

NOT VOTING—7

Gephardt Kasich Schiff
Gonzalez LaTourette
Hilliard Lewis (KY)

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. SUNUNU, Chairman, pursuant to the order of the House of October 7, 1997, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to the order of the House of October 7, 1997, the previous question was considered as ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Land Sovereignty Protection Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The power to dispose of and make all needful rules and regulations governing lands belonging to the United States is vested in the Congress under article IV, section 3, of the Constitution.

(2) Some Federal land designations made pursuant to international agreements concern land use policies and regulations for lands belonging to the United States which under article IV, section 3, of the Constitution can only be implemented through laws enacted by the Congress.

(3) Some international land designations, such as those under the United States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations Scientific, Educational, and Cultural Organization, operate under independent national committees, such as the United States National Man and Biosphere Committee, which have no legislative directives or authorization from the Congress.

(4) Actions by the United States in making such designations may affect the use and value of nearby or intermixed non-Federal lands.

(5) The sovereignty of the States is a critical component of our Federal system of government and a bulwark against the unwise concentration of power.

(6) Private property rights are essential for the protection of freedom.

(7) Actions by the United States to designate lands belonging to the United States pursuant to international agreements in some cases conflict with congressional constitutional responsibilities and State sovereign capabilities.

(8) Actions by the President in applying certain international agreements to lands owned by the United States diminishes the authority of the Congress to make rules and regulations respecting these lands.

(b) PURPOSE.—The purposes of this Act are the following:

(1) To reaffirm the power of the Congress under article IV, section 3, of the Constitution over international agreements which concern disposal, management, and use of lands belonging to the United States.

(2) To protect State powers not reserved to the Federal Government under the Constitution from Federal actions designating lands pursuant to international agreements.

(3) To ensure that no United States citizen suffers any diminishment or loss of individual rights as a result of Federal actions designating lands pursuant to international agreements for purposes of imposing restrictions on use of those lands.

(4) To protect private interests in real property from diminishment as a result of Federal actions designating lands pursuant to international agreements.

(5) To provide a process under which the United States may, when desirable, designate lands pursuant to international agreements.

SEC. 3. CLARIFICATION OF CONGRESSIONAL ROLE IN WORLD HERITAGE SITE LISTING.

Section 401 of the National Historic Preservation Act Amendments of 1980 (Public Law 96-515; 94 Stat. 2987) is amended—

(1) in subsection (a) in the first sentence, by—

(A) striking "The Secretary" and inserting "Subject to subsections (b), (c), (d), and (e), the Secretary"; and

(B) inserting "(in this section referred to as the 'Convention')" after "1973"; and

(2) by adding at the end the following new subsections:

"(d)(1) The Secretary of the Interior may not nominate any lands owned by the United States for inclusion on the World Heritage List pursuant to the Convention, unless—

"(A) the Secretary finds with reasonable basis that commercially viable uses of the nominated lands, and commercially viable uses of other lands located within 10 miles of the nominated lands, in existence on the date of the nomination will not be adversely affected by inclusion of the lands on the World Heritage List, and publishes that finding;

"(B) the Secretary has submitted to the Congress a report describing—

"(i) natural resources associated with the lands referred to in subparagraph (A); and

"(ii) the impacts that inclusion of the nominated lands on the World Heritage List would have on existing and future uses of the nominated lands or other lands located within 10 miles of the nominated lands; and

"(C) the nomination is specifically authorized by a law enacted after the date of enactment of the American Land Sovereignty Protection Act and after the date of publication of a finding under subparagraph (A) for the nomination.

"(2) The President may submit to the Speaker of the House of Representatives and the President of the Senate a proposal for legislation authorizing such a nomination after publication of a finding under paragraph (1)(A) for the nomination.

"(e) The Secretary of the Interior shall object to the inclusion of any property in the United States on the list of World Heritage in Danger established under Article 11.4 of the Convention, unless—

"(1) the Secretary has submitted to the Speaker of the House of Representatives and the President of the Senate a report describing—

"(A) the necessity for including that property on the list;

"(B) the natural resources associated with the property; and

"(C) the impacts that inclusion of the property on the list would have on existing and future uses of the property and other property located within 10 miles of the property proposed for inclusion; and

"(2) the Secretary is specifically authorized to assent to the inclusion of the property on the list, by a joint resolution of the Congress after the date of submittal of the report required by paragraph (1)."

"(f) The Secretary of the Interior shall submit an annual report on each World Heritage Site within the United States to the Chairman and Ranking Minority member of the Committee on Resources of the House of Representatives and of the Committee on Energy and Natural Resources of the Senate, that contains for the year covered by the report the following information for the site:

"(1) An accounting of all money expended to manage the site.

"(2) A summary of Federal full time equivalent hours related to management of the site.

"(3) A list and explanation of all non-governmental organizations that contributed to the management of the site.

"(4) A summary and account of the disposition of complaints received by the Secretary related to management of the site."

SEC. 4. PROHIBITION AND TERMINATION OF UNAUTHORIZED UNITED NATIONS BIOSPHERE RESERVES.

Title IV of the National Historic Preservation Act Amendments of 1980 (16 U.S.C. 470a-1 et seq.) is amended by adding at the end the following new section:

"SEC. 403. (a) No Federal official may nominate any lands in the United States for designation as a Biosphere Reserve under the Man and Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization.

"(b) Any designation on or before the date of enactment of the American Land Sovereignty Protection Act of an area in the United States as a Biosphere Reserve under the Man and Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization shall not have, and shall not be given, any force or effect, unless the Biosphere Reserve—

"(1) is specifically authorized by a law enacted after that date of enactment and before December 31, 2000;

"(2) consists solely of lands that on that date of enactment are owned by the United States; and

"(3) is subject to a management plan that specifically ensures that the use of intermixed or adjacent non-Federal property is not limited or restricted as a result of that designation.

"(c) The Secretary of State shall submit an annual report on each Biosphere Reserve within the United States to the Chairman and Ranking Minority member of the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, that contains for the year covered by the report the following information for the reserve:

"(1) An accounting of all money expended to manage the reserve.

"(2) A summary of Federal full time equivalent hours related to management of the reserve.

"(3) A list and explanation of all non-governmental organizations that contributed to the management of the reserve.

"(4) A summary and account of the disposition of the complaints received by the Secretary related to management of the reserve."

SEC. 5. INTERNATIONAL AGREEMENTS IN GENERAL.

Title IV of the National Historic Preservation Act Amendments of 1980 (16 U.S.C. 470a-1 et seq.) is further amended by adding at the end the following new section:

"SEC. 404. (a) No Federal official may nominate, classify, or designate any lands owned by the United States and located within the United States for a special, including commercial, or restricted use under any international agreement unless such nomination, classification, or designation is specifically authorized by law. The President may from time to time submit to the Speaker of the House of Representatives and the President of the Senate proposals for legislation authorizing such a nomination, classification, or designation.

"(b) A nomination, classification, or designation, under any international agreement, of lands owned by a State or local government shall have no force or effect unless

the nomination, classification, or designation is specifically authorized by a law enacted by the State or local government, respectively.

“(c) A nomination, classification, or designation, under any international agreement, of privately owned lands shall have no force or effect without the written consent of the owner of the lands.

“(d) This section shall not apply to—

“(1) agreements established under section 16(a) of the North American Wetlands Conservation Act (16 U.S.C. 4413); and

“(2) conventions referred to in section 3(h)(3) of the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 712(2)).

“(e) In this section, the term ‘international agreement’ means any treaty, compact, executive agreement, convention, bilateral agreement, or multilateral agreement between the United States or any agency of the United States and any foreign entity or agency of any foreign entity, having a primary purpose of conserving, preserving, or protecting the terrestrial or marine environment, flora, or fauna.”.

SEC. 6. CLERICAL AMENDMENT.

Section 401(b) of the National Historic Preservation Act Amendments of 1980 (16 U.S.C. 470a-1(b)) is amended by striking “Committee on Natural Resources” and inserting “Committee on Resources”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. SOLOMON demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 236
affirmative } Nays 191

¶115.14 [Roll No. 504]
AYES—236

Aderholt	Chambliss	Ganske
Archer	Chenoweth	Gekas
Armey	Coble	Gibbons
Bachus	Coburn	Gillmor
Baesler	Collins	Goode
Baker	Combest	Goodlatte
Ballenger	Condit	Goodling
Barcia	Cook	Goss
Barr	Cooksey	Graham
Bartlett	Cox	Granger
Barton	Cramer	Green
Bass	Crane	Gutknecht
Bateman	Crapo	Hall (TX)
Berry	Cubin	Hansen
Bilbray	Cunningham	Hastert
Bilirakis	Danner	Hastings (WA)
Bishop	Davis (VA)	Hayworth
Bliley	Deal	Hefley
Blunt	DeLay	Herger
Boehkert	Diaz-Balart	Hill
Boehner	Dickey	Hilleary
Bonilla	Doolittle	Hobson
Bono	Doyle	Hoekstra
Boswell	Dreier	Holden
Brady	Duncan	Horn
Bryant	Dunn	Hostettler
Bunning	Edwards	Hulshof
Burr	Ehrlich	Hunter
Burton	Emerson	Hutchinson
Buyer	Ensign	Hyde
Callahan	Eversett	Inglis
Calvert	Ewing	Istook
Camp	Foley	Jenkins
Campbell	Forbes	John
Canady	Fowler	Johnson, Sam
Cannon	Fox	Jones
Chabot	Galleghy	Kasich

Kelly	Parker	Sisisky
Kim	Pascrell	Skeen
King (NY)	Paul	Skelton
Kingston	Paxon	Smith (MI)
Klink	Pease	Smith (NJ)
Knollenberg	Peterson (MN)	Smith (OR)
Kolbe	Peterson (PA)	Smith (TX)
LaHood	Petri	Smith, Linda
Largent	Pickering	Snowbarger
Latham	Pickett	Solomon
LaTourette	Pitts	Souder
Lazio	Pombo	Spence
Lewis (CA)	Pomeroy	Stearns
Linder	Portman	Stenholm
Livingston	Pryce (OH)	Stump
LoBiondo	Quinn	Sununu
Lucas	Radanovich	Talent
Manzullo	Ramstad	Tanner
Martinez	Rangel	Tauzin
McCollum	Redmond	Taylor (MS)
McCrery	Regula	Taylor (NC)
McDade	Riggs	Thomas
McHugh	Riley	Thornberry
McInnis	Roemer	Thune
McIntosh	Rogan	Tiahrt
McIntyre	Rogers	Trafigant
McKeon	Rohrabacher	Turner
Metcalfe	Ros-Lehtinen	Upton
Mica	Royce	Walsh
Miller (FL)	Ryun	Wamp
Moran (KS)	Salmon	Watkins
Myrick	Sandlin	Watts (OK)
Nethercutt	Sanford	Weldon (FL)
Neumann	Scarborough	Weldon (PA)
Ney	Schaefer, Dan	Weller
Northup	Schaffer, Bob	White
Norwood	Sensenbrenner	Whitfield
Nussle	Sessions	Wicker
Oberstar	Shadegg	Wolf
Oxley	Shaw	Young (AK)
Packard	Shimkus	Young (FL)
Pappas	Shuster	

NOES—191

Abercrombie	Filner	Markey
Ackerman	Flake	Mascara
Allen	Foglietta	Matsui
Andrews	Ford	McCarthy (MO)
Baldacci	Frank (MA)	McCarthy (NY)
Barrett (NE)	Franks (NJ)	McDermott
Barrett (WI)	Frelinghuysen	McGovern
Becerra	Frost	McHale
Bentsen	Furse	McKinney
Bereuter	Gejdenson	McNulty
Berman	Gilchrest	Meehan
Blagojevich	Gilman	Meek
Blumenauer	Gordon	Menendez
Boniior	Greenwood	Millender-
Borski	Gutierrez	McDonald
Boucher	Hall (OH)	Miller (CA)
Boyd	Hamilton	Minge
Brown (CA)	Harman	Mink
Brown (FL)	Hastings (FL)	Moakley
Brown (OH)	Hefner	Mollohan
Capps	Hinchev	Moran (VA)
Cardin	Hinojosa	Morella
Carson	Hooley	Murtha
Castle	Houghton	Nadler
Christensen	Hoyer	Neal
Clay	Jackson (IL)	Obey
Clayton	Jackson-Lee	Olver
Clement	(TX)	Ortiz
Clyburn	Jefferson	Owens
Conyers	Johnson (CT)	Pallone
Costello	Johnson (WI)	Pastor
Coyne	Johnson, E. B.	Payne
Cummings	Kanjorski	Pelosi
Davis (FL)	Kaptur	Porter
Davis (IL)	Kennedy (MA)	Poshard
DeFazio	Kennedy (RI)	Price (NC)
DeGette	Kennelly	Rahall
Delahunt	Kildee	Reyes
DeLauro	Kilpatrick	Rivers
Dellums	Kind (WI)	Rodriguez
Deutsch	Kleczka	Roukema
Dicks	Klug	Roybal-Allard
Dingell	Kucinich	Rush
Dixon	LaFalce	Sabo
Doggett	Lampson	Sanchez
Dooley	Lantos	Sanders
Ehlers	Leach	Sawyer
Engel	Levin	Saxton
English	Lewis (GA)	Schumer
Eshoo	Lipinski	Scott
Etheridge	Lofgren	Serrano
Evans	Lowe	Shays
Farr	Luther	Sherman
Fattah	Maloney (CT)	Skaggs
Fawell	Maloney (NY)	Slaughter
Fazio	Manton	Smith, Adam

Snyder	Thurman	Waxman
Spratt	Tierney	Wexler
Stabenow	Torres	Weygand
Stark	Towns	Wise
Stokes	Velazquez	Woolsey
Strickland	Vento	Wynn
Stupak	Visclosky	Yates
Tauscher	Waters	
Thompson	Watt (NC)	

NOT VOTING—6

Gephardt	Hilliard	Rothman
Gonzalez	Lewis (KY)	Schiff

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶115.15 WAIVING POINTS OF ORDER
AGAINST THE CONFERENCE REPORT TO
ACCOMPANY H.R. 261

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 261):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.
After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶115.16 VA AND HUD APPROPRIATIONS

Mr. LEWIS of California, pursuant to House Resolution 261, called up the following conference report (Rept. No. 105-297):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, namely: