanese that they lost the war 50 years ago," said Froilan Tenorio, the islands' governor. "They could be very sensitive. . . . I want to build this thing, I just don't want to publicize it."

Some Saipanese are cool to the idea of glorifying the victors of a battle of outsiders that caused so much death and destruction. An estimated 700 islanders—nearly a fifth of the native population at the time—died during the invasion and its aftermath. U.S. shelling leveled the main town of Garapan; its inhabitants had to take refuge in caves.

"The natives who died here were innocent victims," said Ramon Villagomez, 45, a justice on the commonwealth's Supreme Court. "You don't ask them to thank those people who brought the war here."

During the war, Villagomez said, an uncle of his was killed by a bullet, an older sister starved to death, and a 2-year-old brother was nearly given away to another family.

"We were caught in the middle of a war we were ignorant about," said Abel Olopal, a government official who was 10 years old when the Marines landed. He and his parents took refuge in a cave for more than a week with 30 other families, he said. When they emerged, they wore loincloths and held up crosses so they would not be mistaken for Japanese.

"We were anxious to get out of that terrible misery in the caves," he said. "We were so glad when the Marines came by and got us out."

Saipan-born Takeo Toma, one of thousands of Japanese who visit shrines and memorials on Saipan every year, was less happy to see the Marines. Then a 17-year-old civilian employee of Japan's South Seas Development Co., he was captured and, with co-workers, put in a prison camp.

"I still believed some relief army would come to help us," Toma recalled at a June 5 ceremony to honor colleagues who perished. "All the Japanese believed the Americans were devils at that time."

The battle actually began June 11, four days before the invasion, when a U.S. naval task force of more than 500 ships and 900 carrier-based planes started pounding Saipan.

Vice Adm. Chuichi Nagumo, the Japanese naval commander on Saipan who had commanded the Japanese fleet in the attack on Pearl Harbor, wired a desperate message to Tokyo: "Hell is upon us." He and the army commander on Saipan, Maj. Gen. Yoshitugu Saito, were left to defend the island with 31,600 soldiers and sailors.

On D-Day, the 2nd and 4th Marine Divisions, after a ritual prelanding breakfast of steak and eggs, began hitting Saipan's southwestern beaches under heavy Japanese artillery and machine-gun fire. About 8,000 Marines landed within the first 20 minutes. By day's end, the Americans had secured a beachhead 10,000 yards long and more than 1,000 yards deep, at a cost of more than 2,000 casualties.

Japan dispatched a powerful naval strike force to Saipan, but it was intercepted by units of the 800-ship 5th Fleet. In a two-day battle that became known as "the Marianas

turkey shoot," American pilots shot down more than 400 Japanese planes. Two 30,000-ton Japanese carriers were sunk, and the fate of Saipan was sealed.

In his orders for a final suicidal counter-attack on July 7, Saito commanded his men to kill seven Americans each. At the spot now known as the Last Command Post, Saito knelt facing toward home, shouted "Long live the emperor" and plunged his sword into his body as an aide shot him in the head. Nagumo also took his own life.

What followed shocked even the most battle-hardened Marines. Entire families of Japanese, terrified by their leaders' warnings that the Americans would torture and skin them alive, rape the women and roast the babies, committed suicide en masse.

They huddled around grenades and blew themselves up or jumped to their deaths at Marpi Point from the sites now known as Banzai Cliff, which overlooks the rocky coastline, and Suicide Cliff, an 800-foot-high outcropping inland. Some families lined up in order of age, the youngest first, and each child was pushed over the edge by the next older until the oldest was pushed by the mother and the mother by the father. Then the father ran over the cliff—backward, so as not to see his last step.

For Guy Gabaldon, then an 18-year-old Marine private, the cliff suicides were the worst memories of a brutal campaign. As a poor Hispanic child in East Los Angeles, he had been taken in for a time by a Japanese family. On Saipan, he put his language skill to use as a Marine scout to try to talk Japanese into surrendering.

Often he could only watch as the Japanese plunged to their deaths. "I tried to convince them not to jump off," Gabaldon, now 68, said in an interview here. "I would shout, 'Aunt, please don't do it. Don't kill your baby.' But the women would toss their babies off the cliff anyway and jump after them."

Saipan was declared secured on July 9, 1994. A small band of troops under Capt. Sakae Oba continued to hold out, surrendering in December 1945, four months after Japan capitulated.

The Americans paid a high price for victory in the 24-day campaign: 3,255 dead, 13,061 wounded and 326 listed as missing. But the Japanese paid much more dearly. According to figures compiled by the Marianas Visitors Bureau, of the 31,629 Japanese military personnel on the island, about 29,500 died.

Gabaldon, who was wounded while searching for Oba, received the Navy Cross—the Navy's second-highest award for heroism—for capturing more than 1,000 Japanese, some of them single-handedly while on one-man patrols in enemy territory. He talked 800 soldiers and civilians on Banzai Cliff into surrendering, and he also claims to have killed 33 Japanese soldiers in battle on Saipan and Tinian.

In 1957, the former Marine was featured on the TV program "This Is Your Life." A movie about his exploits, "From Hell to Eternity," was made.

The invasion of Saipan was followed by the capture of neighboring Tinian and the liberation of Guam, an island in the Marianas chain held by the United States since 1898 but seized by Japan at the time of the attack on Pearl Harbor in December 1941.

With Saipan, Tinian and Guam under its control, the United States began its buildup for a planned invasion of Japan. From bases in the Marianas, the new long-range B-29 Superfortress bomber attacked Tokyo and other targets.

"Our war was lost with the loss of Saipan," Japanese Vice Adm. Shigeyoshi Miwa said, according to a history by Don A. Farrell. From then on, Miwa said, U.S. forces "could cut off our shipping and attack our homeland."

Mr. DORNAN. Mr. Speaker, the reason I am cutting this short, and my apologies to all the World War II veterans from all of the Pacific theaters, those that were fighting 50 years ago in Burma, fighting with former President Bush, George Bush, off the aircraft carriers in the Marianas Islands campaign, those mopping up very bloody operations of combat on Biak Island and on the mainland of New Guinea.

And, of course, the Germans dug in their heels at Cherbourg 50 years ago, and we had two young Army men win the Medal of Honor. Instead of surrendering when they were surrounded, they followed Hitler's orders to fight to the death.

There was tremendous heroic conflict all over, but I have to discuss the conflict going on in our political system today, the demonizing of humble Christian people like my own five grown children in their thirties, who all believe they are part of what is now loosely called, sometimes viciously called, the religious right.

I want to pick up where my friend, the gentleman from Florida, CLIFF STEARNS, left off. I called for Joycelyn Elders' resignation from this microphone back in February, along with about five or six other people in the Clinton administration. Two of them heeded my plea. They were going anyway, with or without my protestations, Webster Hubbell and Bernard Nussbaum.

However, this Joycelyn Elders case is absolutely phenomenal. When I got back from D-day with our distinguished chairman, the gentleman from Mississippi, SONNY MONTGOMERY, my sons told me, "Dad, do you know what happened between the press and Admiral Joycelyn Elders while the President was gone? She got in the press' face and said that Clinton came up to her shortly before he left for Europe and said, 'I am following everything you are doing. I am proud of you. I support you. Keep it up.'"

If that is the case, and I have a suspicion she is telling the truth—as a matter of fact, it seems she tells the truth on anything and everything, no matter what it is, lets out her feelings to the detriment of the White House, where is the press, the hard-bitten, driving-for-a-hot-story press, asking Clinton if he does support everything she says and does?

□ 1910

To pick up on what the gentleman from Florida [Mr. STEARNS] was mentioning, at that meeting up in New York today, at the Lesbian and Gay Health Conference—health—not—she praised all of these groups for their

work. I repeat, she again labeled the un-Christian religious right.

She now seems to attack across the board, throws in Orthodox Judaism. Her particular point of bigotry that only 30-some Senators brought out in the Senate confirmation hearings, and I say it again on this floor, Joycelyn Elders is an anti-Catholic bigot which I have pointed to time after time with priests and bishops in Arkansas asking the President to bring this out before he appointed her. The President had to make excuses for her. She pretty much, to her credit, refused to apologize. There was a kind of a weak, circular type of phony dialog that went on. It backed off enough Senators that she got her confirmation, and of course she had TED KENNEDY, the Senator from Massachusetts, at her side.

She went on to say this morning, June 22, "We've got to be strong to take on those people who are selling our children out in the name of religion."

"Nobody has to teach us how to have sex. God taught us how to have sex."

Did he really teach that to the 8-year-olds and the 9-year-olds?

Then she said, "I've known your President a long time. I taught him well."

Mr. Speaker, I include for the RECORD an article on VIC FAZIO and the definition of McCarthyism, and how FAZIO is maybe flirting with heading in that direction. This article on Mr. FAZIO was in today's paper. Also my press release and an article from Richard Benedetto, "Doubts Dog President's Every Move," on how Joycelyn Elders certainly is not serving the man who put her in that position.

The articles referred to follow:

[From Reuters, June 22, 1994]

ELDERS ATTACKS RELIGIOUS RIGHT, PRAISES GAY GROUPS

NEW YORK.—Surgeon General Joycelyn Elders, no stranger to controversy, took on the religious right Wednesday, saying it was selling out American youth in the name of religion.

In the keynote address to the Lesbian and Gay Health Conference, Elders praised gay and lesbian groups for their work on AIDS awareness and said they must add their voices to press for a comprehensive health care package.

She was warmly received, with her speech frequently interrupted by applause and at least two standing ovations.

She attacked what she called the "un-Christian religious right" for its opposition to education programs in such areas as sex and AIDS.

"We've got to be strong to take on those people who are selling our children out in the name of religion," she said to wild applause from the audience of several hundred.

"We've got to be as aggressive as they've been," she said.

She said that health education does not mean teaching young people how to have sex.

"Nobody has to teach us how to have sex. God taught us how to have sex. We've got to teach them responsibility."

She called on the participants to press for a full health care package that would ensure coverage for all.

"I'm going to ask you to help bring the energy of your movement to the health care debate," she said.

While there can be discussions about how to finance the system, universal coverage must be part of the program, Elders said, adding that President Clinton was fully committed to this principle.

"I've known your president a long time. I taught him well," she said.

Elders has been involved in a number of controversies since becoming surgeon general including the question of condoms for high school students to prevent the spread of AIDs and studying the legalization of some illegal drugs.

FAZIO SAYS RELIGIOUS RIGHT IS PUSHING GOP TO EXTREMES

(By Dan Balz)

The chairman of the Democratic Congressional Campaign Committee criticized the religious right yesterday as a "radical," "intolerant" fringe force that threatens to take control of the Republican Party, words that triggered angry complaints of "religious bigotry" from Republican officials and others.

Rep. Vic Fazio (D-Calif.) charged that Republicans are being pushed to the political extremes by the growing power of the religious right and predicted that Democrats will reap the benefits in elections this fall and in 1996.

"The Republicans accept the religious right and their tactics at their own peril, for these activists are demanding their rightful seat at the table, and that is what the American people fear most," Fazio said.

Democrats are worried about major losses in the fall elections, and Fazio's speech indicated that he and other Democrats hope to shift the focus away from public dissatisfaction with incumbents in Congress by raising questions instead about what kind of candidates the Republicans will be offering.

Although Fazio lumped a number of groups into what he called "the radical right," his principal target was the role of religious conservatives in the Republican Party.

Yesterday's flurry of charges and countercharges marked the angriest exchange of words between the parties since religious and social conservatives scored victories in Republican Party contests in Virginia, Texas and Minnesota over the past month.

Republican National Committee Chairman Haley Barbour immediately accused Fazio of "Christian bashing" and said Fazio's speech at the National Press Club was part of "an orchestrated strategy" by the Democratic Party that amounted to "religious bigotry."

Ralph Reed, executive director of the Christian Coalition, staged a counter-news conference minutes after Fazio's well-publicized speech to denounce the Democratic leader for trying "to divide the American people based on religion."

Saying that 30 years ago Alabama's George C. Wallace used the race card to divide voters in the South, Reed said, "Today Vic Fazio and the Democrats are playing the religious card."

But Fazio and other Democratic leaders dismissed Republican complaints and denied that Fazio's speech was part of an overall strategy for the fall campaigns.

"It's completely false," Fazio said of the charge of bigotry. "Our goal here is to not impugn anyone's right to practice their religion or express their views. We're talking

about the Pat Robertson, Jerry Falwell wing, which is becoming the dominant wing of the party, and they know it—and they know how devastating it is to their party."

"I think it's a real straw man to make claims of religious bigotry," said Democratic National Committee Chairman David Wilhelm. "Haley needs to stop crying foul whenever there's criticism of the religious right because the issue is not religion, it's legitimate disagreement among people of equal faith whose faith leads them to opposite conclusions on issues of policy."

The strength of the Christian conservatives has triggered debate within the GOP itself. Fazio, sensing an opportunity for the Democrats, stepped into this debate yesterday, saying Republican leaders have surrendered to the radical right because Republicans have no issues to run on this year and know they cannot win elections without the help of religious conservatives.

But he added, "The issues and values espoused by these candidates [who enjoy support of religious conservatives] are out of touch with the more moderate swing voters in many suburban districts. Republicans will face a backlash that will favor the Democratic candidate."

Fazio said he fears that the "radical right" wants "to forget there's a separation between church and state" and he is concerned about banning of books and magazines or discrimination on the basis of sexual preference.

"I don't think there's any reason why people who have religious faith***shouldn't be part and parcel of the political process," he said. "But should they come together as a force to change the direction of their party? Should they be intolerant of others in the party who may not agree with them? Should they attempt to impose their personal religious views and ethical beliefs on the party system?"

Asked how the role of religious conservatives in the Republican Party is different from the role of organized labor in the Democratic Party, Fazio replied:

"Well, I think the organized labor movement in the Democratic Party comes at most issues on the basis of personal beliefs." He added that he does not think labor has been as powerful within the Democratic Party as the religious right is in the GPO.

The Christian Coalition's Reed rejected Fazio's charge of intolerance, saying his organization has worked to elect Republicans in Texas, Georgia and elsewhere who favor abortion rights.

"I don't believe the Republican Party is or should be a wholly owned subsidiary of any special interest, including ours," he said.

[From the USA Today, June 9, 1994]

DOUBTS DOG PRESIDENT'S EVERY MOVE, EVERY POLL

(By Richard Benedetto)

Jobs are up, inflation's low. And, despite foreign fumbles, the USA is at peace.

By every traditional measure, President Clinton should be riding high in the polls, yet recent surveys find growing disquiet with his presidency.

A USA TODAY/CNN/Gallup Poll this week finds the electorate less interested in his accomplishments and more concerned about who Clinton, might be.

Those doubts have helped keep Clinton's approval ratings low at a time he needs to be building beyond the 43% who elected him in 1992.

The degree to which Clinton is able to ease questions about his character will count as

much as legislative achievement as he moves closer to 1996. And it could mean the difference between victory and defeat.

"Bill Clinton seems to have given people cause for specific cynicism," say Rutgers University political scientist Ross Baker. "And no president, given the sort of dispirit abroad in the country, will do well. Bill Clinton just does worse. He has to get his act together" for 1996.

Poll analysis finds many have reservations about his moral leadership, and genuine splits over whether he shares their values and is honest and trustworthy enough for the job.

More specifically: 35%, likely fueled by the continuing charges about financial dealings and extramarital affairs, say Clinton has tended to lower the stature of the presidency.

A third of the nation "strongly disapproves" of Clinton's presidency.

Only one in 10 say they'd "definitely" vote for him in 1996; 32% definitely won't.

Support is deep as well. One out of four say they like Clinton, but those numbers have not grown over the 16 months of his presidency.

About one in five make up a narrow band of undecided, swing voters who most likely will mean the difference between re-election in 1996 or a ticket back to Little Rock.

Duke University presidential scholar James David Barber says Clinton has a communications problem, that he needs to find more ways to talk directly to the American people and seriously explain to them in simple terms what he is trying to achieve, and how much he is accomplishing.

"People see a lot of him but they don't necessarily hear a lot of him," Barber says. "He needs to do weekly, 15-minute talks like Franklin Roosevelt's fireside chats."

Barber says Clinton may not be getting credit for achievements because they're being obscured by so many "troubles" in the country that continue to keep people uneasy: rising crime, rampant poverty, economic displacement, declining education and continued dissatisfaction with government itself.

Clinton has little wiggle room as he maneuvers the political minefield toward re-election. Among the dangers Clinton faces over the next two-plus years:

The fate of his health-care reform legislation.

The results of the 1994 election.

The long-term performance of the economy.

The outcome of a sexual harassment lawsuit filed by Paula Jones, a former Arkansas state worker.

Hearings on his Whitewater land dealings. His ability to get a handle on foreign affairs.

"If this was 1996, and it was November, I'd say I was going to vote for him again. But with two years to go, it'll depend on what happens between now and 1996," says Gary Smith, 45, a Bristol, Ind., postal worker, a Republican who voted for Clinton in 1992.

Clinton political adviser Paul Begala insists Clinton has no character problem, just nasty political opponents who keep throwing mud and keep trying to fan the flames of discontent.

"Republicans and the radical right have made a conscious effort to undermine this president in a coordinated strategy," he says.

Everett Ladd of the Roper Center for Public Opinion Research attributes the galvanizing of Clinton detractors to two tenets: They

are opposed to big government, and have serious reservations about his character.

"It's a confluence of the personal and the political," he says.

White House communications director Mark Gearan generally agrees Clinton has a lot of work ahead, but discounts the character issue.

"People will be looking at whether we have maintained faith with our commitment to create jobs, keep the economy going, provide health care and reduce crime," he says.

Indeed, those who support Clinton tend to be measuring him primarily on job performance. They like his willingness to tackle health care, his efforts to shake up the status quo, his hard work, his knowledge of the issues.

"I'm a registered Republican, but I voted for Clinton because I thought the country needed something different," says Smith.

But Clinton detractors appear to be judging him on a far more personal level. They say he's indecisive, a weak leader, unable to get a grip on foreign policy, a poor example of moral authority, a person who tells people what they want to hear.

"People are kind of iffy about him because they're not sure they can trust him," says Rosio Sanchez, 20, a San Diego college student.

A CRISIS WITHOUT A CRISIS

By most standards, President Clinton is not facing a major crisis.

But he can't seem to muster more than 43% re-election support, the same percentage he got in the 1992 election. And 40% of the electorate appears to be solidly opposed to him.

And when people are asked to rate him on a 10-point scale of whether they like or dislike him, numbers suggest he's in deep trouble:

25% say they like him very much; 19% say they don't like him very much.

It's almost as if he's in a crisis without a crisis.

Indeed, Clinton's like-dislike numbers fall into a range similar to those measured for other presidents facing some of the toughest times in their tenures.

He's slightly lower than Lyndon Johnson in August 1967, when antiwar protests were building, body counts were mounting in Vietnam and the country was splitting. Seven months later Johnson decided not to seek re-election.

He's slightly higher than Richard Nixon in August 1973, when Senate Watergate hearings were causing people to pause from their vacations to watch. A year later, Nixon resigned.

He's a little better than Jimmy Carter in August 1980, when U.S. hostages were being held in Iran and a rescue attempt had failed. Three months later, Carter lost his re-election effort to Ronald Reagan.

And he's about where Ronald Reagan was in June 1982, when the nation, gripped by a recession, was in a sour mood. The economy eventually recovered and Reagan went on to win a second term.

CONGRESS SHOULD PASS HEALTH CARE REFORM THIS YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. FROST] is recognized for 5 minutes.

Mr. FROST. Mr. Speaker, I want to take a few minutes to share with the

House my experience yesterday in a hospital waiting room. It is helpful for Members of Congress every so often to have a reality check—to see the world through the eyes of the average person. Yesterday was just such a reality check for me.

It underscored for me the need for Congress to act this year on health care.

My youngest daughter, Camille, was operated on in a Dallas hospital for an elective procedure. Fourteen years ago she was born with a cleft lip. Yesterday's surgery was the third in a series of three operations designed to minimize any lasting scar. It was elective surgery but it was very important to the emotional well-being of a very important person in my life.

I am fortunate. I have health care—the same health care provided to all Federal employees. I pay about one-third of the premium and my employer, the Federal Government, pays the other two-thirds. All three of my daughter's operations have been covered by insurance.

This same daughter had some emergency abdominal surgery less than a year ago to correct a condition which could have been life-threatening. We consulted three doctors before her condition was properly diagnosed and treated. Clearly, I appreciate the importance of being able to choose your own doctor and to have multiple consultations. If I had been forced to go through a gatekeeper without the right to find my own specialist, my daughter might not be alive today. So I understand there are limits to what we should legislate.

While I was in the waiting room yesterday, I had the chance to visit with a husband and wife from Houston who were at the hospital for surgery for their 14-year-old daughter who had been born with a severe cranial-facial deformity. She has faced numerous surgeries and probably will need more in the future. She is an otherwise intelligent child who was born physically deformed.

I asked them about their health insurance. Did they have adequate coverage? They explained that a number of years ago the husband had changed jobs and his primary concern was not salary but what type of health insurance his new employer offered. He couldn't go to work for a firm that had a preexisting condition clause in its health insurance policy because his daughter would not have been covered.

Fortunately for him, he went to work for a French company with an office in Texas that had insurance which covered preexisting conditions. Had he taken a job with an American company, the chances are his daughter would not have been covered and he would have faced the cruel choice of either foregoing necessary surgery for his child or risking financial ruin. No

American worker should face that choice. And no American should have to take a job with a foreign company in order to get adequate health insurance.

Health care is a complicated question with many facets. Clearly we need to act this year to set in motion coverage for all Americans. The details are complicated and controversial and Congress should be flexible as we approach this subject. But it would be wrong for us not to act.

If we don't do it for any other reason, do it for our children. They deserve a future with the opportunity to lead full and productive lives.

Let's put aside our partisan differences and let's start down the road now. We can do it. I know we can.

NATIONAL ADVISORY REFERENDUM ON CONGRESSIONAL REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, the American people are frustrated with politics as usual in Washington, DC. Specifically, they are frustrated with Congress.

After years of scandals, deficits, and overall poor job performance, the people voted for change in the elections of 1992—110 new Members of Congress came to Washington to make a major impact and help to turn things around.

Just 17 months later, the people are hardly satisfied with what they have gotten for their votes of 1992. In fact, there has been no progress made in reforming the way Congress makes decisions. There has been no progress in changing our spending habits. And there has been no progress on reconnecting the American people to the process of setting the agenda in Washington.

But Mr. Speaker, this can all change today.

Congressman JIM INHOFE today filed a discharge petition on House Resolution 409, the National Advisory Referendum on Congressional Reform.

The national advisory referendum on congressional reform will give American voters the opportunity to vote on the balanced budget amendment, term limits, and the line-item veto, at the general election on November 8 of this year.

This is truly a great opportunity for the American people. This would be the first time in American history that the people would be given the right to go to the voting booth and cast a vote for or against major issues that impact the future of this country.

Why are we using the discharge petition? The reason is very simple. My legislation is currently collecting dust in the House administration Subcommittee on Elections. To date there has been no activity on my legislation.

There is a very good reason why my legislation is not going to come up for a vote without using the discharge petition.

The status quo rules in Congress. The way things are done around here rules in Congress. The power of the status quo, and the unwillingness on the part of leaders to change and adjust and refine to meet the challenges of our world, has been a great disappointment to me.

For this reason, Congressman JIM INHOFE and I are working together to get 218 of our colleagues to sign a discharge petition on House Resolution 409, the national advisory referendum on the balanced budget amendment, the national advisory referendum on term limits, and the national advisory referendum on the line item veto.

Why must we do this? Congress is ignoring the cries of the American people for change, but they are failing to recognize that Government policies are hurting actual businesses and actual individuals who are getting tired of paying huge taxes and complying with excessive Federal regulations.

The static Congress views this frustration as a mood. You hear this often, Members are concerned about the mood of the voters.

A dynamic Congress would view this frustration as a real problem, with an identifiable cause and effect. Taxes are too high. I can't save for my child's college education. I can't take my family on vacation. We need two incomes, one to pay the bills and another to pay the taxes.

So how do we change this?

I would argue that the first step is to give American people the tools they need to help set the agenda in Washington. The road to change and better government cannot be an us versus them issue.

Legitimacy must be restored, both to the institution and to democratic process.

The return to the Founding Fathers' vision for our constitutional Government, we need a new constitutional mechanism that lets voters help set the national agenda.

The national advisory referendum on congressional reform will give voters the opportunity to help set the agenda.

The American people, on November 8 of this year, will go to the polls and elect their Representatives and Senators, but they will also send a message to the Congress on three major reform issues.

The national advisory referendum is a modest proposal that will go a long way toward reconnecting the American people to the process of setting the agenda for Congress, a process they have been isolated from for far too long.

New benefits from holding a national referendum include the potential to stimulate the dangerously flagging

public participation in civic affairs. Elections would once again be about both issues and candidates. Voters could go to the polls confident that they are sending a signal to Congress on which issues they want addressed. Candidates would be more likely to take positions on ballot issues, and less able to go into office based merely on name recognition and slick campaign styles.

The advisory referendum process realizes the constitutional provision for the public to "petition Congress for redress of grievances." Special interest lobbyists defend their access to Congress on these same petition grounds. Sure, individuals can write, call, or meet with their Representatives. But the wealthy have the means to organize in a collective voice, and their petitions are more likely to be heard. The national advisory referendum on congressional reform gives the average voter greater clout to compete with the current powerful interests.

The national advisory referendum on congressional reform provides two useful functions that elevate public debate and reinvigorate our traditional institutions—separating issues from personalities so one focuses on issues, and facilitating communication between the electorate and the elected representative.

As with any major reform, national indirect initiatives and referenda will disrupt comfortable relationships and break up cozy alliances. It may well mean the end of business as usual in Washington, DC. But business as usual is not what this Nation needs—nor what the voters want—at this point in our history. Enacting an indirect initiative process provides an opportunity to restore the democratic nature of our republican institutions, before growing public frustration brings even greater alienation or a stampede to more radical measures of change. It is time to sign disclose petition No. 22.

□ 1920

THE PUBLIC MUST SPEAK UP ON HEALTH CARE

The SPEAKER pro tempore (Mr. ABERCROMBIE). Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, the purpose of my taking the floor tonight is twofold. It is, first, to urge the public to speak up on health care, and to remind the Congress what it got sent here to do, and the importance of affordable health care for everyone, and the second is to urge the public to pay attention, particularly in the last few weeks, to some of the claims that have been made in attacking health care and to look at them for what they are.

In terms of my first mission, Mr. Speaker, urging the public to stand up,

first of all, I believe that the vast majority of the American public does support five basic goals, and those goals very quickly. Mr. Speaker, are there should be guaranteed private health insurance for all that cannot be taken away, that there should be control of rapidly rising health care costs that make health care and health care insurance unaffordable to many of our citizens, that there should be freedom of choice to choose your provider, that there needs to be reforms in the existing insurance systems, and, finally, that there needs to be a provision for employer responsibility, shared responsibility, particularly assistance to those businesses, essentially small businesses, that need assistance to provide insurance to their employees.

Now, having said that, I have been treated to a barrage of attacks during the past few weeks by what I call the mandate maulers. These are the folks that want to come and scare you to death with the mandates that they envision.

Now, let me tell you what their predictions are. Their predictions are that the health care plan, particularly the one advanced by President Clinton, is a job-killer, that it will cause massive hemorrhage of jobs from our economy.

Let us look at the record of these nay-sayers. The record is not impressive. In 1935, Social Security; we have been going back through the records. And looking at the statements by the grandfathers of the present generation of nay-sayers, Social Security was going to prolong the recession. It was going to be a job-killer.

Today, of course, you do not find too many of those making those assertions about health care today willing to move to repeal Social Security.

The second issue then is Medicare, a little more currently, but still a little while ago, 1965. And once again they say, now, the parents of the present generation, coming forward and the nay-sayers coming forward and saying socialism, controlled medicine, job-killers, death to the economy and, of course, we know the record now that every senior citizen over 65 is covered by Medicare. You do not find too many on either side of the aisle that suggest doing away with it.

Now we come more currently, the budget of 1993, that budget debate: job-killer, we were warned. Somebody was trotting out a projection by each State from some fly-by-night tax foundation, oh, the Tax Foundation. That is it. I do not see the Tax Foundation predicting the job loss if this package passed, I do not see that study being flaunted much anymore, because it has been proven not to have been a job-killer, this budget package, but a job-creator, four times the rate of job creation over the Bush administration just a couple of years before.

Finally, we get to the present or close to the present, the minimum

wage, the minimum wage debate of 1988, which was quite interesting: massive job loss was going to be caused by increasing the minimum wage 90 cents over 2 years. That was the prediction. Of course, now we know that was not the case either. Many studies bear that out. Not job-killers, but they want you to forget this, Mr. Speaker, and they want the American public to forget their nay-saying predictions and how wrong they were.

We now get to health care and the fact that at some point 51 million people in our country, most of them working, are going to be without health insurance, perhaps for a day, perhaps for years.

We also then need to look at the fact that 80-some-million Americans have health insurance, yes. But do they know that they have lifetime caps in there, for instance? Do they know that they have preexisting illness provisions that can deny them coverage? So millions more get drawn into this.

Who loses if health care does not pass? It is going to be a midlevel executive that I spoke to who has two children with preexisting illnesses. He cannot transfer jobs. He is scared to death that his company is going to change carriers.

Who loses if health care does not pass? It is going to be the small business operator trying to provide health care today to his or her employees but knowing their costs go up 30 to 40 percent a year, much greater than larger companies. They do not know, for instance, because the nay-sayers are not telling them that their costs could be as low as 3½ percent of gross payroll if the Clinton health care package passed or one of the other plans.

How many small businesses know, for instance, that under many of the plans put forward their costs, increased costs, could be as little as 19 cents to 33 cents an hour, much less than a minimum wage increase would be? But they are not being told that by the nay-sayer either.

Many say you can get by with simple insurance reforms, and yet the irony to this is that if you do not have universal coverage, everybody in there, you cannot do very much with community rating, because then you are only trying to take care of the very sickest of the sick, and so the need is to have everybody in that pool.

Mr. Speaker, finally, there is the importance of the American people to speak up and say enough nay-saying, get about the job, get it done.

HEALTH CARE MANDATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. RAMSTAD] is recognized for 5 minutes.

Mr. RAMSTAD. Mr. Speaker, I, too, rise to discuss health care reform.

I can assure the preceding speaker that I was not here in 1935, and I am not a nay-sayer.

But I believe we need to work together as Republicans and Democrats, take off our Republican hats, take off our Democrat hats, roll up our sleeves, and work together in a bipartisan, pragmatic way to craft a sensible health care reform package.

I also believe, looking at the empirical data, the studies that have been done not by so-called crackpot institutes or whatever, but the empirical evidence suggests that requiring employers to pay health insurance through imposition of an 8-percent payroll tax would be a disaster to the economy. The Joint Economic Committee, of which I am a member, recently compiled the many studies that have been done on mandates, and its analysis clearly shows an employer mandate like the one the Clintons are trying to sell to the American people will kill jobs and reduce wages.

One study done by two labor economists at Drew College shows the losses, or I should say, the loss of 3 million jobs. Another shows the loss nationwide of 2 million jobs if you put an 8-percent payroll tax on the employers of this Nation.

More important than the studies, I listen to the small businessmen and women in my district every week that I am home. Last week an owner of three fast food restaurants in our community came to me and showed me with his accountant how, if an 8-percent payroll tax is imposed, he will be forced to lay off 40 workers at those three fast food restaurants.

Another employer, small businessperson from my district, came to me recently. He owns two restaurants and showed me how he will be forced to lay off 35 workers if the 8-percent payroll to pay for health care is imposed on the small businessmen and women of America.

Those at greatest risk of losing their jobs through the employer mandate, make no mistake about it, are low- and middle-income workers. Moreover, mandates will not guarantee universal coverage.

Many proponents of government-run socialized medicine point to Hawaii as an example of how mandates work. I know the Speaker is familiar with this, and probably will have a response at a later date, but if we look at Hawaii, the mandate was enacted there in 1974. There is not universal coverage for the uninsured. The study of Hawaii concluded that similar business mandates elsewhere would produce only a small reduction in the number of uninsured persons.

The report by the Joint Economic Committee, Mr. Speaker, is telling. It starkly illustrates the clear threat to jobs, wages, and economic viability of an employer mandate. It shows that an

employer mandate in any form, whether it is immediate or triggered at some date in the future, is a dagger pointed at the heart of our economy.

□ 1930

Mr. Speaker, we can expand health insurance coverage and control health care costs, but not with the bureaucratic monster and employer mandates.

An employer mandate is a recipe for economic disaster.

So, instead of killing jobs, reducing wages in a failed attempt to expand the health care coverage, we need a comprehensive strategy to reduce health care costs and expand access while maintaining the high quality of our health care delivery system. Health care reform legislation must include three cost-containment measures, at the very least:

First, medical malpractice liability reform, so doctors are not forced every day to practice defensive medicine;

Second, streamline administrative procedures; the paperwork, the red tape that right now is, according to some studies, comprising 24 percent of health care costs;

Third, the burdensome bureaucratic State mandates that are eating up dollars and not really going to quality health care.

We can expand coverage through tax deductions, credits and vouchers to low- and middle-income Americans, and authorizing medical savings accounts to allow consumers to save for future medical expenses tax-free. We can have reasonable and effective health care reform. I think such reform is both necessary and achievable, but we do not need to kill jobs, we do not need to destroy the current quality of care we enjoy in this country, in the process.

I urge all of my colleagues to review the Joint Economic Committee study.

I am convinced that, looking at the fact, the empirical data, will lead to a rejection of the job-killing employer mandates.

As I said before, let us roll up our sleeves, cut out the partisan political rhetoric, work together in a bipartisan way to craft a sensible health care reform bill. If we are going to pass a bill this year, let us please do it right.

MORE ON HEALTH CARE REFORM

The SPEAKER pro tempore. (Mr. ABERCROMBIE). Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, tonight I join several of my colleagues to help make it clear to the Members of this House that we are at a critical crossroads in the health care reform effort. I am proud to stand here with my colleagues, but I want you to know that I

am also very worried, and the American people are worried and they are scared.

Frankly, I do not blame them. Their apprehension is completely understandable because those who do not want to truly change our system, to make sure that each and every American has health insurance, have seized on people's legitimate concerns and they have twisted what the President and others have proposed into frightening specters that bear no resemblance to the actual proposals.

But this should not surprise us. After all, this follows a long pattern of similar tactics used by Republicans who stood in the way of progress and making change to improve the lives of the working men and women in this country.

What we hear now from the opponents of health care reform echoes the voices that told Americans we should not enact Social Security because, "Never in the history of the world has any measure been brought here so insidiously designed as to prevent business recovery, to enslave workers, and to prevent any possibility of the employers providing work for the people."

Sound familiar? That is an actual quote in 1935 from Representative John Tabor of New York.

What we hear now reminds us of those who said during the debate to create Medicare, "We cannot stand idly by now, as the Nation is urged to embark on an ill-conceived venture in Government medicine, the end of which no one can see, and from which the patient is certain to be the ultimate sufferer."

Sound familiar?

My colleagues, I do not know about you, but I have yet to hear from a single constituent who believes he or she is suffering because we enacted Medicare, or feels enslaved by Social Security.

What we hear now is all too reminiscent of the last debate we had about raising the minimum wage. Among the dire predictions made 5 years ago by a current Member of the Republican Party in this body, "An increase of this magnitude in the minimum wage would destroy thousands of job opportunities for the young, the low-skilled, and the disadvantaged, it will adversely affect small businesses, result in higher inflation and interest rates and further increase the deficit." This statement simply flies in the face of our actual experience.

Yet, despite this legacy of failed scare tactics and inaccurate predictions, here they go again. First they tried to tell us there was no problem. They said we have the best health care in the world. And we do have the best health care in the world. The problem is that they forgot to mention that people cannot afford it, that 1 in 7 Americans does not have health insur-

ance. For those Americans, it does not matter how good our health care may be, because they cannot take advantage of it. And those who have jobs and health insurance are afraid they will lose it.

But those men and women who had powerful stories to tell about how the system has failed them made their voices heard. They drowned out the chorus that said there was no problem. So, instead, the chorus changed its tune. Now they say all we need to do is tinker at the edges, change a few insurance practices or tax health care benefits to make Americans smarter health care consumers.

I believe Americans are smart enough right now to know the system needs fundamental changes because too many of them are just a plant closing away from losing their health insurance.

Therefore, I say to the Members of this House, let us not listen to those who would twist the facts, who mischaracterize what the President has proposed. It is time to listen to families all across this country who have shared their stories and their pain with us. It is time to respond to them, not to those with vested interests in the status quo.

It is time to listen to the families who tell us they want universal coverage. The only way to ensure working families do not have to pick up the tab for the uninsured is to cover everybody. The only way to make sure that if Americans lose their job or change jobs they will not lose their health insurance is to cover everybody. The only way to make sure that people who really need care are not excluded because of a preexisting condition is to cover everybody. And the only way to keep American businesses healthy and competitive is to keep costs down and end cost-shifting, by getting everybody covered. Rather than retreating or surrendering at this critical juncture, we should take up the President's call to pass health care reform legislation with universal coverage and to work with him.

So I call upon my colleagues, Democrats and Republicans, to end the partisan gamesmanship, work hard to overcome our differences, deliver guaranteed health insurance to the American people.

Let us join forces, rise to the occasion, and enact a universal health insurance coverage bill. This is a tremendous opportunity that we have which, if we lose it, may not come back for decades.

We owe it to the American public.

LET US HAVE A COMPROMISE HEALTH CARE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, it is really a privilege to be able to talk on the floor of the House about health care. As a Member who does not serve on a committee that deals directly with this issue but as someone who has spent the last 4 years trying to become better educated about the issue, I just wanted to make a few points.

First, it seems to me so clear that both Republicans and Democrats believe we need to deal with preexisting condition and to end job-lock. There is really no disagreement on our side of the aisle on that issue.

It seems to me that Republicans in particular want to see major malpractice reform stronger than what is in the President's bill, but both sides want to deal with the issue of malpractice reform, tort reform.

It seems to me both Republicans and Democrats want to deal with the issue of administrative costs and the reduction of paperwork.

On both sides of the aisle we want to do that. On both sides of the aisle we want to allow the small purchaser of health care to have the same purchasing power as the larger businesses, allow the individual to have the same purchasing power of the large business. So we are obviously supportive of some kind of community-type rating with some concept of age or area.

But to allow the small purchaser to have that large purchasing power is the key.

It also seems to me that Republicans and Democrats alike believe we should be able to deduct for health care costs whether you are a corporation or a private business.

Those five points are something that we could do tomorrow, I think, as a vast majority of Republicans on this side of the aisle also believe in universal health care, but our real challenge with the other side of the aisle is our concern that we simply cannot afford it and we need to phase it in. We need to approve the savings before we can build on it.

But if we are told on this side of the aisle that we have to have the Clinton bill, that we have to go the regulated approach, then we will have our disagreement. We can agree on these six items, but we cannot agree, it seems to me, on these fundamental differences.

Democrats, for the most part, are willing, and this is not a criticism, to have the regulated model, which they believe in and we have criticisms of.

□ 1940

Republicans, on the other hand, have a real desire to continue and to improve the market approach to cost containment and with copayments as a part of it. Democrats have some disagreements with that. But these are two very fundamental differences that we are going to have to find a way to bridge.

I read an article in the New York Times last week that seemed to imply that NEWT GINGRICH, my minority whip, soon to be minority leader or Speaker next year, was quoted as saying, leading the fight to basically oppose the President's plan. "Well, we do oppose the President's plan. The President's plan was not even voted by Democrats when it was brought forward with votes," so there are differences in agreement on the President's plan.

For instance, when the President says that we will control the costs of health care by \$60 billion in the next 5 years, and the Congressional Budget Office says that it will add \$70 billion, that is a difference of \$130 billion that both Republicans and Democrats have to deal with.

What I am faced with, as I look at this issue, is that already 50 percent of our budget is on automatic pilot. It is entitlements. Plus we have interest on the national debt that we constantly pay for. It is on automatic pilot. We only vote on one third of our budget. At the very point that I am trying to find ways to reduce entitlements, we are giving serious consideration, and I am one of those individuals who are looking to expand an entitlement and provide universal health care. But it seems to me this is something we have got to do with a great sense of caution.

I favor the incremental approach. I am not ashamed of it. I favor the incremental approach, and so do many Members on my side of the aisle.

Let us deal with preexisting conditions. Let us deal with malpractice reform. Let us deal with administrative costs. Let us deal with community rating. Let us be able to deduct health care from our taxes. Let us do those things now. We can join hands right away.

The next question is: Do we go the next step, and do we go the market approach, or do we go the regulated approach? On those fundamental issues we have our differences. Neither side needs to be ashamed of it, but there are differences.

For me, as I look at our Federal budget deficits and know the national debt will go up \$1.6 trillion in the next 5 years, I want to be cautious. For me, when I know that Medicare and Medicaid was supposed to only cost what today is the incremental cost in health care; in other words, what we add next year to our health care budget in Medicare and Medicaid, in fact it was what we thought the total costs would be today, we are so off in our estimates. If we are off 10 percent on our health care cost estimate, we are off a \$100 billion in a \$1 trillion program. If we are off 50 percent, Lord knows the problems we are going to have.

So, Mr. Speaker, I encourage both sides of the aisle to deal with what we can deal with and then see how we can

get to that point of universal coverage which I strongly believe in.

CONGRESSIONAL REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from California [Mr. DREIER] is recognized for 60 minutes as the designee of the minority leader.

Mr. DREIER. Mr. Speaker, I have taken out this special order this evening to talk about an issue which was consumed a great deal of the time of my tenure here and especially consumed a better part of calendar year 1993, and that is the issue of congressional reform.

Now there are many people who think that, if you bring about reform in this institution, all of a sudden you will solve all the ailments of society. I have not been deluded to believe that for one moment. But I am convinced that, if we were to bring about meaningful reform of both the House and the Senate, we could increase the accountability and the deliberative process here in this institution.

Now we all know from having visited with our constituents, and I know that there are a lot of people who are focused on athletics, whether it is soccer or the NBA playoffs which are going to begin in about an hour and 15 minutes, but there are many people who have not spent a lot of time thinking about the issue of congressional reform. But if you talk to people at either soccer games, or basketball playoffs, or almost anyplace right now, the level of esteem for the U.S. Congress is obviously not very high. In fact, Mr. Speaker, we see surveys coming about on a regular basis as it continues to decline.

I argue that one of the reasons for that decline which we have observed over the past several years is that we have seen this place remain in the early part or actually the middle part of this century. The reason I say that is, if my colleagues look at the last time that there was real meaningful reform in a bipartisan, bicameral way, both the House and the Senate, it took place nearly half a century ago.

Now in the early part of the history of this country, as the Constitution established the process of having a census taken every 10 years, following that census the U.S. Congress would alter the committee structure to deal with the needs as they existed at that point. Well, while there were some slight modifications in 1970s, for all intents and purposes we have not seen meaningful reform of the committee structures in the House and Senate for, again, nearly half a century.

It was in 1947 when what was known as the Monroney-La Follette reform package was implemented, and, while there have been commissions that have been put together in the House and in

the Senate, in 1992, actually August of 1992, in the wake of the many great, quote, unquote, scandals that hovered over this Capitol dome, whether it was the House Bank, or the Post Office, or the restaurant, or the other things that got a great deal of news at that point, Members of both the House and the Senate, and Republicans and Democrats, decided to come together just before that election in 1992 and establish what has become known as the Joint Committee on the Organization of Congress.

Now, Mr. Speaker, that was put into place to actually take effect on the first of January, 1993, and one of the things that was particularly appealing to me was the fact that it was scheduled to go out of existence on December 31 of 1993, something that was virtually unheard of, that Congress would establish a committee and it would last for no more than 1 year.

Well, in January of 1993, Mr. Speaker, the Joint Committee on the Organization did go into effect. I was very encouraged. I was honored when our colleague, Mr. Gradison, retired, and the gentleman from Illinois [Mr. MICHEL], the minority leader, asked me to serve as a co-vice chairman of that committee along with my colleagues in the House and Senate: DAVID BOREN, PETE DOMENICI and the gentleman from Indiana [Mr. HAMILTON]. I believe that the four of us and, quite frankly, virtually all of the Members on the Joint Committee in a bipartisan way were optimistic about the chance for meaningful reform in the Congress of the United States.

I remember some of the early statements made when our committee hearings were held in January and February of 1993. A number of my colleagues said they would rather be bold and go down losing with a strong package than they would to see a weak package which would have very little substance to it pass overwhelmingly in both bodies, and I think that is something that is very important. I think that while there are many people that want to reform this institution and launch into a regular vitriolic attack, I have to say that I am one who loves the U.S. Congress. It is clearly the greatest deliberative body known to man. With all the flaws that exist here, Mr. Speaker, clearly this is the place where, as was said to a British member of parliament by a former Speaker, "This is where the people govern," but quite frankly over the past several years we have seen accountability in the deliberative process diminish greatly.

□ 1950

I think that is one of the goals that we had in putting together this Joint Committee on the Organization of Congress. I should say that it was encouraging for me because as a member of

the minority when the committee was established, there were an equal number of Republicans and an equal number of Democrats on that committee. Our approach was clearly bipartisan. In fact, I had the opportunity, something that is unheard of as a Republican Member, to wield the gavel over many of the committee hearings. The staff of the committee at that point told me that I had the chance to hold the gavel almost more often than my three colleagues who were cochairs of the committee. It was something that I believed was really going to lead to major reform of the institution.

Tragically, Mr. Speaker, I have found that there are too many people in this institution who thrive on the status quo.

The gentleman from Indiana [Mr. HAMILTON], my counterpart, I believe very sincerely wants to bring about meaningful change and reform here. He wants to do the kinds of things that will improve this institution. But unfortunately we have a rather recalcitrant Democrat leadership, and that leadership has stood in the way of our attempts to bring about reform.

If I could share with you, Mr. Speaker, our schedule. Initially, we had planned to go through our hearings, and, by the way we had 243 witnesses, 37 hearings. We were able to put together the largest compilation of information on the U.S. Congress that had ever been gleaned. We were scheduled to do that during the first half of the calendar year 1993. Then in the summer of 1993, we were to go through our markup. Then in the fall before we adjourned, we were to report back to both the House and the Senate our findings and have on the floor of both the House and the Senate our package to bring about changes in the committee structure, to end proxy voting or at least deal with that question, to require that Congress comply with the laws that are imposed on the American people. Those are the kinds of things that we very much wanted. To bring about budget process reform. Virtually everyone here is very frustrated with the budget procedures that we have around here; baseline budgeting which really is a sham and covers up the increases that regularly go on and on in spending bills. We wanted to deal with those things.

The original plan was to get that to the floor of the House and Senate by October of 1993. Unfortunately we went through October, past that, got to November, just before we were scheduled to adjourn. I should say that in the early fall, we had a very serious problem in that the Senate wanted to charge ahead and we had members of our committee on the House side who did not. So the Senate did. I encouraged them to go ahead. They went off on their own and proceeded with their reform package. In the House we frank-

ly dilly-dallied around for a long period of time, then finally had our markup. We put together, Mr. Speaker, what is known as the chairman's mark. I would have thought that since there was an equal number of Republicans and an equal number of Democrats and I was a co-vice chairman of the committee that I might have been able to have some kind of input into what we called the chairman's mark. I did have four or five meetings with Speaker FOLEY, Mr. HAMILTON, and other Members of the House, talking with them about the need to proceed with a very balanced chairman's mark that would address all of these items. Unfortunately as we headed towards our markup just before Thanksgiving, we had a package which was very, very weak as the chairman's mark. It was very unfortunate the way it worked out, because the package that was submitted as the chairman's mark was so weak that we could not amend it unless we were to get a member of the majority, a Democrat, to join with us, because they realized that with 6 Democrats and 6 Republicans on the committee, it would be very, very difficult to get a vote and actually offer the kind of amendment that we wanted to.

Mr. Speaker, what happened when we had our markup just before Thanksgiving in 1993? We had 25 amendments that dealt with committee structure reform, congressional compliance. As I said earlier, having Congress live with the laws that we impose on the American people. Addressing the issue of proxy voting whereby a committee chairman or a representative of the majority, and on the minority side, too, can cast votes without the Member being present; budget process reform, sunshine legislation, a wide range of provisions, 25 amendments, they were defeated on 6-6 party line votes. So we ended up with a very weak package.

Mr. Speaker, I and my colleague from Cape Girardeau, MS, a hardworking member of the committee, Mr. EMERSON, voted to report the bill out. The other Republican members of the committee did not, because, like me, they were very frustrated. But I felt it was important to keep the process of reform moving. So I did, in fact, vote to report it out, so it would be reported first to our Committee on Rules, and the Committee on House Administration, and the Committee on Government Operations, and then down here on the House floor.

Unfortunately at this moment the bill remains languished on the committee where I sit, the Committee on Rules.

And what has happened, Mr. Speaker, is that if we look at the schedule that is before us, tomorrow afternoon our Committee on Rules is scheduled to report out an expedited rescission bill which has already passed this House. It

is one of those items that we tried to address in the amendment process in the Joint Committee on the Organization of Congress. We also have had reports that they will proceed with a very weak congressional compliance provision. It is sort of a divide-and-conquer strategy that I have observed so far. Because while we were told at the end of last calendar year that we would have the package on the House floor and my counterpart, the gentleman from Indiana [Mr. HAMILTON], had indicated that he would support a very generous rule that would allow the areas that we had debated in our markup on the Joint Committee to be considered on the House floor, we have seen nothing other than this word that there will be attempts to break up this legislation, H.R. 3801.

I am very pleased, Mr. Speaker, that we have been joined by some of the extraordinarily tenacious, thoughtful, diligent members of the Joint Committee who worked long and hard through those hearings and then through the markup process. I should say that we have been joined by 2 of the newer members, one a sophomore who has served one term here, and the only freshman new member of the committee to serve on the committee was on our Republican side bringing that fresh approach.

Mr. Speaker, I would first like to yield to my very good friend, the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to just take a moment to compliment the gentleman for his superb leadership on this particular issue. He did a great job in leading the issues that came before the Committee on the Organization of Congress. It was a pleasure to serve on that committee. The results were somewhat disappointing, and the fact that we do not have a bill before us this year is even more disappointing. The gentleman has worked very hard to try and call to the attention of the American people and Members, our colleagues here on the House floor, the fact that we do not have a bill before us today that seriously addresses the problem of congressional reform.

Mr. Speaker, the gentleman brought up the issue of budget. We spent a lot of time on that committee on budget issues.

The House had specifically stated that we do not deal with the balanced budget amendment, which I support, we do not do anything as far as the line item veto is concerned, but we talked about other budget matters. We saw a lot of things go on here on the floor in debate on an appropriations bill that we talked about in that committee, something I wanted to bring up in our discussions and am pleased that I was able to have time to get from my office down here to join in this discussion.

Mr. Speaker, we are talking about funding of unauthorized bills, or unauthorized projects. We talked about the balance between the authorizing committee and balance between the appropriators and how we can have more accountability in the process. Here we are today, we had a bill from Appropriations on the floor today that had dollars in it which were unauthorized. We spent a good part of the day arguing about the proper procedure that this House should be following, and I have always been a strong advocate that we have a committee of reference for a specific purpose, we have appropriators for a specific purpose, and that first of all we have to get our programs authorized. Then once we get them authorized, we do provide an opportunity then for the appropriators to decide what is the appropriate level to provide funds for those various programs and projects.

We also talked about baseline budgeting.

Mr. DREIER. Would the gentleman explain the baseline budgeting process for our colleagues?

Mr. ALLARD. I would be glad to do that.

In our personal budget, if we are a city council person, a county commissioner or in the State legislature, when we talk about baseline budgeting, basically we are talking about what we spent the year before. We go from that particular baseline and look at how much our expenditures are going to increase over that amount.

Mr. DREIER. At the local government level and people in their own budgets, they have zero-based budgeting, basically.

□ 2000

Mr. ALLARD. Well, that is one way, zero-based budgeting. They look at exactly what they spent the year before. Here in the Congress, our baseline has an inflator in it. The inflator is based on the anticipated rate of inflation. It might be 3 or 4 percent. It came to our attention in some of the testimony we had before the committee that if we took the last decade the last 10 years, and did nothing to the baseline, did not add any new programs, did not take any action, that the growth of the budget would be an average of 10 percent a year.

So what I think needs to happen, and so many members of the committee I think agreed with me, is we need to simplify our budget process, so that when Members talk about a 4 percent increase or somebody from the agency talks about a 4 percent increase, they understand that that is 4 percent over and above what was actually spent the year before.

If we took the last figures, over the last 10 years, the last decade, if you say a 4 percent increase, you have got to ask is that 4 percent above the base-

line, and, if it is 4 percent above the baseline, it is a 14 percent increase.

Members of the House and the Senate could go back to their district and talk about how they reduced spending on a particular program, and in reality it might have been an increase. They can say we cut this program 3 percent. But if baseline spending was increasing an average of 10 percent a year, in reality what that was allowing was for a 7 percent increase.

I thought this was very important, that we have a process that is accountable, that the American people understand what we are talking about when we talk about a budget. We talked about 4 percent. If your city council person talks about a 4 percent increase in his budget, it is 4 percent over what was actually spent the year before.

In Congress, you can bet it is going to be 4 percent plus an inflator factor or some other factor above that. It is very important that the American people understand that you clarify that when you are talking about spending cuts or spending increases, that you talk about in relation to what. Was it in relation to actual spending the year before, or in relation to the baseline.

I happen to feel we need to get away from the baseline concept, where we have an actual inflator of some type built into it. We need to talk about what was actually spent the year before. We had a lot of discussion about this.

Mr. DREIER. What it basically comes down to is honesty in budgeting. As my friend has said, what we have is a procedure whereby the actual cost of living increase is built in, and then it appears that if we do not have a voted-on increase, that it has remained at last year's spending level, when it really has not. What we are really hoping for, again getting back to this issue of accountability, that we have honesty in budgeting, and, unfortunately we do not have that today.

Mr. ALLARD. Mr. Speaker, I want to thank the gentleman personally for all his help on this particular issue. I know the gentleman is a very strong proponent of a balanced budget and some form of accountability in our budgeting process. Here on the floor today we talked about unauthorized funding and we talked about some issues related to baseline budgeting. I think the American people and this Member of the House certainly appreciate your efforts in that area.

Mr. DREIER. I should say you did a very good job up in the Committee on Rules in trying to make your case too. Unfortunately, with our nine to four ratio up there, it makes it extraordinarily tough to get some of these thoughtful amendments that the American people would like to see passed even open for consideration here on the House floor. That is one of the other reforms that was among the 25

amendments that I had offered, because what we tragically see is a pattern of waiving the rules of the House. I offered an amendment when we were in our markup last November in which I said we should allow the majority to pass the rules under which this House will operate by a majority vote. And if the majority wants to say that we will change the rules, we should change the rules by a majority vote. But once those rules are in place, we should not have a pattern of regularly waiving the rules of the House. And, in fact, if the membership decides it is important to waive the rules, we should have a three-fifths vote. In fact, if we are going to violate the rules, we should have a three-fifths vote to say this is a matter that needs to be addressed, and we should proceed with it. For example, waiving the three day layover, if there is an emergency item that has to get to the floor of the Congress immediately, we should be able to waive that by a three-fifths vote.

It seems to me if we are going to have rules here, we should play by them the way they are outlined, in a very responsible way at the outset.

I remember the statements made by our former colleague, the late Mr. Natcher, who constantly said to me, over and over again, what we should do is simply comply with the standing rules of the House. He was always very concerned at the arrogance with which this institution, run by the Democrat majority, would regularly just cast aside these rules.

I would like at this time to yield to my very good friend from Washington, who is also a member of the committee. I say to my friend from Colorado, he can continue as part of this conversation. I do not want to limit by any means the opportunity for people to be involved.

I know my friend from Washington, who again worked long and hard on that committee, came in, I was so impressed, in her first days in the Congress, and she was able to jump right in and offer a great deal to this committee, as well as the other committees on which she sits. So I am happy to yield to my friend, Ms. DUNN.

Ms. DUNN. Thank you very much. I am delighted to be involved in your special order. I thank the gentleman from California for yielding.

I wanted to add to this discussion we are having tonight on congressional reform the fact that the discussions have taken place on many levels here in the Congress. For all of us, 1993 was to have been the year of reform. We worked long and hard, and we sat through, as the gentleman from California has said, 6 months of hearings and deliberation, more paperwork than had ever been generated from any committee such as this in the history of the Congress. Yet at the end of the year, we had not completed our work. The com-

mittee went out of business and we had not passed legislation.

I agree with you that we need an open rule to discuss reform. Let me tell you why.

In 1992, when we were out there on the campaign trail talking to people about what they wanted to see done differently in Congress should certain of us be elected, freshmen specifically, we heard a lot of words about deliberation. Folks wanted us to come to Congress to read the bills, to get to the committee meetings, to do the discussions, to figure out what the people were saying, and try to get these things done in Congress.

They wanted us to be fiscally responsible, and we have talked a bit about that tonight. They wanted the Congress to be more open and more responsive to the people back home. That was where I got the idea for my sunshine act, the Open Meetings Act, which is very similar to Washington State's own Washington Meetings Act.

They talked about our schedule and the fact they wanted to see more of us. So some of us proposed we be home in the district 1 week out of the month and support the Senate schedule, which allows them to do just that now.

But at the end of the year, we really had muffed our opportunity. We did not get reform, and we did not respond to what the folks had been asking us to do out there in the States.

But I want everybody to know that if we had an open rule on some of these items that we have brought before the Committee on Rules, that we have discussed in our many months of hearings and proposed on our side in the final days around Thanksgiving, when we actually worked on the chairman's mark, that there would have been support from both sides of the aisle.

I come tonight as the only freshman member of the Joint Committee on the Reform of Congress, but I worked with two very interesting groups through the whole year, and that was the reformers who had been selected by their colleagues on the majority side and those who had been selected on the minority side as leaders of the freshmen Democrat and Republican classes.

We spent some time together over the last year talking about places where we agreed, what we had in common, what we would like to see done after having been out there on the hustings listening to people for months during 1992.

We actually agreed on some areas. I want to point out a few of those areas tonight and let the folks know that if we were to have an open rule, or at least a generous rule on the debate on reform so that the House could debate some of these issues, there would be bipartisan support.

The two groups of freshmen on the Democrat and Republican side agreed that we should support biennial au-

thorizations and appropriations. They actually agreed on that.

Now, they may not be able to lead on the other side, particularly all their freshmen colleagues, or certainly all the Members of the majority in the House, but they believed that having 2-year appropriation and authorization cycles, just like many state legislatures have now, would give us that extra year to do oversight. And that is a very simple concept. We vote all these expensive projects on the states and on the folks out there who fund them with their tax dollars, and yet we never really have time to look into those projects and find out, do they really belong under the aegis of the Federal Government.

□ 2010

Are we spending too much money on them? Should they be funded in another way? And the freshman Democrat and Republican leaders agreed that this is something we should do. They agreed that we ought to reduce the number of subcommittees. They believe in what our great chairman, the gentleman from California, had supported, that you can put functions together in a far more effective way than we do right now. Function-based committee jurisdictions and both groups supported this.

They agreed that we should use computers to schedule our time, that the schedule is a big problem in what we do here in the Congress. Particularly, new Members of Congress appreciate this. They see it more clearly than anybody, the phrenetic pace that we lead, the back and forth running across, feeling like a bellboy after awhile, coming and voting in the House and racing back to a hearing or to a meeting with constituents.

Mr. DREIER. I think the record should show that we would never think of you as a bellboy.

Ms. DUNN. Bell person. They see no reason for committee hearings taking place at the same time that subcommittee hearings under the same committee take place. This kind of thing does happen here in the Congress. It is because we are an arcane institution in that we do not use computers for scheduling, very, very different from the private sector and yet that technical ability does exist.

Together the freshmen on both sides of the aisle believe that public records should be available of who attends committee hearings. And this is one very minor plus, the chairman will remember that we were able to get passed into the chairman's mark on this joint committee proposal, but we will only know twice a year through the CONGRESSIONAL RECORD, of anybody's attendance at hearings or the votes that they cast.

The freshmen on both sides, the leaders believe that we should disallow

proxy voting at full committee hearings. That is a very important pivotal reform that we could make if we could have proxy voting come up in some form as part of our committee debate, but it has not gotten through the Rules Committee. Proxy voting would require that Members be there at the committee hearing to vote on the bill.

Mr. DREIER. Reclaiming my time on that issue of proxy voting, it is important to note that there are committees where we do proxy voting. As was said earlier, I sit on the Rules Committee. If I am not there, my vote is not cast. And unfortunately, we have so many committees where Members do not ever attend or rarely attend, if ever, and they allow their vote to be cast without ever even knowing the issue that is being discussed. I believe that that clearly is an abrogation of one's responsibility to the 600,000 constituents who sent them here. I wish very much that we could do that.

Mr. ALLARD. We have talked in the past about keeping down the number of committees that Members are on. I think making them be there to vote instead of allowing somebody on the committee to vote for them through a proxy would be one of the most significant things we could do to begin to cut down the prolific growth of committees and the number of committees that we have in this institution. I just wanted to share that thought.

Mr. DREIER. My friend is absolutely right.

Ms. DUNN. I would say, too, that I recall one very memorable moment when the gentleman from Pennsylvania was serving as ranking member on one of our committees when the whole issue of proxy voting came to a head. I hope he will make mention of that this evening, because it illustrates what I am saying and what my other colleagues are saying.

The fact is that if we want to present a deliberative product, we have got to be there to listen to the deliberation, to consider both sides of the issue, and to let the folks back home, whom we are supposed to be representing, know that we care enough about these issues to be there in person representing them.

Both of the leadership Members on both sides of the aisle among freshmen agreed that we have got to separate Members' time in committee hearings versus that time that is spent on the floor. Again, an effort toward deliberation. We need to listen to the debate in both places. We need to be there. This can be done. It can be separated by days of the week and I think it is a very important reform.

So generally, what I am telling the gentleman from California and the members here tonight is that there is great agreement on many of these issues, which if they were allowed to be debated and discussed on the floor of the House, I think could pass and I

think could make this body more deliberative and more accountable. I think that is what the folks back home are asking us to do.

Mr. DREIER. My friend is absolutely correct. I appreciate the fact that you have pointed to some of those items where we did have bipartisan agreement and were able to gain the support of both Democrats and Republicans, but tragically, as you look at those items, as important as they are, most of them really do not get right to the meat of this issue of both the deliberative process and the degree of accountability which is so often lacking here.

Earlier I was talking about the problem that we have had with talk of trying to break this bill up into bits and consider one particular measure and make it appear as if this is congressional reform.

I know that my friend from East Petersburg, PA, the Chief Deputy Whip, has very, very strong feelings, as do I. And I should say that Messrs. SOLOMON and EMERSON were sorry that they could not be here. They were hard-working mechanics of our committee and are firmly committed to the issue of reform. I know Mr. SOLOMON had originally taken out this time this evening and then very generously gave it to me, but we stand firmly committed to doing this in a comprehensive way, which is exactly the way Speaker FOLEY called for when we established the joint committee.

I yield to my friend.

Mr. WALKER. I thank the gentleman for yielding to me. We have just heard the gentlewoman from Washington and the gentleman from Colorado list a lot of issues that were discussed thoroughly in the committee. They were a part of a committee discussion that was designed to deal with reform in a comprehensive fashion.

That is what the reform groups outside of Congress had asked us to do. A number of the scholars, including people like Norm Ornstein who had looked at this matter, had called for this to be a time for comprehensive congressional reform. When the Speaker of the House appeared before us, he called for comprehensive reform. He gave us a very large mandate. He told the Members of the Hamilton-Dreier committee that this was to be a time when we would look at all of what the House had been doing and decide whether or not we could not reform us in a way that would serve the needs of Congress throughout the rest of this decade and into the next century.

The problem is that having done that kind of work, addressed the issues that you heard about tonight, plus many more, the bill then moved into no-man's land, where it sits today. And if I heard the gentleman correctly, earlier in the discussion, he indicated that he believes that that bill may be piecemealed, brought to the floor as

little bits and that we will never get to address the comprehensive issue. Is that what I heard the gentleman saying?

Mr. DREIER. The gentleman is absolutely right. We have not only read this in the press, but in discussions that I have had with a number of our colleagues on the other side of the aisle. This is something that is regularly being discussed, because, for example, the issue of congressional compliance is clearly a hot button. Both Democrats and Republicans know that when they go to town hall meetings, when they look at public opinion surveys about this institution, one of the main original concerns that the American people have is the fact that we regularly exempt ourselves from the laws which are imposed on the American people.

Mr. WALKER. We did it just yesterday when we passed the independent counsel bill with a lot of fanfare here. I read a couple of news reports indicating that we had covered ourselves under the independent counsel law. We did so in an optional way, but it was mandatory on the other people.

So once again, Congress set itself up as a class apart at the same time that supposedly Congress is going to move toward some sort of strategy to cover us under the same laws that everybody else is covered under.

Mr. DREIER. The unfortunate thing that we have gotten in reports is that we will simply report out the item that was in the joint committee report on compliance, which basically calls for the establishment of an office of compliance. And that group will make recommendations back to us as to what regulations we might consider imposing on ourselves.

Mr. WALKER. This is not an office of compliance, then? It is an office to discuss compliance later?

Mr. DREIER. Right. And then see what regulations we might consider imposing on ourselves, providing loophole after loophole to continue this pattern of exemption.

□ 2020

We know that there are constitutional questions about the separation between the legislative and executive branches. We at length discuss those in the joint committee. We do not want the executive branch to have undue power, because they handle the regulatory agencies and the executive branch over the legislative branch. That is why we, Members on our side of the aisle, supported the establishment of an Office of Compliance, so that the implementation of those regulations on us would be handled within the legislative branch, so we have addressed the constitutional question.

Mr. WALKER. Our idea for the Office of Compliance, I would say to the gentleman that this would be a true Office

of Compliance; that what they would do is take the laws on the books and assure that Congress was following those laws, and where Congress was not following those laws, they would, through a structure, make certain that the guilty parties were brought into compliance.

Mr. DREIER. That is not what it is.

Mr. WALKER. That is not what we ended up with.

Mr. DREIER. That is not what we ended up with at all. The tragedy here is that the majority leadership, knowing full well that the American people are very concerned about the fact that we regularly exempt ourselves from the laws we impose on them, they want to bring what will be called congressional reform down to the House floor here with that very weak establishment of a bureaucratic haze that would create a situation whereby we would consider imposing on ourselves the regulations.

Mr. WALKER. If the gentleman will yield further, so congressional compliance would become just another phony congressional coverage provision, like the phony congressional coverage provision that was in the independent prosecutor bill yesterday?

Mr. DREIER. That is the way it appears right now. They want to do that, from everything I have read and heard, on this, on the expedited rescission measure that is going to be coming up, on the entitlement review resolution which is going to be coming up. They want to break these things up into little bits and say, "Yes, day by day, we are reforming the institution," when in fact we have H.R. 3801.

And if we can consider at least the eight areas, subject matters that we offered, and my three colleagues here offered among the 25 amendments that we're defeated on 6 to 6 party line votes, if we had those votes down here on the House floor, I know my friends would agree with me, there is little doubt that they would pass.

Mr. WALKER. If the gentleman will continue to yield, this committee was known as the Hamilton-Dreier committee. The Speaker came in and testified in favor of comprehensive reform. What has the Speaker had to say, as one of the gentlemen who is a co-author of the bill, who voted for the bill, who in fact was a co-chairman of the committee, what has the Speaker had to say to you about his call for comprehensive reform that is now just being eaten alive in the back rooms of the Congress?

Mr. DREIER. As I said earlier, I probably had four, five, or six rather lengthy meetings with the Speaker last fall to discuss this. The last conversation that I had with Speaker FOLEY on this issue dealt with my request for at least a generous rule that would allow for full consideration of all of these measures.

Mr. WALKER. When was that meeting?

Mr. DREIER. It was a conversation that I had on the House floor here several months ago.

Mr. WALKER. He has not talked to you about this for several months?

Mr. DREIER. I have not had a meeting with Speaker FOLEY on the work of our committee for several months. I had several meetings with him in the fall of 1993 on this, and we met in his office and had several discussions.

Mr. WALKER. This is the summer of 1994?

Mr. DREIER. Yes. And other than a brief conversation that I had, basically saying that the gentleman from Indiana [Mr. HAMILTON] indicated to us on the record that he supported a generous rule that would allow for the consideration of our amendments, which were unfortunately defeated by the 6 to 6 party line vote that we had in the committee, other than that conversation, we really have not discussed this issue. But I have read in the press—

Mr. WALKER. Just one more question: Is there some chance that the Speaker is back in the back rooms here fighting viciously to try to make certain that we get comprehensive reform of the Congress, and he simply does not have time to discuss this with the gentleman because he is fighting so hard in those back rooms to make certain that comprehensive reform comes to the floor of the House before we quit?

Mr. DREIER. One can only infer from what we observed over the past several months, reports in the press, and other discussions that I have had, that the leadership, Speaker FOLEY and others, do not want H.R. 3801, the bill reported out of our committee, to come to the House floor under an open amendment process that would allow these items to be considered, because they know that as Members are forced to go on record here, a majority of this institution would support many of these institutional reforms which the American people want to have implemented. But as I said at the outset, there are too many Members here who thrive on the status quo.

I yield to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Speaker, is that not so typical of the way Congress many times does business? We will set up a bureaucracy with no clear objectives, and here we are talking about a compliance board or an agency within the House of Representatives, within the Congress, that is going to make sure that the Members—is going to make recommendations to the Members. We do not see any guidelines as to how many recommendations or how long they are going to be in existence.

One of the striking things I heard in some of the testimony that sort of stuck in my mind, we have more than 37,000 employees that are here on the Capitol—

Mr. DREIER. Thirty-eight thousand.

Mr. ALLARD. Thirty-eight thousand employees that we have here on the Capitol grounds that are working, and we have a work force here in the Capitol itself, taking care of the House and Senate and the Library of Congress, that is as large as the community that I come from, Loveland, CO.

People do not understand how huge a bureaucracy we have built up, and here it is, typical of leadership of the House, to try and come through with a proposal that says we are just going to add more to the bureaucracy. Mr. Speaker, I don't think the American people really think that is the answer. I think they think the answer is less bureaucracy and more accountability.

Mr. DREIER. My friend is absolutely right. I would like to yield to my friend, the gentlewoman from Washington [Ms. DUNN].

Ms. DUNN. I thank the gentleman for yielding to me.

I want to say, too, from a very new perspective, a freshman in Congress, as I watch this whole debate, we know what the problems are. We know what the solutions are.

I would like to know why we are not able to do what the people are asking us to do. They want this Congress to work efficiently. We can do that. They want this Congress to cut back on the amount of money it spends on its committees, and to give some fairness to the ratios that currently exist between the majority and the minority parties.

They want this Congress to open up its meetings so that the people who pay for the process can watch the process. It is only fair, it is only rational. I would ask why we do not do this.

I would also add, if the folks who are running this body now think it will always stay the same, they are going to be in for a big surprise. They are going to have an election this fall, and I have hope that if we are not able to debate our reform proposals on the floor in a comprehensive manner this year, that we will be the coalition that will begin the debate in January of next year, and we will be joined by a great number of new Members who are hearing the same call for reform that we have all heard, and certainly investigated, over the last year.

Mr. DREIER. My friend makes a very good point, Mr. Speaker. As we look at a class of now 117 new Members of the House of Representatives, clearly if we look at it, 25 percent of this body having been elected in this session of Congress, one-fourth of it being new Members, it seems to me that as I look back on that 1992 campaign, virtually every candidate, Democrat and Republican alike, ran on this issue of reform, change in the Congress.

Yet, unfortunately, we have seen more than a few on the majority side, on the Democrat side, fall into this trap of being part of the status quo. That is not to say that there are not

any Members in the Democrat Party who want to bring about meaningful reform, as we believe the American people want. However, many of them have fallen into that trap.

I think that as we look at this question, I think that the American people should be asking, very appropriately, Did you in fact bring about reform of the institution following the House bank and the post office and the restaurant and the other problems that that institution has had? I think that is going to be a natural question which should be raised as we head into this fall.

I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

I want to go back to the point about those 38,000 employees. One of the points is that those people are pretty badly treated in some instances, and the way in which we deal in this Congress is really reprehensible.

The Capitol Police, most recently, have come under discussion as a result of the investigation they were conducting into the post office scandal. Now we find out that one of the top staff people working for the leadership at one point suggested that the Capitol Police would actually be totally dismissed if they did not stop their investigation of the scandal in the post office, and stop turning over evidence to the U.S. prosecutors.

What an outrage. That would be like in city hall, the mayor finding out that there was a scandal going on in his administration, having the city police begin investigating it, and when they do and start turning over material to the prosecutor, the mayor would have his counsel go to the police and suggest to them that he was going to disband the police force if they did not stop this investigation.

□ 2030

The fact is that in most communities across the country you cannot do that because there are civil service laws and all kinds of things to stop that from happening. Here on the last plantation it can take place. And it is an appalling kind of look at what really goes on in the U.S. Congress.

Ms. DUNN. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I am happy to yield to my friend, the gentlewoman from Washington.

Ms. DUNN. Let me just say that as the ranking member of the Subcommittee on Police and Personnel I absolutely support everything the gentleman said. There have been very serious allegations. We have asked for hearings into that whole situation to decide whether the Capitol Hill Police were indeed influenced and what their role should be, because there is certainly a division of powers issue here.

But I think it is a very serious issue, and in fact our request for hearings has not been answered by the majority.

Mr. WALKER. This is interesting, because not only are they stonewalling us with regard to the legislation itself on reform, when incidents arise that require attention and should be done as a matter of reform simply because the institution is being so badly hurt by what is going on, they refuse the hearings, they refuse to look at the material. They try to shut down the process. They try to keep legitimate questions from being asked. They try to keep reforms from happening.

This is a pattern which I think the American people find more and more incomprehensible and unacceptable.

Mr. DREIER. My friend is absolutely right.

Mr. ALLARD. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I am happy to yield to my friend, the gentleman from Colorado.

Mr. ALLARD. I thank the gentleman for yielding. He also will recall that I worked hard in the Committee on Reorganization of Congress where we looked at areas like the police, for example, the architect, landscaping, printing and all of these nonpolitical functions and why we could not begin to consolidate them and establish some clear lines of authority so somebody could be held responsible. The way it works now, the Speaker just talks directly to the police, or maybe it is on the Senate side where they have their own force over there and we have ours over here. We could reduce the number of employees we have by just consolidating these and make our system more uniform, and more accountable.

I am disappointed that it does not look like we are going to have an opportunity to address these kinds of issues on the floor. I am not sure from what the gentleman shared with me today that it is going to come in a very forthright manner. They are going to piecemeal it in, and certainly it is going to create less of an opportunity for Members to bring forward some ideas.

Mr. DREIER. Of course.

Mr. ALLARD. We heard a lot of those good ideas on that committee.

Mr. DREIER. And of course what they will try to do when we realized that that committee was charged with bringing about a comprehensive package, as my friend, has said, we are going to break it up so that reports can constantly trickle out to the media, getting to the American people that oh, yes, they are reforming, they are reforming. But the fact of the matter is, unfortunately, they are providing the weakest package possible.

Mr. WALKER. If the gentleman will yield, it goes to the heart of the question that the gentlewoman from Washington raised, and that is the question

of what kind of amendments will come up. If you keep the packages that they bring to the floor very narrow, that will not allow the amendment process to go forward. We will have very limited opportunities then to try to address other reform issues.

Believe me, that is purposeful. That is what they are discussing in the back rooms right now: "How do we keep this thing from getting out of our hands, how do we make certain that there is no chance at all for anybody to do what the public really wants? How do we keep it all an inside game?" Breaking it up into little pieces they are making certain that then the rules of the House will apply, because what they will say is, "Well, I'm sorry, that amendment is not germane," or "That amendment goes beyond scope." There will be all kinds of excuses for not addressing the big issues of reform because of the narrow package they have brought to the floor. And the American people will still not get what they want.

Mr. DREIER. The interesting thing here is if you look at the history, I have been told by staff that every time a reform package has come to the House floor it has been under an open rule, an open amendment process allowing the House to work its will.

So if we see a restrictive rule on H.R. 3801, if by chance the comprehensive bill that we reported out were to get to the House floor, if we see a restrictive rule it will be the first time ever. But frankly, if you look at the pattern that we have observed over the past decade of dramatically increased numbers of rules which prevent Members from offering amendments to legislation, I would not be surprised if this were to happen for the first time.

Mr. ALLARD. If the gentleman will yield, open rule is part of the problem. The other part is waiving points of order. The gentleman from Pennsylvania spends a good deal of his time bringing up these kinds of issues related to open rules and points of order. Again, I just have to share some of my experiences here today as we had unauthorized funding, but yet they would not allow me to raise a point of order because they waived points of order. This is the problem that we have, is that debate and the rules of the House are restricted. A point I made not too long ago was the reason we have rules in the House is so that Members have a certain amount of predictability about what is going to happen, both the majority and the minority party. But when we begin to ignore those rules, then that is where a lot of injustices occur, and that is where a lot of things occur around here that create special advantage for somebody, or their district or whatever. This House needs to focus on issues that are of general public good for this country, and that is why we have those rules.

Ms. DUNN. If the gentleman will yield, the fact that they waive often the rule that we have to be presented with a copy of the legislation before we vote on it I think is the most obvious waiver of all. We often do not have access to those documents, and we are not able to read the legislation. We pass monstrous bills that apply to the rest of the country without knowing the details.

Mr. DREIER. That happens on a regular basis. In fact, exactly 2 hours ago we did it upstairs in the Rules Committee on the Commerce, State, Justice appropriations bill. We waived the so-called 3-day layover requirement.

I mentioned earlier that one of the amendments I had offered when we had our markup was to have a supermajority if we are going to waive rules, basically a three-fifths vote. But based on the rule that has been reported out of the Rules Committee, scheduled to come up I suspect tomorrow or Friday as we see the schedule unfold here, they have waived the 3-day layover requirement, basically preventing Members from having the opportunity to look at this legislation.

So I found it rather fascinating upstairs that they keep saying over and over to us, "Gosh, you all are not supporting our open rules," because they are on these appropriation bills having an open amendment process, allowing cuts to be made. But when it comes to the bill itself that has been reported out, members of the Appropriations Committee are treated differently, really above the rest of us because they have been able to get provisions in the bill which require waivers to make them in order. Again, I referred earlier to our deceased colleague, Mr. Natcher, who again, if he said it to me once he said it 100 times, "David, we should bring all appropriation bills to the House floor under the standard rules of the House," whereby we allow for an open amendment process, without waivers so that points of order can be raised against items where there is legislating in an appropriation bill. Tragically, the leadership regularly stood up to Mr. Natcher, telling him that they had to impose these rules which would prevent Members from being able to do the kinds of things that the gentleman from Colorado [Mr. ALLARD] has attempted to do on the Interior appropriation bill.

Mr. WALKER. If the gentleman will yield, in the time I have been in the Congress I know of a number of instances where the American people have become outraged when they found some provision was down in some bill that we passed that no one knew was in there. Members of Congress then will say, "Well, I had no idea that was down in there. How did this possibly happen?" Well, it happened, and the reason it happens is that no one does consider

back when we had a conference report brought to the floor. All of the rules were waived, the 3-day layover, and as a matter of fact, it had just been completed. They brought it in and it was a stack of papers about this high. They dumped it on the front desk down here. That was the only copy that was available anywhere in the House. And when some of us questioned, "Well, how are we to study this?" They said, "Well, there it is. You can go over there and leaf through it if you want to." And when we said, "Well, how are we to understand everything that is in this huge pile of papers?" "Well, there it is. You can go over and look."

In other words, it was nonsense. Yet, we waived the rules, we passed it, and we depended upon the fact that a few Members made representations about that pile of papers and what was in it. But no one knew exactly what was down in there. The staff that had prepared the papers did not know all of the things that were down in it. And we only found out later many of the items.

In all honesty, I have a hard time voting for that kind of legislation. In that case I did not vote for it because I did not think I had any understanding at all about what we were about to do.

□ 2040

Mr. DREIER. We regularly waive the 3-day-layover requirement, preventing Members or staff members from having the opportunity to look at this legislation, and this is one of the things we tried to address here.

Mr. WALKER. Some of it they do not want anybody to look at because they are afraid of what they will find.

Mr. DREIER. That is exactly right. I yield to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. There is no doubt we have to do a lot to continue to push for change in the House.

I have mentioned before and will again mention in this discussion tonight we have a tremendous reservoir of information that we can draw on from all the various State legislators. You know, I served in the Colorado State Legislature, which has done a lot on congressional reform.

In fact, you may not want to hear this, but we have actually done away with the rules committee in the State of Colorado. The house functions. It is a more open process. Everybody understands the rules. There are no waivers. There is no limit on debate. They get the job done.

The people of the State of Colorado understand what is going on. But, you know, States have tried a lot of innovative things, and we need to look and see what is working and what is not working. I just wanted to make that last point, because I know our time is running out.

Mr. DREIER. Let me say I do not want to stand here as a defender of the

Rules Committee, but it was the first committee established by the Founding Fathers. James Madison moved the Bill of Rights through the Rules Committee when it was put together, and I think there is acknowledgment that in a body of 435 Members there should be a structure.

But what we really should do is we should democratize the Rules Committee. I mean, there are not many Americans who understand the fact that we have a 9-to-4 ratio, while this House consists of 60 percent Democrats, 40 percent Republicans ratio, and in the Rules Committee upstairs it is 2 to 1 plus 1 against us, and that is why we should have some rules in the institution. But we should have a structure which allows Members to participate more than they do now, and that is again underscoring Lord Acton's very famous line that power corrupts, and absolute power corrupts absolutely.

The arrogance of power with which they prevent Members, rank-and-file Democrats and Republicans, from being able to offer amendments, that is what really creates the outrage here.

Ms. DUNN. If the gentleman will yield, I want to add one thing. The way the House is currently composed, the way the rules read and the way the committees are structured serves to support an example that was given by a colleague and friend of mine here in the House that, I think, it is simply outdated, and that is that his statement was that the majority is here to run the country, and the minority's job is to become the majority, and I think things have changed since that belief was accurate years ago.

I think the people out there are telling us they want both parties to work together to solve the problems of the country.

Mr. DREIER. The unfortunate thing is every Member of this institution represents roughly the same number of constituents, about 600,000 people, based on the population across the country, and the unfortunate thing is there are many members of the minority who are not able because of the arrogance of the majority to offer the kinds of amendments and proposals that their constituents might want them to. I think that that really hits the process.

Our time has expired, and in 16 minutes we will begin the process of determining who the National Basketball Association champion is. We hope this was a warmup for the NBA playoffs. I thank my colleagues for their participation in this special order and for the tenacity that they have used on this issue of reform of the institution.

Where there is life, there is hope. We hope very much that in this Congress we will be able to bring about what Speaker FOLEY has called for, and that is comprehensive reform of this institution.

THE POST-NAFTA ERA

The SPEAKER pro tempore. (Mr. ABERCROMBIE). Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 30 minutes.

Ms. KAPTUR. Mr. Speaker, I am often asked by constituents back in Ohio, when we address the House this late in the evening and there are not other Members peopling the floor, why we do this. Generally what I explain to them is it is about the only time during the day when we have a chance to put into the RECORD information that may not be a part of legislation currently on the floor. It is a quieter time of day, a time when we have a chance to think together, and so this evening I wanted to talk about some of the outcomes of a profound debate that occurred here in the Congress last year, in fact, the proposed then treaty between the United States, Canada, and Mexico known as NAFTA.

During that debate the administration and the former administration as well and the treaty supporters argued that our country would accrue enormous jobs and economic benefits from the passage of NAFTA and the average American worker would be better off because of NAFTA.

I rise tonight though, 6 months into the post NAFTA era, to help set the record straight and to state to those who supported NAFTA that they had better take another hard look.

We intend to do this every quarter following the signing of that treaty. Already under NAFTA in just the first 3 months of this year, the United States has actually suffered a huge decline in our trade advantage with Mexico. The New York Times recently ran a front-page story on the subject. It was pointed out that America's previous trade advantage with Mexico prior to NAFTA has been cut in half. I repeat, cut in half.

In fact, America's trade surplus with Mexico has been reduced by nearly 50 percent just during the first 3 months of this year. A slim margin of \$560 million all that is left of our much ballyhooed surplus. That means that more trade is coming in from Mexico to the United States, more imports into here, than our exports going down there.

In fact, the little advantage that remained amounts to about \$560 million which, and how much is that, about as much as our army spends in an annual year on buying bullets. Yet that \$560 million is all that keeps the United States from running a trade deficit with another one of America's trade competitors.

If you look at the fourth month of this year, April, our trade surplus with Mexico, our advantage, fell to only \$7 million in that month alone. What that means is that imports to our country from Mexico are now growing at a

much faster rate than United States exports to Mexico. It means that more jobs are being created in Mexico than jobs being created here in the United States.

Yet the administration and the former administration still attempt to claim that NAFTA has been good for our country. The U.S. Trade Ambassador was quoted in the New York Times as saying, "NAFTA has increased trade substantially." I would say to Mr. Kantor, it has increased trade, but in what direction and for whose benefit?

Across our country, NAFTA is hurting our people. As of June 6, 126 petitions from different companies across this country, across 26 States, have been received from workers in those companies whose jobs are moving to Mexico, whose companies are moving to Mexico. These petitions are filed with our U.S. Department of Labor under NAFTA's trade adjustment assistance for our workers who have been thrown out of work because of these corporate relocations, and they usually refer to this help for our workers as NAFTA TAA, NAFTA-Trade Adjustment Assistance.

This program is our Government's attempt to give American workers some compensation for losing their jobs because of NAFTA.

Now, when the administration tells us that NAFTA has benefited our country, I wonder if they have talked to the workers who are losing their jobs at companies like Emerson Electric in Logansport, IN, or the workers who worked at Simmons Furnishings in Redmond, WA. I hope some of those workers are listening, because someone here in Washington understands what you are up against, or at the Johnson Co. in Bennington, VT. How about the 8,000 workers in Martinsville, VA, who are losing their jobs because Sara Lee is moving its factories to Mexico? Or how about the workers in my own State of Ohio who worked at Walker Manufacturing Co. in Herbon, OH, and who used to build exhaust systems for automobiles? I wonder if this administration or the one that preceded it has figured out how to explain to these Americans how losing their jobs because of NAFTA is good for them and good for our country.

Even though the number of these petitions from workers thrown out of jobs in our country gives some indication of the suffering that NAFTA is already causing our workers in just the first quarter of this year, the NAFTA compensation program for workers is but a weak measure of the damage.

□ 2050

For I have been told by numerous frustrated workers from around the country that either the various State unemployment offices have not made these petitions available in their State

or they were not even aware that this NAFTA TAA worker compensation program even existed. That means that of the 100 companies that I am going to read into the RECORD tonight, probably dozens and probably hundreds more are being affected across our country who do not even know they can file in order to try to help the workers being thrown out of their job. In fact, the very program which is supposed to help the average United States workers who have lost their jobs to Mexico is in great need of assistance itself.

Because, of this, there is really no way of knowing how many U.S. workers have already lost their jobs because of NAFTA.

Further, lost contracts for field production in agricultural goods are not counted in the numbers. So, for all the tomato farmers out there losing acreage, for all the citrus farmers, for all the fruit farmers, for all the sugar growers, all of these production opportunities that are being moved to Mexico because of its cheap field labor system, there is no one keeping tabs on lost production in our country. The only people that really know are the farmers and the workers who are being thrown out of their jobs across this country. So the losses of income in agricultural America are a story that is not even being written. It was not on the front pages of any newspaper. If the administration does not have the time to get an accurate reading of how many U.S. workers have lost their jobs, it is becoming clearer who is benefiting from the passage of NAFTA. The big U.S. corporations who formed USA NAFTA, a business lobbying group and who also pushed the hardest for the passage of NAFTA, seem to be doing very nicely.

These corporations who regularly sent parts and materials to Mexico to be assembled but then to return their finished goods back here all report substantial profits for their shareholders, not profits for the workers, and just as we cautioned, these United States corporations moved much of their operations across the border to parlay cheap Mexican wages into higher profits.

Moreover, the country of Mexico is doing what we projected it to do: Increasing its imports to the United States at a much faster rate than our exports there. In the automobile sector alone, imports of motor vehicles from Mexico increased 48.3 percent to reach \$728 million, nearly 50 percent. In the first 3 months of this year, Mexico shipped 81,328 vehicles to the United States while we shipped only 5,848 south of the border. In other words, Mexico shipped approximately 15 times more vehicles to the United States than we did to them. Not a good deal for the American people, but a good deal for those who own stock in the multinationals.

Mr. Speaker, what has been hollowing out is the middle class of our country and our people know it. Wages have not been going up, benefits have not been going up, so what is going on is the hollowing-out of production in manufacturing and agriculture in this Nation. NAFTA has been very good for some United States corporations and for Mexico, but in speaking of the good for our country, the post-NAFTA era has resulted in growing job losses and a worsening trade balance with Mexico.

And for America, the post-NAFTA era has resulted in more growing job losses, losses that no one here in Washington seems to care about. Well, I care. For America, the post-NAFTA era has been the era of broken promises for prosperity for the many and profits for a few.

Tonight, Mr. Speaker, I want to read into the RECORD the names of those

companies and workers that have already been certified under this program:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 17, 1994.

DEAR COLLEAGUE: Please find attached a list of U.S. companies that have moved production to Mexico since January and already applied for NAFTA Trade Adjustment Assistance for their U.S. workers. The list contains 126 firms located in 29 States, with Pennsylvania, Washington and New York having had the largest number of moves to date. It is only a partial list though. The list does not include the farmers that have been hurt by NAFTA. Furthermore, given the multiple problems experienced in implementing the NAFTA-TAA program, many workers and firms have been forced to turn to the Labor Department's general Trade Adjustment Assistance program without regard to the specific needs of the affected workers. There really is no way of knowing how many U.S. workers have lost their jobs because of NAFTA. I hope this list offers some perspec-

tive to all of the spurious news accounts of NAFTA's benefit to our country. The truth of the matter is that many U.S. firms from around the United States have packed up and gone to Mexico leaving thousands of U.S. workers in their wake.

Sincerely,

MARCY KAPTUR,
Member of Congress.

THE POST-NAFTA EXODUS

PETITION ACTIVITY

As of June 6, NAFTA-TAA petitions have been received for workers in 126 firms located in 29 States. The distribution of petitions by State is as follows:

Alabama (2), Arizona (6), California (6), Delaware (1), Florida (5), Georgia (5), Illinois (2), Indiana (4), Kentucky (2), Maine (1), Massachusetts (6), Minnesota (1), Mississippi (1), New Jersey (7), New York (10), North Carolina (4), North Dakota (1), Ohio (1), Oregon (3), Pennsylvania (19), South Carolina (3), Tennessee (7), Texas (7), Vermont (1), Virginia (1), Washington (15), West Virginia (2), Wisconsin (2), Wyoming (1).

NAFTA No.	Firm	Location	Decision and date
00001	Swingster Co.	Ocean Spring, MS	Denial (1/31/94)
00002	Emerson Elec.	Logansport, IN	Cert (2/7/94)
00003	Simmons Furn.	Vancouver, WA	Cert (2/15/94)
00006	Nintendo	Redmond, WA	Cert (2/3/94)
00010	Steward	East Ridge, TN	Cert (2/14/94)
00013	Hubbell-Bell	Fogelsville, PA	Cert (2/23/94)
00019	N.A. Philips	Fairmont, WV	Term (2/22/94)
00005	ACA Lumber	Beaver, WA	Denial (2/24/94)
00007	Worzalla	Eatonstown, NJ	Denial (2/24/94)
00009	Uniroyal	Woodburn, IN	Denial (2/25/94)
00004	Seattle Shake	Forks, WA	Cert (2/25/94)
00020	No. Telecom	Stone Mt. GA	Cert (2/25/94)
00012	Stolle Co.	Phonix, OR	Denial (3/4/94)
00021	Xerox Imaging	Peabody, MA	Cert (3/10/94)
00014	Alcatel	Mt. Laurel, NJ	Cert (3/11/94)
00015	Parkway	South Amboy, NJ	Cert (3/11/94)
00011	P&G Mfg. Co.	Quincy, MA	Denial (3/11/94)
00016	Metacommet Mfg	Fall River, MA	Denial (3/14/94)
00017	Hollywood	Forks, WA	Denial (3/14/94)
00032	Niagara	Buffalo, NY	Cert (3/15/94)
00018	Kemet/Phillips	Greenville, SC	Cert (3/18/94)
00023	Bonis Sport	Tampa, FL	Denial (3/18/94)
00025	D & R Cedar	Forks, WA	Cert (3/18/94)
00022	Clifton/Litton	Clifton Hts. PA	Denial (3/18/94)
00024	Praxair, Inc.	Tonawanda, NY	Cert (3/21/94)
00050	Eaton Corp	Arden, NC	Cert (3/21/94)
00028	McCreary Roof	Erie, PA	Denial (3/22/94)
00029	Wundies	Williamsport, PA	Denial (3/23/94)
00046	Sears Logist.	Philadelphia, PA	Denial (3/23/94)
00027	ACI/VVP Amer	Memphis, TN	Denial (3/24/94)
00030	Dee Fashions	Centralia, PA	Cert (3/24/94)
00026	Gandalf Sys	Cherry Hill, NJ	Cert (3/25/94)
00031	Bus Industries	Oriskany, NY	Denial (3/25/94)
00033	Fisher-Price	East Aurora, NY	Denial (3/25/94)
00034	Ferranti-Pack	Dunkirk, NY	Cert (3/28/94)
00054	National Steel	Keewatin, MN	Denial (3/29/94)
00056	Bristol Consol	Indianola, PA	Denial (3/29/94)
00039	J.C. Penney	Newark, DE	Denial (3/30/94)
00008	Allied Signal	Eatonstown, NJ	Denial (3/31/94)
00035	Armco	Bridgeville, PA	Denial (4/1/94)
00036	Key Tronic	Cheney, WA	Cert (4/5/94)
00042	Samson Cordage	Anniston, AL	Cert (4/6/94)
00055	N.D. Grocers	Bismark, ND	Denial (4/6/94)
00037	True Temper	Harrisburg, PA	Cert (4/8/94)
00038	Heater Wire	El Paso, TX	Denial (4/8/94)
00052	Creat. Ceramics	Eagle Pass, TX	Cert (4/8/94)
00040	Peterson Shake	Amanda Park, WA	Cert (4/11/94)
00041	Owens-Brockway	Huntington, WV	Denial (4/14/94)
00043	Cooper Ind.	Cansonsburg, PA	Cert (4/14/94)
00044	Gerber	Reedsburg, WI	Denial (4/14/94)
00048	Gould Elec.	Newburgport, MA	Denial (4/14/94)
00053	Simkins Ind.	Russell, MA	Cert (4/18/94)
00066	Internat Paper	Presque Isle, ME	Denial (4/18/94)
00047	Concurrent	Oceanport, NJ	Denial (4/19/94)
00057	J.E. Morgan	Wadesboro, NC	Denial (4/21/94)
00049	Rowe Internatl	Whippany, NJ	Denial (4/22/94)
00051	Valeo Climate	Fort Worth, TX	Cert (4/22/94)
00045	Johnson	Bennington, VT	Cert (4/25/94)
00058	Frigidaire	Athens, TN	Cert (4/25/94)
00068	Innotech, Inc.	Roanoke, VA	Cert (4/26/94)
00059	Boss Mfg.	El Paso, TX	Cert (4/28/94)
00060	B&B Garment	Parsons, TN	Denial (4/28/94)
00061	Wotco, Inc.	Casper, WY	Cert (5/2/94)
00062	RELIANCE COMM	St. Stephen, SC	Cert (5/2/94)
00073	Cargill, Inc.	Buffalo, NY	Denial (5/3/94)
00067	Stan. Products	Schenectady, NY	Cert (5/4/94)
00074	Formglas, Inc.	San Jose, CA	Cert (5/5/94)
00063	USA	Conyers, GA	Cert (5/6/94)
00071	USA	Bamberg, SC	Cert (5/6/94)
00072-72A	USA	Spencer/Sparta, TN	Cert (5/6/94)
00064	Abbott & Co.	Manchester, TN	Cert (5/6/94)
00065	Layne & Bowler	Memphis, TN	Denial (5/6/94)
00075	C & R Cedar	Forks, WA	Cert (5/10/94)
00076	TTX Company	Tucson, AR	Denial (5/10/94)

NAFTA No.	Firm	Location	Decision and date
00070	Quartet Fash	Bath, PA	Denial (5/12/94)
00102	Quartet Fash	Nazareth, PA	Denial (5/12/94)
00103	Quartet Fash	Nazareth, PA	Denial (5/12/94)
00077	Data Products	Norcross, GA	Cert (5/18/94)
00077A	Staffing Res	Norcross, GA	Cert (5/18/94)
00077B	ATS Staffing	Norcross, GA	Cert (5/18/94)
00077C	Maristaff	Atlanta, GA	Cert (5/18/94)
00080	Sunshine Rope	Miami, FL	Denial (5/18/94)
00079	Swiss	Lake Havasu, AR	Denial (5/19/94)
00078	Radform Tool	East McKeesport, PA	Denial (5/19/94)
00092	Indal Limited	Indiana, PA	Denial (5/19/94)
00109	Wilmington St	New Castle, PA	Denial (5/19/94)
00086	Pope & Talbot	Port Gamble, WA	Cert (5/23/94)
00105	Fruit of Loom	Osceola, AR	Denial (5/24/94)
00083	Miami Trim	Miami, FL	Term (5/25/94)
00081	Allied Signal	El Paso, TX	Cert (5/26/94)
00082	Otis Elevator	Tucson, AR	Cert (5/27/94)
00088	Andrea Mig	Decatur, IL	Denial (5/27/94)
00089	Lyons Falls	Lyons Falls, NY	Denial (5/27/94)
00106	Yiskase Corp	Osceola, AR	Cert (5/27/94)
00093	Mallinckrodt	New Athens, IL	Cert (5/31/94)
00069	Rudolph miles	El Paso, TX	Denial (6/1/94)
00085	Beaver Dam	Beaver Dam, WI	Denial (6/1/94)
00090	Kraft	Avon, NY	Denial (6/1/94)
00091	L. Grief	Shippensburg, PA	Cert (6/1/94)
00099	Grief Com.	Lehigh Valley, PA	Cert (6/1/94)
00098	Waynesboro Ap	Waynesboro, GA	Cert (6/1/94)

NAFTA CASELOG

NAFTA petition	Petitioner (workers, union, firm)	Location	State receipt	Affected articles
00118	Laurel Street Art Club Inc., Art Works Division (Wkrs)	Hebron, KY	05/20/94	Production of art works for furniture retailers.
00119	DeSoto, Inc. (Wkrs)	Stone Mountain, GA	05/24/94	Liquid soap for automatic dishwashers.
00120	Walker Manufacturing Co., Newark Plant (UAW)	Hebron, OH	05/26/94	Exhaust systems, manufacturing of welded assemblies including pipes, flanges, mufflers, and resonators.
00121	Kayser-Roth Corp., No Nonsense Factory Outlet, Inc. (Wkrs)	Greensboro, NC	05/31/94	Panty hose and socks.
00122	Pacific Sound Resources, Inc.; Seattle and Bainbridge Island (AFL-CIO)	Seattle, WA	05/31/94	Pressure preserved lumber, poles and pilings.
00123	Safeway, Inc., M.I.S. (Wkrs)	Oakland, CA	05/31/94	Programming services (ie: HIS systems).
00124	S & H Fabricating and Engineering, Inc. (GMP)	Sanford, FL	06/01/94	Air-conditioners for automobiles.
00125	Wells Lamont Corp., Portland Glove Co. (ACTWU)	Carlton, OR	05/24/94	Leather gloves.
00126	Zentek, Inc. (Co.)	San Marcos, CA	05/27/94	Electric transformers manufacturing.

SARA LEE CUTS 8,000 JOBS—BUT FEW, IF ANY, IN MEXICO

WINSTON-SALEM (AP).—In the battle of Martinsville vs. Mexico, Martinsville lost. Few if, any, of the more than 8,000 jobs that Sara Lee plans to cut during the next several months will be in Mexico.

At domestic plants that knit fleece or sweat suit material and hosiery, 490 jobs will be lost, said Nancy Young, a personal products group spokeswoman in Winston-Salem. Two of four factory shifts will be cut at a plant in Martinsville, Va., and a plant in High Point will close.

That means a greater share of Sara Lee's production capacity for pantyhose and fleece production will be in Mexico when the company's \$495 million restructuring is completed, the Winston-Salem Journal reported Thursday.

But a Sara Lee official said there wasn't a choice between Martinsville or Mexico.

"The Martinsville plant complemented one of our Mexican plants" said spokeswoman Anne McCarthy in Chicago. "They didn't compete."

On Tuesday, John Ward, senior vice president for Sara Lee's Winston-Salem operation, said the company needs to shed 15 percent of its U.S. sweat shirt production and 5 percent of its sheer hosiery.

Sara Lee officials did not detail how much of the company's fleece or hosiery production capacity is in Mexico, or how many employees the company has there.

Union officials representing Sara Lee workers in California estimate that Sara Lee pays between \$4 and \$6 a day in Mexico. Minimum wage in the United States is \$4.25 an hour.

Sara Lee's choice of job cuts and closings is not related to wage rates, McCarthy said.

Young said Sara Lee officials decided to cut 290 American workers from the payroll in Martinsville because of the Virginia knitting plant's advanced age and higher operating costs. Sara Lee has no plans to add knitting capacity in Mexico, she said.

Sara Lee has no sock plants in Mexico such as the 350-worker Adams-Millis plant in Kernersville that will close. And Young said the company has no plans to open sock factories in Mexico.

Sara Lee has not filed a petition with North Carolina's Employment Security Commission that would help laid-off workers qualify for the Trade Adjustment Assistance program, a federal program to help workers displaced by foreign competition after NAFTA. The program provides retraining funds.

ESC spokesman David Sherrill said he does not know whether Sara Lee workers will qualify.

□ 2100

NIGERIA

The SPEAKER pro tempore (Mr. ABERCROMBIE). Under the Speaker's announced policy of February 11, 1994, the Chair recognizes the gentleman from Louisiana [Mr. JEFFERSON] for 30 minutes.

Mr. JEFFERSON. Mr. Speaker, I come before the House today, in my capacity as chairman of the Congressional Black Caucus Task Force on Democratization of Nigeria, in order to register our full support for Chief M.K.O. Abiola, President-elect of the Federal Republic of Nigeria, and his ongoing formation of Nigeria's new Government of National Unity.

On June 12 of last year, Chief Abiola won the Presidential election held in Nigeria. He received 58 percent of the popular vote and won a majority of the vote in 20 of Nigeria's 30 States in what hundreds of international observers determined to be the freest and fairest election in the history of Nigeria.

Unfortunately, the presiding military dictator at that time, Gen. Ibrahim Babangida, arbitrarily annulled the election. The result was absurd and an insult to the 14,000,000 Nigerians who voted in the election. We can only imagine the magnitude of the crime against the people of Nigeria, for nowhere, in modern recorded history, has an annulment of a free and fair election occurred. The election return counting was stopped after 90 percent of the vote was counted with Mr. Abiola the obvious winner.

To this day, 1 year later, the election count has neither been completed nor reported. And to add injury to insult, General Babangida, after invalidating the election, left his office as President, due to protests against the annulment, and appointed an unelected civilian crony to head a so-called interim government in a brief and unsuccessful attempt to cover up his crime against the people. Months later, Mr. Speaker, another military despot, General Sani Abacha, forced his way into power toppling the "interim Government." But, he did even General Babangida one better. Abacha promptly gave orders to dissolve the Senate, the House of Representatives, and the Supreme Court and replaced the nation's 50 Governors with military generals and admirals.

Mr. Speaker, as bizarre as this sounds, it is precisely what has happened in Nigeria over the past year. Indeed, this analysis is an unthinkable occurrence to the American people, but it is a nightmare come alive in Nigeria, destroying the dream of democracy and self-rule that the Nigerian people so

eloquently expressed when millions of them went to the polls to elect a President on June 11, 1993. In the 2 years leading up to the Presidential elections, the Nigerian people displayed a great capacity for negotiating and sustaining the democratic process by freely, fairly, and peacefully electing over 500 local governments, more than 1,100 State legislators, 30 Governors, and a 600-member National Assembly.

All of these democratic institutions and office holders were eliminated and replaced on one single day—November 18, 1993—at gunpoint, by Nigeria's current dictator, General Sani Abacha.

The United States, Canada, and Great Britain responded to this cruel and unusual crime against democracy and the people of Nigeria by issuing sanctions against the military regime. The U.S. sanctions included the expulsion of Nigeria's military attache to the United States, termination of financial assistance for military training and U.S. visa restrictions on General Abacha, members of his provisional ruling council, and their family members.

Mr. Speaker, while these measures make a strong diplomatic statement, stronger action is needed to isolate and expose the illegitimate, illegal behavior of General Abacha and his government.

Congressman DONALD PAYNE, a host of other congressmen, and I responded to this crisis by introducing Concurrent Resolution 151, which recognizes the June 12th mandate of the people and calls for extending the limited sanctions now in place against the Abacha regime. Resolution 151 has already passed the Africa Subcommittee, and I understand a stronger, updated version of Resolution 151 is being marked up for full committee consideration.

On Tuesday of last week, Africa Subcommittee chairman, Congressman HARRY JOHNSTON, along with Mr. PAYNE, sent a letter to Secretary Christopher requesting that a special envoy be sent to Nigeria immediately to "help resolve the political conflict and avoid further deterioration in Nigeria." The Congressional Black Caucus supports that request, and I would like to submit a copy of that letter for the RECORD.

Mr. Speaker, even as we address this matter today, the military regime in Nigeria continues to provide fraudulent excuses to our Government and the international community regarding its intent to return to civilian, democratic rule. The latest scheme is that of a "constitutional conference," which, reportedly, is scheduled to start in January of 1995 and last for several months. On May 23 of this year, General Abacha staged an election for delegates to this conference which the Nigerian people successfully boycotted, rendering the conference an irrelevant, nonviable ve-

hicle to establish democracy, for it was unsanctioned by the will of the Nigerian people.

Even in the process of setting up this so-called constitutional conference, Abacha has exposed his lack of sincerity in transitioning to civilian rule by violating his own conference rules and appointing, not electing, close to one third of the conference delegates!

Under Abacha's rule, Nigeria is sinking into economic problems and is daily losing international respect. The latest and most embarrassing blow the Abacha regime delivered to the Nigerian people was its failing to cooperate with international drug interdiction efforts. This resulted in Nigeria's placement on the dreaded decertification list by the United States, disqualifying the country from any form of assistance from the United States and branding it as an outlaw nation whose leaders either sanction or permit rampant drug trafficking.

Finally, Mr. Speaker, on June 11, 1994, President-elect Abiola decided enough was enough. He took matters into his own hands. In response to the mandate of the people of June 12, 1993, he declared himself President of the Federal Republic of Nigeria and announced the formation of the Government of National Unity. In doing so, Chief Abiola showed tremendous courage and commitment to Nigeria and to democracy. He deserves the support of this Congress and our Nation.

Just last Wednesday, I received a letter from President-elect Abiola along with the full text of his Presidential proclamation. I would like to share with my colleagues and the American people portions of that letter which describe the dictators' response to Chief Abiola's courageous effort to advance the democratic process in Nigeria as well as his description of the current state of affairs in Nigeria:

On June 11, 1994, in response to the mandate given to me by the Nigerian people, I officially declared the Presidency of the Federal Republic of Nigeria and announced the formation of The Government of National Unity. As a result the military regime has shut down the independent press in Nigeria and the entire country is now in a police state. I, the freely and fairly elected President of the Federal Republic of Nigeria am currently enduring the irony of being treated as a "fugitive" and being "wanted" by criminals, thieves and drug pushers for advancing the process of democracy.

White minority rule in former apartheid South Africa was found to be obscene and intolerable and the free world isolated that evil so that the will of the people could prevail. The obscene and oppressive black minority rule of Nigeria's military dictators over ninety million people should not, in any manner, be allowed to continue. The major weapons used against the Nigerian people by the dictators are global neglect of the Nigerian people and the massive abuse of Nigeria's resources which they continue to plunder in order to criminally fortify themselves.

Over the past twelve months the Nigerian economy has slumped to an all time low, un-

employment has risen from twenty eight percent to seventy two percent, the value of the Naira, our local currency has plummeted by sixty five percent. Security of life and property has worsened with a murder being committed every 40 minutes. Kidnapping has increased and the state of hopelessness has led to massive recruitment of our people into the drug courier trade.

The current atmosphere in Nigeria is charged with indications that General Abacha will respond with deadly force on innocent Nigerians that will not reverse their course in bringing democracy to Nigeria. Mr. Chairman, one out of five Africans in the world is Nigerian. The conflict resulting in massive humane carnage in Bosnia, Rwanda, Haiti and other parts of the world will pale in comparison to an unchecked Nigeria.

I am appealing to the Congressional Black Caucus, Africa's strongest advocate in the United States government and the free world, to respond to our call for attention and support at this critical juncture in our nation.

Mr. Speaker, I would also like to submit these documents in their entirety for the RECORD.

In closing, Mr. Speaker, I would like to share with this body the conversation that I had with the President-elect this morning in which he assured me that he is trying every available avenue to create a peaceful transition to democracy, but that the people are confronted with a desperate dictator who is likely to lash out at any moment. Abacha has already jailed an 80-year-old former Senator for allegedly participating in the boycott of the constitutional conference election. Over 200 people were killed in the demonstrations following the annulment of the June 12th election and hundreds more political prisoners remain in Nigerian jails today. Predictably, General Abacha has declared Mr. Abiola a traitor and has forced him into hiding in his own country.

Mr. Speaker, it is time we start treating the military tyrants in Nigeria with the same political and economic isolation that was imposed on apartheid South Africa and that is being applied on the illegitimate leadership in Haiti today.

Nigeria is Africa's largest producer of crude oil and the second largest supplier of crude oil to the United States. The \$12 billion annually in crude oil sales generates approximately 90 percent of Nigeria's revenue. The annual income of the ordinary Nigerian is less than \$250 per year. So, it is clear that the masses of the people do not benefit from the country's enormous wealth.

In the interest of democracy and the right of the Nigerian people to live free, let us put an end to this outrageous corruption, public larceny, and global embarrassment that the military generals continue to inflict on Nigeria and her decent and wonderful people.

We can start by strategic embargoes on the purloin crude oil and place an immediate freeze on private and government bank accounts of the military

regime in the United States and request that our allies in Canada, Great Britain, Germany, and France do the same. Let us start, Mr. Speaker, by recognizing the Government of National Unity and its duly elected President, Chief M.K.O. Abiola.

THE WAY FORWARD

(By Bashorun M.K.O. Abiola, President and Commander-in-Chief of the Armed Forces, Federal Republic of Nigeria, On Wednesday, June 22, 1994)

My fellow Nigerians, on 11th of June, 1994, at your request, I claimed the sacred and popular mandate which you gave me as President and commander-in-chief of the Nigerian armed forces at the presidential election of June 12, 1993. I invoked the mandate bestowed upon me by my victory in the said election, to call on all members of the armed forces, and the police, the civil and public services throughout the Federal Republic of Nigeria, to obey only the government of national unity that is headed by me, your duly elected President. My government of national unity from that date remains the only legitimately constituted authority in the Federal Republic of Nigeria.

Since the above address, Gen. Abacha has intensified his efforts at the old Jamboree of one-way consultations with the top echelon of our people in a futile effort to hang on to power forgetting that after the Nigerian people have spoken in a free and fair presidential election, piecemeal approach to national consultation becomes irrelevant. I have deliberately withdrawn for a few days in order to devote myself along with members of the transition committee to the process of concrete planning of the structure and model of the government that would satisfy and meet the grave socio-economic and political challenges faced by Nigerians in the last few years as particularly occasioned by graft, mismanagement, incompetence and insensitivity of the military dictators of the last 10 years who have turned Nigeria and Nigerians into the spoils of their conquests. I have also taken the opportunity to move round and talk to Nigerians in all walks of life to get their own impression on the way forward.

We are all aware of the oft-repeated recognition by the leadership of our armed forces that their role is to protect the territorial integrity of the nation from the barracks. The time is long past when the armed forces leadership should rescue itself with honour by returning to those barracks they have vacated for 24 out of our 33 years of independence.

My government will accept full responsibility for all actions, legal, contractual or otherwise, of the outgoing regime up to and including today's date. Persons who transact business with the illegal regime thereafter do so at their own risk.

In the light of the unwarranted economic and political crisis which the various military juntas have imposed on the Nigerian peoples, there is sufficient evidence to all concerned patriots that in the composition and allocation of functions under the government of national unity, we must operate a policy that brings on board the major political tendencies, platforms and interest groups.

Consequently, after a thorough consultation with the transition committee and respected leaders of various interest groups in the country, we have decided that allocation of ministerial and ambassadorial positions, various commissions, boards and parastatals

would be distributed equitably among the major zones of the country and interest groups in such a way as to ensure that as from now, Nigerians will be equitably treated. Furthermore, access to political and economic opportunities shall, as a matter of national policy, be open to all Nigerians as of right. My government rejects the winner-take-all approach and will invite to serve notable, credible and committed patriots of both political parties and also include worthy non-partisan people.

In setting up a cabinet, all the zones in the country will be represented, labour will be represented, women will be represented, the human rights organisations will be represented, the professional organisations such as the bar association, the medical association, etc., will be represented. I will set up a student affairs commission in which students, elected by students, will be represented.

As indicated in my proclamation address, the only constitutional body charged with approval of nominees to cabinet positions is the senate of the Federal Republic of Nigeria which had not been allowed by the military junta to resume as proclaimed by its president, Senator Ameh Ebutu. Our government will ensure that the senate holds its meeting soon to consider the list of ministers that will be submitted for their approval. Pending the appointment of ministers, the directors-general will take charge of each ministry and extra-ministerial department.

Within 3 months, the government of national unity will ensure that Nigerians are back to work again, with factories operating at full capacity, with foreign investments flowing in and new factories springing up. Because Nigeria will no longer pursue dubious economic policies like a lone economic ranger in the world, we have clear assurance that prevailing crisis in our relationship with the international financial authorities will be resolved quickly. We will join the rest of the world in pursuing sound economic policies to resolve our problems.

Within 30 days, we shall resume the federal system of government which the armed forces have failed to operate for 24 out of the 33 years of our independence because of their central command and vertical hierarchical structures.

From now onwards, all Nigerians will be equal before the law. There will be equality of opportunity and freedom to pursue the course of happiness as every individual desires.

From now onwards, every Nigerian will be involved in decisions of government that affect him. Prices of essential commodities like fuel will be based on full discussion through committees of the national assembly so that not only prices, but costs of production and consequences of price hikes whether on fuel, telephone or any other item would have been considered.

With immediate effect, education throughout Nigeria will be made available to all children free of fees, levies or any imposition to give equality of opportunity to all our children regardless of the circumstances of their parents. Education is an investment in the future. We owe that to our children. All arrears of salaries to teachers and all outstanding awards will be paid to all teachers within 60 days.

Very soon, health care delivery from primary to tertiary level will be seen as a right by all our people so that both urban and rural Nigerians will get equal treatment. All outstanding awards and salary arrears to all personnel in the medical departments will be paid within 60 days.

Within 100 days, food at affordable prices will be available, if necessary by temporary importation. Urgent studies have been commissioned and preliminary arrangements are already being made in that direction.

After proper consultation, our traditional institutions will flourish and be made to constitute meaningfully to governance. There will be ample opportunities for our god-given culture to bloom, and to flourish not for the sake of nostalgia but to encourage tourism and increase our foreign exchange earnings.

From now onwards, all impediments to the growth and development of all Nigerians shall be a matter of the past so that in the next few years not even the sky shall be the limit to the ambition of any of our citizens.

In the shortest possible time, our reputation as 49ers, drug pushers and as a citadel of corruption will be wiped out and a new image substituted of a people who fought gallantly for democracy, press freedom, an independent, well-funded and incorruptible judiciary, respect for life and property, and a modern, powerful renaissance Africa.

As a matter of priority, my government will put an end to the current deprivations of the rank and file of the Nigerian Armed Forces and the Nigerian police some of whose salaries have not been paid for up to 3 months. We shall improve their housing and welfare provision commensurate with the sacrifice they make for the safety and security of the Nation.

Our government will tackle the issue of corruption very strongly by ensuring enhanced degree of transparency in our governance. We shall publish monthly report and values of oil liftings, all government contracts shall be by public tender and all major contract awards will be published with details of the report of the tenders' board and comparable prices of similar contracts awarded by African or other nations. All enterprises involved in public expenditure must have public auditors, who must publish annual reports. It will be a criminal offence, punishable by a jail term, for any public officer to refuse to cooperate with a public auditor. All public officers involved in major contract awards must publish their net worth statement annually. Government will not give any protection whatsoever to any official to prevent the press from doing their duties of holding any official accountable for his stewardship. These measures are in addition to what already exists, all of which we pledge to enforce rigorously.

I will later address the nation on the issue of sovereign national conference, which proceedings will start within the 100 days of my inauguration.

Within 30 days, all democratic structures will return to office to perform their constitutional duties in accordance with their oath of office and allegiance based on the people's mandate. Military officers posted to political duties shall return to their formation for re-posting.

From now onwards, all ministers, governors, legislators, members of the Nigerian Armed Forces, security services, police as well as officers and men of the civil and public services will truly be servants and not masters of the people.

Our main objective is to ensure that, by the end of our first year in office, every Nigerian, everywhere in the global village will be able to say "Yes, I am a Nigerian and I am proud of it".

I must pay special tribute to the international community for their concern to see democracy restored in Nigeria. We recognise that their countries which have remained

the beacons of democracy do not recognise individuals or personalities. We, however, expect them to continue their support for the democratic forces in Nigeria and to accord prompt recognition to our Government of National Unity.

I extend our hands of fellowship to all Nigerians no matter their political preferences to identify with and participate in this Government of National Unity. The crucial lesson that Nigerians must have learnt from the event of the last 9 years is that credible political leaders of whatever persuasions, must abandon the policy of winner-take-all and so provide unity and consensus on fundamental issues of public interest. The tiny clique of military adventurers who have consistently and illegally used the military institution to forcefully overthrow constituted authorities must never be allowed at another gamble in our nation.

Nigerians must rise up to protect democracy and our divine right to elect leaders to govern us and for specified period of time. We must adopt an immutable twin policies of non-recognition and non-fraternization with any military dictators whose only authority is based on their misuse of guns and ammunitions bought by Nigerians for the defence of our territorial integrity.

We salute all Nigerians for their patience and courage in the face of this intimidation and provocation by the military clique who are desperate to remain in office. We remember, in particular, the gallant heroes and heroines of democracy who paid the supreme price in the struggle against military dictatorship. We are committed to ensuring that their sacrifice is not in vain.

We assure all Nigerians and our friends of our determination to ensure that the nightmare of military dictatorship is finally over. God bless Nigeria!

ADDRESS TO THE PEOPLE OF NIGERIA BY BASHORUN M.K.O. ABIOLA, PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA, JUNE 11, 1994

People of Nigeria: Exactly one year ago, you turned out in your millions to vote for me, Chief M.K.O. Abiola, as President of the Federal Republic of Nigeria. But politicians in uniform, who call themselves soldiers but are more devious than any civilian would want to be, deprived you of your God-given right to be ruled by the President you had yourselves elected.

These soldier-politicians introduced into your body politic, a concept hitherto unknown to our political lexicography; something strangely called the "annulment" of an election perceived by all to have been the fairest, cleanest and most peaceful held in our Nation.

Since that abominable act of naked political armed robbery occurred, I have been constantly urged by the people of goodwill, both in Nigeria and abroad, to put the matter back into the people's hands and get them to actualize the mandate they gave me at the polls.

But mindful of the need to ensure that peace continues to reign in our fragile Federation, I have so far tried to pursue sweet reason and negotiation. My hope has always been to arouse whatever remnants of patriotism are left in the hearts of these thieves of your mandate, and to persuade that they should allow their personal desire to rule to usher our beloved country into an era of political instability and economic ruin.

All I have sought to do, in seeking dialogue with them, has been to try and get them to realize that only real democracy can move

our nation forward towards progress, and earn her respect she deserves from the international community.

However, although this peaceful approach has exposed me to severe censure by some who have mistaken it for weakness on my part, those with whom I have sought to dialogue have remained like stones, neither stirred to show loyalty to the collective decision of the people of their own country, nor to observe Allah's injunction that they should exhibit justice and fair play in all their dealings with their fellow man.

Appeals to their honour as officers and gentlemen of the gallant Nigerian Armed Forces, have fallen on deaf ears. Instead, they have resorted to the tactics of divide and rule, bribery and political perfidy, disinformation and black propaganda. They arrest everyone who disagrees with them. Even the 71-year-old hero of our Nation, Chief Anthony Enahoro was not spared.

How much longer can we all tolerate all this?

People of Nigeria, you are all witnesses that I have tried to climb the highest mountain, cross the deepest river and walk the longest mile in order to get these men to obey the will of our people. There is no humiliation I have not endured, no snare that has not been put into my path. No set-up that has not been designed for me, in my endeavour to use the path of peace to enforce the mandate that you bestowed on me one year ago.

It has been a long night. But the dawn is here. Today, People of Nigeria, I join you all in saying "Enough is Enough!"

We have endured 24 years of military rule in our 34 years of independence. Military rule has led to our Nation fighting a civil war with itself. Military rule has destabilized our Nation today as never before in its history. Military rule has impoverished our people and introduced a dreadful trade in drugs which has made our country's name an anathema in many parts of the world.

Even soccer fans going to watch the Green Eagles play in America are being made to suffer needlessly because Nigeria's name is linked with credit card fraud and "419".

Politically, military rule has torn to shreds the prestige due our country because of its size and population. The permanent seat at the United Nations Security Council that should be rightfully ours is all but lost. For who will vote for Nigeria to get the seat if Nigeria's military rulers do not respect the votes of their own people? Enough of military rule.

We are sickened to see people who have shown little or no personal achievement, either in building up private businesses, or making a success of any tangible thing, being placed in charge of the management of our Nation's economy, by rulers who are not accountable to anyone. Enough of square pegs in round holes.

We are tired of the military's repetitive tendency to experiment with our economy. Today, they say: "No Controls" Tomorrow, they say: "Full controls". The day after they say: "Fine tuning". The next day, they say: "Devaluation". A few days later they say: "Revalue the same Naira upwards again". Abi!

All we can see are the consequences of this permanent game of military "about-turns": high inflation; a huge budget deficit; and an enormous foreign debt repayment burden; dying industries; high unemployment; and a demoralized populace. Our youth, in particular, can see no hope on the horizon, and many can only dream of escaping from our

shores to join the Brain Drain. Is this the Nigeria we want?

We are plagued also by periodic balance of payment crises, which have led to a perennial shortage of essential drugs, that has turned our hospitals and clinics into mortuaries. A scarcity of books and equipment has rendered our institutions of higher learning into desolate deserts of ignorance.

Our factories are crying for machinery, spare parts and raw materials. But each day that passes, instead of these economic diseases being cured they are rather strengthened as an irrational allocation of foreign exchange based on favoritism and corruption becomes the order of the day.

Enough, oh enough of economic mismanagement!

People of Nigeria, during the election campaign last year, I presented you with a programme entitled "HOPE 93". This programme was aimed precisely at solving these economic problems that have demoralized us all. I toured every part of Nigeria to present this programme to you, the electorate. I was questioned on it at public rallies and press conferences and I had the privilege of incorporating into it much of the feedback that I obtained from the people.

Because you knew I would not only listen to you, but deliver superb results from the programme, you voted for me in your millions and gave me an overwhelming majority over my opponent.

To be precise, you gave me 58.4% of the popular vote, and a majority in 20 out of 30 States, plus the Federal Capital, Abuja. Not only that, you also enable me to fulfill the constitutional requirement that the winner should obtain $\frac{1}{2}$ of the votes in $\frac{2}{3}$ of the States. I am sure that, when you cast an eye on the moribund state of Nigeria today, you ask yourselves, "What have we done to deserve this, when we have a President-elect who can lead a government that can change things for the better?"

Our patience has come to an end, as of now, from this moment on a new Government of National Unity is in power throughout the length and breadth of the Federal Republic of Nigeria, led by me, Bashorun M.K.O. Abiola, as the President and Commander-in-Chief. The National Assembly is hereby reconvened. All the dismissed Governors of the States are reinstated. The State Assemblies are reconstituted, as are all Local Government Councils. I urge them to adopt a bi-partisan approach to all the issues that come before them. At the national level, a bi-partisan approach will be our guiding principle.

I call upon the usurper, General Sani Abacha, to announce his resignation forthwith, together with the rest of his illegal ruling Council. We are prepared to enter into negotiations with them to work out the mechanics for a smooth transition of power. I pledge that if they hand over quietly, they will be retired with all their entitlement, and their positions will be accorded all the respect due to them. For our objective is neither recrimination nor witch-hunting, but an enforcement of the will of the Nigerian people, as expressed in free elections conducted by the duly constituted authority of the time.

I hereby invoke the mandate bestowed upon me by my victory in the said election, to call on all Members of the Armed Forces and the Police, the Civil and Public Services throughout the Federal Republic of Nigeria, to obey only the Government of National Unity that is headed by me, your only elected President.

My Government of National Unity is the only legitimate constituted authority in the Federal Republic of Nigeria as of now.

People of Nigeria, these are the most challenging times in the history of our continent. Africa, and we in Nigeria must not allow ourselves to be left behind. Our struggle is the same as that waged by the people of South Africa, which has been successfully concluded, with the inauguration of Mr. Nelson Mandela as the first African President of that country.

Nelson Mandela fought to replace minority rule with majority rule. We in Nigeria are also fighting to replace minority rule, for we are ruled by only a tiny section of our Armed Forces. Like the South Africans, we want majority rule today; that is—rule only by those chosen by all the people of Nigeria as a whole in free and fair elections. The only difference between South Africa and Nigeria is that those who imposed minority rule on the majority were white, while the majority were black. But minority rule, whether it is black or white, remains minority rule, and must be bootied out.

I call on you, heroic people of Nigeria, to emulate the actions of your own brothers and sisters in South Africa and stand up as one people to throw away the yoke of minority rule forever.

The antics of every minority that oppresses the majority are always the same. They will try to intimidate you with threat of police action. But do not let us fear arrest.

In South Africa, so many people were arrested, during the Campaign Against the Pass Laws, for instance, that the jails could not hold all of them. Today, apartheid is gone forever. So let it be with Nigeria. Let us say goodbye for ever to minority rule by the military.

They talk of treason. But haven't they heard of the Rivonia treason trials in South Africa? Did those treason trials halt the march of history?

People of Nigeria, our time is now. You are the repository of power in this land. No-one can give you power. It is yours. Take it! From this day, show to the world that anyone who takes the people of Nigeria for fools is deceiving himself and will have the people to answer to.

God Bless you all.

Long Live the Federal Republic of Nigeria.
Long Live the Government of National Unity.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOUGHTON (at the request of Mr. MICHEL), for today after 2 p.m., on account of attending the christening of Amory Taylor Houghton.

SPECIAL ORDERS GRANTED

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

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

Mr. STEARNS, for 5 minutes, today.

Mr. WELDON, for 5 minutes, today and on June 23.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

Mr. RAMSTAD, for 5 minutes, today.

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Mr. FOLEY, for 5 minutes, today.

Mr. GEPHARDT, for 5 minutes, today.

Mr. LAUGHLIN, for 5 minutes, today.

Mr. FROST, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. REYNOLDS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. STEARNS) to include extraneous matter:)

Mr. SHAW.

Mr. FIELDS of Texas.

Mr. GOODLING.

Mr. HYDE.

Mr. LEWIS of California in two instances.

Mr. HOBSON.

Mr. STUMP.

Mrs. JOHNSON of Connecticut.

Mr. DREIER.

Mr. MCCOLLUM in two instances.

Mr. HEFLEY.

Mr. ROGERS.

(The following Members (at the request of Ms. KAPTUR) and to include extraneous matter:)

Mr. HAMILTON in two instances.

Mr. FORD of Michigan.

Mr. ORTIZ in two instances.

Mrs. BYRNE.

Mr. HOAGLAND.

Ms. WATERS.

Mr. CARDIN.

Mr. STARK.

Mr. KENNEDY.

Mr. BLACKWELL in two instances.

Mr. WILSON.

Mr. BACCHUS of Florida.

Mr. BROWN of California.

Mr. WHEAT.

Mr. OBEY.

Mr. TRAFICANT in two instances.

Mr. BARCIA of Michigan.

Mr. LANTOS in two instances.

Mr. MANN.

Mr. KLINK.

Mr. BARRETT of Wisconsin.

Ms. FURSE.

Mr. BISHOP.

Mr. ACKERMAN.

Mr. COSTELLO in five instances.

Mr. VALENTINE.

Mr. KASICH.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1183. An act to validate conveyances of certain lands in the State of California

that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

ADJOURNMENT

Mr. JEFFERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Thursday, June 23, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3409. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Packers and Stockyards Act, 1921, to provide for the establishment of a statutory trust for the benefit of livestock sellers to livestock dealers and market agencies buying on commission; to the Committee on Agriculture.

3410. A letter from the Secretary, Housing and Urban Development, transmitting a report entitled "Revised Methods of Providing Federal Funds for Public Housing Agencies," pursuant to Public Law 101-625, section 524 (104 Stat. 4215); to the Committee on Banking, Finance and Urban Affairs.

3411. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-254, "Repeat Offender Life Without Parole Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

3412. A letter from the Secretary of Health and Human Services, transmitting the final report on the validation and effectiveness study of legal representation through guardian ad litem, pursuant to 42 U.S.C. 5105 note; to the Committee on Education and Labor.

3413. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by E. Michael Southwick, of California, to be Ambassador to the Republic of Uganda, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3414. A letter from the Federal Housing Finance Board, transmitting the 1993 management reports of the 12 Federal Home Loan Banks and the Financing Corporation, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3415. A letter from the Librarian of Congress, transmitting the report of the activities of the Library of Congress, including the Copyright Office, for the fiscal year ending September 30, 1992, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

3416. A letter from the Administrator, General Services Administration, transmitting informational copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. STOKES: Committee on Appropriations, H.R. 4624. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-555). Referred to the Committee of the Whole House on the State of the Union.

Mr. BEILENSEN: Committee on Rules. House Resolution 461. Resolution waiving certain points of order against the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-556). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATEMAN:

H.R. 4622. A bill to authorize the Secretary of Transportation to convey for scrapping to the Mariner's Museum in Newport News, VA, a vessel in the National Defense Reserve Fleet that is scheduled to be scrapped; to the Committee on Merchant Marine and Fisheries.

By Mr. OBEY (for himself, Mr. SARPALIUS, Ms. SHEPHERD, Mr. BONIOR, Mr. WISE, and Mr. DERRICK):

H.R. 4623. A bill entitled, "The Anti-Hypocrisy Deficit Reduction Act," to provide for anti-hypocritical adjustments for fiscal year 1994; jointly, to the Committees on Government Operations and Appropriations.

By Mr. STOKES:

H.R. 4624. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1995, and for other purposes.

By Mr. BISHOP (for himself, Ms. LONG, Mr. HILLIARD, and Mr. KINGSTON):

H.R. 4625. A bill to make technical corrections to the Egg Products Inspection Act; to the Committee on Agriculture.

By Mr. CARDIN (for himself and Mr. ARCHER):

H.R. 4626. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of foreign source income of U.S.-owned multinational insurance agents and brokers; to the Committee on Ways and Means.

By Mr. CARR:

H.R. 4627. A bill to provide for the negotiation of prisoner transfer treaties in order to relieve overcrowding in Federal and State prisons; to the Committee on Foreign Affairs.

By Mr. DE LUGO:

H.R. 4628. A bill to amend the Harmonized Tariff Schedule of the United States to extend certain provisions relating to verification of wages and issuance of duty refund certificates to insular producers in the U.S. Virgin Islands, Guam, and American Samoa; and for other purposes; to the Committee on Ways and Means.

By Mr. KILDEE:

H.R. 4629. A bill to amend the Truth in Lending Act to impose a civil penalty on a

creditor under an open end consumer credit plan that engages in a pattern of unlawfully billing any obligator under the plan; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MINETA (by request):

H.R. 4630. A bill to amend title 23, United States Code, to improve safety at rail-highway grade crossings and railroad rights-of-way, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. ORTIZ:

H.R. 4631. A bill to direct the Secretary of the Interior to enter into negotiations on the Nueces River project, TX; to the Committee on Natural Resources.

By Mr. PETERSON of Florida:

H.R. 4632. A bill to establish a program to provide Federal payment to States for the operation of programs for long-term care services for needy individuals with disabilities, to amend the Internal Revenue Code of 1986 to revise the tax treatment of expenses for long-term care insurance and services, to reform standards for the long-term care insurance market, and for other purposes; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. WATERS, Mrs. MINK of Hawaii, Mr. WALSH, Mr. LAFALCE, Mrs. MEEK of Florida, Ms. PELOSI, Mr. FLAKE, Mr. EMERSON, Mr. BARRETT of Wisconsin, Mr. HUGHES, Mr. KLEIN, Mr. SCOTT, Mr. HILLIARD, Mr. PETE GEREN of Texas, Mr. BLACKWELL, Mr. SANDERS, Mr. FINGERHUT, Mr. JEFFERSON, and Mr. DELLUMS):

H.J. Res. 382. Joint resolution designating September 11, 1994, as "National Neonatal Nurses Day"; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California (for himself, Mr. BERMAN, Mr. SANDERS, Mr. MILLER of California, Mr. EDWARDS of California, Mr. TORRES, Mr. LAFALCE, and Mr. HINCHEY):

H. Con. Res. 257. Concurrent resolution commending the work of the U.S. Labor Attache Corps, and for other purposes; jointly, to the Committees on Foreign Affairs and Education and Labor.

By Mr. OBEY (for himself, Mr. SARPALIUS, Ms. SHEPHERD, Mr. BONIOR, Mr. WISE, and Mr. DERRICK):

H. Res. 460. Resolution providing for the consideration of the Anti-Hypocrisy Deficit Reduction Act of 1994 (H.R. 4623); to the Committee on Rules.

By Mr. BARTLETT of Maryland:

H. Res. 462. Resolution expressing the sense of the House of Representatives with respect to the funds needed to compensate for decreased revenues resulting from the implementation of the Uruguay round of the General Agreement on Tariffs and Trade; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. ROTH introduced a bill (H.R. 4633) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and on the Great Lakes and their tributary and connecting waters in trade with Canada for each of 2 barges; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1080: Mr. CASTLE.
 H.R. 1106: Mrs. UNSOELD.
 H.R. 1171: Mr. SANGMEISTER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. JACOBS.
 H.R. 1295: Mr. NEAL of North Carolina.
 H.R. 1349: Mr. SANDERS.
 H.R. 1815: Mr. BISHOP and Mr. GRAMS.
 H.R. 1843: Mr. GALLEGLY.
 H.R. 1961: Mr. FINGERHUT.
 H.R. 2207: Mr. HERGER.
 H.R. 2355: Mr. HUTCHINSON.
 H.R. 2467: Mr. WELDON.
 H.R. 2623: Mr. VISCLOSKEY and Mr. ROTH.
 H.R. 2710: Mr. FROST and Mr. SOLOMON.
 H.R. 2717: Mr. HALL of Texas, Mr. MOORHEAD, Mr. BAKER of California, Mr. POMBO, Mr. HERGER, Mr. PARKER, Mr. KYL, and Mr. DREIER.
 H.R. 2720: Mr. THOMPSON and Mr. DEFAZIO.
 H.R. 2741: Mr. SHAYS.
 H.R. 2759: Mr. THOMAS of California and Mr. PAXON.
 H.R. 2929: Mr. LUCAS.
 H.R. 3017: Mr. KLINK and Mrs. THURMAN.
 H.R. 3293: Mr. HOYER.
 H.R. 3397: Mr. HINCHEY, Mr. TALENT, and Mr. THOMPSON.
 H.R. 3439: Mr. HORN and Mr. FISH.
 H.R. 3475: Mr. MOORHEAD.
 H.R. 3490: Mr. HOYER and Mr. HALL of Texas.
 H.R. 3725: Mr. SOLOMON, Mr. BALLENGER, Mr. KLUG, and Mr. FIELDS of Texas.
 H.R. 3739: Mr. BURTON of Indiana and Mr. MILLER of Florida.
 H.R. 3785: Mr. ENGEL and Mr. EVANS.
 H.R. 3951: Mr. CRAMER, Mr. PICKETT, Mr. CONYERS, and Mr. HILLIARD.
 H.R. 4036: Mr. DELAY.
 H.R. 4118: Mr. FROST.
 H.R. 4124: Mr. BROWN of Ohio.
 H.R. 4142: Mr. WASHINGTON, Mr. SANDERS, Mr. PORTER, Mr. VISCLOSKEY, Mr. GALLEGLY, Mr. SERRANO, Mr. MCDERMOTT, and Mr. MORELLA.
 H.R. 4148: Mr. YATES.
 H.R. 4158: Mr. BOEHLERT.
 H.R. 4161: Mr. HEFLEY.
 H.R. 4238: Mr. FROST.
 H.R. 4260: Mr. NEAL of North Carolina, Mr. MURPHY, Mr. FROST, and Mr. PRICE of North Carolina.
 H.R. 4345: Mr. BONIOR.
 H.R. 4370: Mr. GUTIERREZ, Mr. TRAFICANT, Mr. RANGEL, Mr. RUSH, and Mr. REYNOLDS.
 H.R. 4384: Mr. COSTELLO, Mr. HILLIARD, Mrs. MORELLA, Mr. MORAN, and Mrs. UNSOELD.
 H.R. 4386: Mr. MANN, Mr. PETERSON of Florida, Mr. ENGEL, Mr. LAFALCE, Mr. INGLIS of South Carolina, Mr. MOAKLEY, and Mr. SYNAR.
 H.R. 4411: Mr. FOGLIETTA.
 H.R. 4412: Mr. SARPALIUS, Mr. OXLEY, and Mr. FAWELL.
 H.R. 4423: Ms. FURSE.
 H.R. 4464: Mr. ANDREWS of Texas, Mr. BACCHUS of Florida, Mr. BECERRA, Mrs. CLAYTON, Mr. COPPERSMITH, Mr. DELLUMS, Mr. DINGELL, Mr. DIXON, Mr. FARR, Mr. GEJDENSON, Mr. KLECZKA, Mr. MFUME, Mr. ROEMER, Mr. ROGERS, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. SAXTON, Mr. SCHUMER, Mr. SHARP, and Mr. HUGHES.
 H.R. 4493: Mr. DICKS.
 H.R. 4507: Mr. HUGHES.
 H.R. 4512: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. FROST.
 H.R. 4527: Mr. PARKER and Mr. BARTLETT of Maryland.

H.R. 4540: Mr. JACOBS and Mr. SYNAR.
 H.R. 4548: Mr. EHLERS.
 H.R. 4557: Mr. PARKER, Mr. GREENWOOD, Mr. EVERETT, and Mr. BLUTE.
 H.R. 4592: Mr. CALVERT.
 H.J. Res. 90: Mr. SPENCE, Mr. WISE, and Mr. TOWNS.
 H.J. Res. 131: Mr. LAUGHLIN.
 H.J. Res. 230: Mr. MCCOLLUM, Mr. RICHARDSON, Mr. TRAFICANT, Mr. BORSKI, Mr. MORAN, Mr. LEWIS of Georgia, Mr. FOGLIETTA, and Mr. HALL of Ohio.
 H.J. Res. 374: Mr. KREIDLER, Mr. COOPER, Mr. HOAGLAND, Ms. NORTON, Mrs. JOHNSON of Connecticut, and Mr. McNULTY.
 H.J. Res. 378: Mr. ANDREWS of Maine, Mr. TEJEDA, Mr. MANN, Mr. QUINN, Mr. LIPINSKI,

Mr. LEVY, Mr. SOLOMON, Mr. SAWYER, Mr. PETERSON of Florida, Mr. SYNAR, Mr. POSHARD, Mr. HALL of Texas, Mr. MACHTLEY, and Mr. MCHUGH.
 H. Con. Res. 148: Mr. CANADY and Mr. RUSH.
 H. Con. Res. 210: Mr. SANTORUM.
 H. Con. Res. 214: Mr. BERMAN.
 H. Con. Res. 247: Mr. McNULTY, Mr. VIS-CLOSKY, Mr. BROWN of Ohio, Mrs. ROUKEMA, Mr. SENSENBRENNER, Mr. BLUTE, Mr. ANDREWS of New Jersey, Mr. DELLUMS, Mr. TRAFICANT, Mr. LEVIN, Mr. COSTELLO, Mr. MACHTLEY, Mr. DOOLITTLE, Mr. OBERSTAR, Mr. GEJDENSON, Mrs. MORELLA, and Mr. GILMAN.
 H. Con. Res. 256: Mr. DORNAN and Mrs. BYRNE.

H. Res. 432: Mr. MCCLOSKEY, Mr. MEEHAN, Mr. WATT, Mrs. MORELLA, Mr. ABERCROMBIE, Mr. FROST, Mr. FILNER, Mr. JEFFERSON, Ms. WOOLSEY, Mr. BARRETT of Wisconsin, Mr. SCOTT, and Mr. VENTO.
 H. Res. 446: Mr. PARKER, Mr. POSHARD, Mrs. VUCANOVICH, Mr. HUTTO, and Mr. ORTIZ.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2866: Mr. STUPAK.