

□ 1030

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule: Committee on Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on International Relations; Committee on the Judiciary; Committee on National Security; Committee on Resources; Committee on Science; Committee on Transportation and Infrastructure; and Committee on Veterans' Affairs.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. CHAMBLISS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION TO OFFER ADDITIONAL AMENDMENT DURING FURTHER CONSIDERATION OF H.R. 3662, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Mr. REGULA. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 3662, notwithstanding the order of the House of Wednesday, June 19, 1996, the gentleman from Michigan [Mr. STUPAK] be allowed to offer an amendment regarding the Pictured Rocks National Park to be debatable for 10 minutes, equally divided.

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

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 455 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3662.

□ 1032

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3662) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes, with Mr. BURTON of Indiana in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednes-

day, June 19, 1996, the bill had been read through page 80, line 4. Pending was amendment No. 28, offered by the gentleman from Vermont [Mr. SANDERS].

Pursuant to the order of the House of that day, the bill is considered read.

The text of the remainder of H.R. 3662, as amended pursuant to House Resolution 455, is as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided*, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally deter-

mined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*Sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93-638, 103-413, or 100-297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103-413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93-638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the VA-HUD and Independent Agencies fiscal year 1997 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 314. (a) 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.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims 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 the applicant by that date.

(c) PROCESSING SCHEDULE.—For those applications for patents pursuant to subsection (b) which were filed with the Secretary of the Interior, prior to September 30, 1994, the Secretary of the Interior shall—

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

(2) Take such actions as may be necessary to carry out such plan.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 315. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in the counties of Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

SEC. 316. Of the funds provided to the National Endowment for the Arts:

(a) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(b) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State, regional or local group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(c) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 317. The United States Forest Service approval of Alternative site 2 (ALT 2), issued on December 6, 1993, is hereby authorized and approved and shall be deemed to be consistent with, and permissible under, the terms of Public Law 100-696 (the Arizona-Idaho Conservation Act of 1988).

SEC. 318. None of the funds made available to the Department of the Interior or the Department of Agriculture by this or any other Act may be used to issue or implement final regulations, rules, or policies pursuant to title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over navigable waters transferred to the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska Statehood Act of 1959.

SEC. 319. No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 subpart D, 36 CFR 223

subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101-382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1997, the order issued under section 491(b)(2)(A) of Public Law 101-382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1997.

SEC. 320. Section 101(c) of Public Law 104-134 is amended as follows: Under the heading "Title III—General Provisions" amend section 315(f) by striking "September 30, 1998" and inserting in lieu thereof "September 30, 1999" and by striking "September 30, 2001" and inserting in lieu thereof "September 30, 2002".

This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1997".

The CHAIRMAN. Pursuant to the order of the House of June 19 and earlier today, no further amendments shall be in order except the following amendments, which shall be considered read, shall not be subject to amendment or to a demand for division of the question, and shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent:

An amendment by the gentleman from Vermont [Mr. SANDERS] regarding weatherization, for 20 minutes;

An amendment by the gentleman from Pennsylvania [Mr. FOX] regarding weatherization, for 10 minutes;

An amendment by the gentleman from Mississippi [Mr. PARKER] regarding weatherization, for 10 minutes;

An amendment by the gentleman from American Samoa [Mr. FALEOMAVAEGA] regarding the red squirrel, for 15 minutes;

An amendment by the gentleman from Michigan [Mr. HOEKSTRA] regarding the NEA, for 10 minutes;

An amendment by the gentleman from Arizona [Mr. SHADEGG] regarding the NEH, for 30 minutes;

An amendment by the gentleman from Wisconsin [Mr. KLUG] or another member regarding timber contracts, for 10 minutes;

An amendment by the gentleman from Oregon [Mr. DEFazio] regarding timber sourcing, for 10 minutes;

An amendment by the gentleman from Massachusetts [Mr. OLVER] regarding funding levels for codes and standards, for 10 minutes;

An amendment by the gentleman from California [Mr. CONDIT] regarding the Endangered Species Act, for 10 minutes;

An amendment by the gentleman from Vermont [Mr. SANDERS] regarding PILT, for 20 minutes;

An amendment by the gentlewoman from Oregon [Ms. FURSE] or the gentleman from Illinois [Mr. PORTER] regarding timber salvage, for 60 minutes;

An amendment by the gentleman from Minnesota [Mr. GUTKNECHT] regarding an across-the-board cut, for 20 minutes;

An amendment by the gentlewoman from Idaho [Mrs. CHENOWETH] regarding grizzly bears, for 10 minutes;

An amendment by the gentleman from Oklahoma [Mr. ISTOOK] regarding BIA, for 20 minutes;

An amendment by the gentleman from Illinois [Mr. YATES] regarding telecommunications, for 10 minutes; and

An amendment by the gentleman from Michigan [Mr. STUPAK] regarding Pictured Rocks National Park, for 10 minutes.

Pending is amendment No. 28 offered by the gentleman from Vermont [Mr. SANDERS].

Pursuant to the order of the House of Wednesday, June 19, 1996, the gentleman from Vermont [Mr. SANDERS] and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

For what purpose does the gentleman from Michigan [Mr. HOEKSTRA] rise?

Mr. HOEKSTRA. Mr. Chairman, I ask unanimous consent to call up my amendment out of order, to briefly explain that amendment and enter into a colloquy with the chairman of the subcommittee.

The CHAIRMAN. First of all, there is no order of amendments. Is the gentleman asking that his amendment be put ahead of other amendments that are currently pending?

Mr. HOEKSTRA. Yes, Mr. Chairman.

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

Mr. SANDERS. Mr. Chairman, reserving the right to object, I understand it is going to be a very short period of time, is that right?

Mr. HOEKSTRA. Mr. Chairman, if the gentleman will yield, it will be very short.

Mr. SANDERS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is the gentleman from Michigan offering his amendment or just seeking time?

Mr. HOEKSTRA. Mr. Chairman, I would like to offer the amendment.

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

Mr. DICKS. Reserving the right to object, Mr. Chairman, can the gentleman explain to me what is going to happen here? This is on the NEA amendment?

Mr. HOEKSTRA. Mr. Chairman, if the gentleman will yield, this is on the NEA amendment. I will offer the amendment. I will briefly explain the amendment. I will enter into a colloquy with the chairman of the subcommittee and I will withdraw the amendment.

Mr. DICKS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. Without objection, the Sanders amendment is temporarily

withdrawn and the gentleman from Michigan [Mr. HOEKSTRA] is recognized to offer his amendment.

AMENDMENT OFFERED BY MR. HOEKSTRA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. HOEKSTRA: In the item relating to "NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION", after the dollar amount, insert the following: "(reduced by \$31,500)".

The CHAIRMAN. Pursuant to the order of the House of Wednesday June 19, 1996, the gentleman from Michigan [Mr. HOEKSTRA] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Michigan [Mr. HOEKSTRA].

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

Mr. Chairman, I thank my colleagues on the other side of the aisle for allowing me to take my amendment out of order. I will make this brief.

We have been working on a project that we call the myth of the magical bureaucracy, and it deals with what bureaucrats and the bureaucracy in Washington are being asked to do in America. They are being asked to do a number of different things. We are talking about this city. We are talking about what has happened in this city where we have Independence Avenue, which in many cases now has become Dependence Avenue. It is the avenue that is full of bureaucracy that has moved decision making away from the American people and has moved the decision powers to here in Washington.

These buildings are staffed by what in many cases we call magical bureaucrats. We call them magical bureaucrats because we are asking them to do things which they were never equipped or able in power to do. Today we are talking about a bureaucrat who we have asked to become a film maker, a film maker for the National Endowment for the Arts. The problem that we have with this film maker, this bureaucrat within the National Endowment for the Arts, of the decision-making responsibilities that they have taken from the American people and how they have made these decisions.

Specifically, we want to just highlight one example. It is called the Watermelon Woman. In 1996, after years of debate about the types of arts that were being funded by the American taxpayers, the outrage at the National Endowment for the Arts continues. This film has been described as one of the hottest, as having some of the hottest sex scenes ever recorded on celluloid.

That is not the type of decision making that we want in Washington. It is the highlight of the myth of the magical bureaucrat that magical bureaucrats in Washington know more about

art than what the individual taxpayers do. The bill to the American taxpayer, the purchase price of the admission for a ticket to this movie, was \$31,500.

My amendment would have been a clear signal to the National Endowment for the Arts that this has to stop. Out of a \$99 million budget, \$99 million of bureaucrats describing what art is in America, it would have cut and said to the NEA obviously in 1996, you had \$31,500 to waste. In 1997, you are not going to get that money again.

After a colloquy with the subcommittee chairman, I will withdraw this amendment because of some other agreements and arrangements that have been made.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentleman from Texas.

Ms. JACKSON-LEE of Texas. Let me thank the gentleman at least for having certainly his right to challenge and acknowledge his concerns about the National Endowment for the Arts. Let me add my appreciation for the withdrawing of this amendment and only to say that I stand in support of the National Endowment for the Arts in its broadcast sense, in its independence and its recognition of the symphony and the ballet and the independent small arts groups that reach into the minority community.

Just a last point for the gentleman's kindness, that particular film, though I know raises many different perspectives, the Watermelon Woman was a highly acclaimed film that dealt seriously and realistically with the challenges faced by being a black woman in the entertainment industry. So I would ask indulgence to recognize the need for broad-based art and that we must consider the fact that the National Endowment for the Arts has a long-standing history in reaching to rural America, urban America and certainly to underserved Americans.

Mr. HOEKSTRA. Reclaiming my time, there is no doubt that the NEA has probably done some phenomenal things. I watched this movie, all right, 78 minutes, and I invite any of my colleagues to watch it as well. Describing this as art is using the term very, very loosely. I would not show it to my parents. I would not show it to my wife. I would not want my kids to see it. I do not think any of my friends would want to see it. And we paid for it.

Ms. JACKSON-LEE of Texas. We have had the occasion to have members of our staff review it and look at it, and I do know everything is in the eyes of the beholder. I would only offer to say that art is for those individuals in different categories, and it is received differently. I would simply say that we would have to view art in that manner protected by the first amendment. I appreciate the gentleman's assessment of that particular film, but there are other assessments of it as well.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HOEKSTRA] has expired.

Mr. REGULA. Mr. Chairman, I ask unanimous consent the gentleman from Michigan [Mr. HOEKSTRA] have 3 additional minutes.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 19, 1996, the time is controlled.

Without objection, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 3 additional minutes.

There was no objection.

Mr. HOEKSTRA. Mr. Chairman, I yield myself such time as I may consume for the purpose of a colloquy with my subcommittee chairman. I yield to the gentleman from Ohio [Mr. REGULA], the subcommittee chairman.

Mr. REGULA. Mr. Chairman, I appreciate the fact that the gentleman is going to withdraw the amendment, and I have not seen the film. I have read descriptions of it, and I think it probably represents an abuse of discretion in using Federal funds to provide support for this.

Obviously the first amendment runs to the right to free speech, but I do not think it necessarily means that in the use of public money that you can be careless in the way in which it is expended.

I might tell the gentleman in response to his concern that in this report, the following language appears: This appropriation is consistent, we are speaking of the amount that has been appropriated for the National Endowment for the Arts, which is the same for this year as it was in 1996. This appropriation is consistent with the agreement reached on the floor of the House during debate over the fiscal year 1996 Interior appropriation bill in terms of the proposed reauthorization by the House legislative committee of jurisdiction to phase out Federal funding for the National Endowment for the Arts over a 2-year period.

The committee has provided bill language to allow funds to remain available until expended and this gives them the flexibility to close out the agency. But an agreement was reached by our leadership to terminate the agency in 2 years, and this bill reflects that agreement.

Mr. HOEKSTRA. I thank the gentleman for that clarification, based on that agreement and recognizing the expectation that that agreement will take place Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] is withdrawn.

Will the gentleman from Vermont [Mr. SANDERS] reoffer his amendment?

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: In the item relating to "DEPARTMENT OF ENERGY—NAVAL PETROLEUM AND OIL SHALE RESERVES", after the dollar amount, insert the following: "(reduced by \$11,764,000)".

In the item relating to "DEPARTMENT OF ENERGY—ENERGY CONSERVATION", after each of the first, second, and third dollar amounts, insert the following "(increased by \$11,764,000)".

□ 1045

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 19, 1996, the gentleman from Vermont [Mr. SANDERS] will be recognized for 10 minutes and the gentleman from Ohio [Mr. REGULA] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

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

Mr. Chairman, I am pleased to be offering this amendment, along with its cosponsor, the gentleman from Maine [Mr. LONGLEY]. The amendment is very simple. It transfers \$11.764 million from the Naval Petroleum Reserve into the Low Income Weatherization Assistance Program. Last year the weatherization program was hit very hard and was slashed almost in half. Now this bill recommends an additional 10 percent cut on top of last year's decimating cut. Please join us in sending a message that the proposed cut is just too deep.

This is a compromise amendment. The administration requested an increase of funding to \$150 million. The committee recommends \$100 million. This amendment puts it at about \$112 million. The amendment is supported by a broad and varied coalition, the American Public Power Association, U.S. PIRG, the Environmental Defense Fund, and the National Community Action Foundation.

Weatherization funds save money. That is the important point to make. It is a very cost-effective program. Weatherization funds help pay for updating decrepit heating and cooling systems, identifying deadly carbon monoxide leaks and faulty fuel systems, insulating drafty homes, and educating homeowners on energy efficiency. Weatherization funds save money. It is a good, cost-effective investment.

Mr. Chairman, virtually every State in the Nation benefits from the weatherization program. Colder States like Vermont, Maine, and Wisconsin, where the weather gets 20 below zero, we save money and help our people; and warmer States like Louisiana and California and every place else in between also save money through the weatherization program.

Mr. Chairman, I am seriously concerned about the magnitude of cuts to low-income energy assistance. LIHEAP and weatherization have both been under attack. The sad fact is that many hard-working, low-income families and the elderly, many, many elderly people, utilize these programs very

effectively. Many of these people simply cannot afford to pay their energy bills and certainly cannot afford to pay for insulation or the needed repairs on their homes. These funds are particularly important to the elderly, whose more fragile health often cannot tolerate extreme temperature changes.

Let me say a few words about the Naval Petroleum Reserve. The NPR's operating funds go to running three oil fields which are jointly operated by the Government and Chevron. The productivity of these fields has been steadily declining since its peak in 1976. The President earmarked the NPR for sale in fiscal year 1997, indicating, "Producing oil and gas is a commercial, not a governmental activity, which is more appropriately performed by the private sector."

That is something that many of my friends on the other side I am sure agree with. Congress apparently agreed, because it passed legislation authorizing the sale of NPR by 1998. The budget resolution that we recently passed recommends that the sale occur as soon as possible.

Mr. Chairman, this is a very important amendment. There are millions of people in this country who simply do not have the resources to keep warm in the wintertime. They need help. Taking the money from the NPR is a good way to do that.

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

Mr. REGULA. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. THOMAS].

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

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

Mr. Chairman, I am not here to speak to the merits of weatherization or where the gentleman from Vermont wants to spend his money. I believe the chairman of the subcommittee may have some remarks directed to the weatherization programs. Rather, I want to focus on where the gentleman gets his money from.

Ever since I have been in Congress, I have represented Naval Petroleum Reserve No. 1 at Elk Hills. Since the mid-1970's, on order of then President Ford, the Naval Petroleum Reserve has been producing petroleum at the maximum efficient rate. That is, the Government has been trying to run it like a private oil field.

For years, beginning with the Reagan administration, there was suggestion that we sell Elk Hills, since we are producing it as though it were a private operation. We said then that we wanted to make sure that the taxpayers got the maximum benefit of selling this very important natural resource, and that it be sold, because we can maximize the removal of petroleum from the reserve if it is coordinated with all of the private sector holdings surrounding Elk Hills.

With the assistance of, in one of the better bipartisan efforts in the 104th Congress, the two gentlemen from Virginia, Mr. BATEMAN and Mr. SISISKY, we put together a procedure for selling Elk Hills. It calls on experts, a maximum of five, to determine the value. There is a procedure that we are going to go through that we all believe will produce the maximum dollar to the taxpayer in the selling of this asset.

There is a timeline we are operating under, and we have already cut from the 1995 level \$43 million, almost 25 percent of the total budget. It is the additional \$11 million that concerns us about our ability to maximize for the taxpayers the dollars in the sale of Elk Hills.

I have told you I have represented Elk Hills, and some folks may think I would be giving less than an objective view in analyzing what this amendment would do. Therefore, I would like to read to you from a Department of energy letter than I received late last night, signed by the Assistant Secretary for Fossil Energy. This is the Clinton administration addressing the Sanders amendment.

"The Sanders amendment would severely compromise the prospects for obtaining an appropriate sales price," The letter says.

"The proposed \$11 million reduction would eliminate new drilling activity in fiscal year 1997. That would produce \$14 million in reduced revenue in 1997 alone, and \$31 million in reduced revenue in 1998."

Now, let us say that you go ahead and spend that money for production, and, if you do, the Department chooses then to continue drilling at the field to preserve production. The letter says it will have to take the cut from other activities at the field, such as environmental compliance. If the field is not within its environmental compliance guidelines, it will be of less value to a purchaser.

In short, the letter says, the proposed funding reduction would have a cascading effect. The American taxpayers lose now in terms of revenues to the Government, and they would lose later in terms of the proceeds that go to the Federal treasury when this field is old.

In the old English saying, penny-wise and pound-foolish, the \$11 million removed from the Naval Petroleum Reserve is a classic example of that. Again, not speaking to the merits of weatherization, the administration agrees with me that taking \$11 million out of the Naval Petroleum Reserve costs the taxpayers immediately next year \$14 million, \$31 million in 1998, and untold millions to the taxpayers in sprucing up this property, getting it ready for a final sale.

I would tell the gentleman from Vermont that others could speak to the merits of the weatherization, but as far as where he gets his funding, I hope the House, if he proposes to offer this for a vote, would soundly reject the source for his funding.

Mr. SANDERS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER.]

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

Mr. Chairman, I rise in strong support of the amendment by my colleague from Vermont, Mr. SANDERS, which would increase funding for the weatherization program. This bill's cut in the weatherization program does not seem so bad at first glance. It proposes an 11 percent cut from last year. That is \$12 million, from \$112 million to \$100 million.

But we have to go back and look at the program as it was in fiscal year 1995, when it was \$215 million. So it already took a 48-percent cut in going from 1995 to 1996. Now you add another \$12 million, 11 percent on top of that. That is quite enough. That is much more than a fair share of cuts for a very important program.

Low-income households in Massachusetts depend heavily upon weatherization. More than 1,700 families get weatherization in my State, and these are working families. These are low-income working families and low-income elderly families. If the program is funded at \$100 million, there are going to be hundreds of homes that cannot be weatherized, and 90 percent of those households have incomes of less than \$15,000 a year. Proper weatherization of these homes saves these families an average of \$300 per year, and that is real money in the hands and pockets of very needy people.

The weatherization is a successful energy conservation program. The money spent pays for itself within 6 or 7 years, and from that time on every penny is pure savings that goes into the pockets of low-income elders and families in those communities.

In addition, this program complements the low-income home heating assistance program, the LIHEAP program, where LIHEAP provides energy to low-income households and weatherization conserves energy in those very same households.

So I urge my colleagues to support this weatherization and support the Sanders amendment.

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

The CHAIRMAN. The gentleman from Ohio is recognized for 5½ minutes.

Mr. REGULA. Mr. Chairman, I hope that as you evaluate both this amendment and the amendment by the gentleman from Mississippi [Mr. PARKER], that you give some thought to the importance of these two amendments to national policy. Weatherization is popular. It is popular with the people who get to do the jobs, to do the weatherizing, it is popular with the State administrators who get to parcel out the money, because this weatherization money goes out to the State and the State bureaucracy gets the pleasure of handing out our Federal dollars.

So it is popular, and it is billed as an environmental vote. But let me give you the downside of all of this. In the case of the Parker amendment on weatherization, it is going to hit the research that is being done in conservation of fuel. That has got to be popular, too, with the environmental groups. The technologies being developed will reduce pollution. It will give us fuel efficiency. It will clean up air. It will make our automobiles more fuel efficient and environmentally benign. Part of that money goes to develop a new generation of fuel-efficient automobiles, in partnership with the auto industry, and they are spending far more dollars than we are. It will give us turbines that are a lot more fuel efficient.

Do you want to trade those off for putting some storm doors on properties? Long term, the conservation research program will be far more beneficial, in terms of impact on all of the American people, as opposed to a handful that benefit from weatherization. I know it is popular, but we are talking about national public policy, and we should be thinking long term.

Now, the amendment that is before us right now takes the money out of the Naval Petroleum Reserve. We have decided to sell it. Well, if you are going to sell the house, you do not let the boiler and the electrical system deteriorate. You take care of the house until you sell it. That is what we are talking about here. If we take this money out of the Naval Petroleum Reserve, they will not be able to manage that property efficiently, and it will result in a loss of perhaps \$1 billion in the sale of this very, very valuable property.

Is that good management? No way. Keep in mind, we are the Board of Directors of the USA, and we have to make decisions that are important in terms of management of our resources, for all the people.

I do not want the taxpayers of this Nation to be deprived of a possible \$1 billion from the sale of the Naval Petroleum Reserve because we, here to get an environmental vote, decided to take the money out of that for weatherization for the next 12 months. Keep in mind that we need to take care of this property. We do not have a lot in here. We have the minimal amount to manage that property well until it is put up for sale, a sale that was determined by this Congress should be made.

So I think in both of these amendments we are running the risk of very bad policy, one on Parker in the case of conservation research. We have already taken a big cut out of it. We should not take more or we are going to damage a lot of very important programs to the people of the United States. In the case of the Sanders amendment, we are going to potentially reduce the value of the Naval Petroleum Reserve when we sell it in the near future by many millions of dollars.

□ 1100

Bad public policy. I know it has a great appeal to go home and say, I voted to put storm windows in for somebody or insulate the roof. That is all fine, and we already have \$100 million in this bill. It is not as if we short-changed weatherization; but to dump more money in it and, at the same time, get bad public policy, would be damaging to the long-term effort to develop fuel efficiency, to become independent of other countries. We are already getting half of our petroleum from overseas.

This Congress may in the future have to vote again to send our military people around the world to protect our oil supplies. Members should think about that when they vote on the Parker amendment, and think about the potential loss of value on the Naval Petroleum Reserve when they vote on the Sanders amendment. These will be coming up. They are rolled, and therefore, both of them, each in its own way, has a real downside.

I recognize, of course, the political appeal on weatherization. The administration said they strongly support weatherization but not at the expense of other energy programs. Let me say again, we have taken a real hit on energy. Let us not exacerbate the problem by voting for either of these amendments.

Let me urge all my colleagues to vote "no" on both of the weatherization amendments.

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

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise to support my colleague, the gentleman from Vermont [Mr. SANDERS], in his amendment.

Interestingly enough, he comes from way north and I come from the State of Texas. Weatherization programs start and begin with saving lives, and I appreciate my colleague's discussion of opposition on the value of national policy, but I do think it is important to emphasize a national policy of saving lives and, as well, ensuring that corrective measures are taken to provide heat in the winter and cooling in the summer.

Most of the weatherization dollars go into older communities, with older housing stock that, in fact, do not have the wherewithal to secure environmentally safe heating facilities as well as environmentally safe cooling facilities. Do we want to wait and see another long and harsh winter result in the terrible deaths that we saw in Chicago a few short years ago; or the terrible heat loss in my community a few short years ago as well?

This is an effective, fiscally responsible amendment. We should draw together and make sure we support the weatherization program in the best way possible to save lives.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. OBERSTAR].

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Chairman, 10,000 years ago the last glacier retreated from the North American continent, but every fall it stages a comeback and this year it lasted well into May, when we had 36 inches of ice still on the border lakes in my district with temperatures driven down to 60 below zero.

I want to say to my good friend from Ohio, who casually talked about this money going to some bureaucracy, this money goes to real people, people who are old and poor and hurt in the cold weather of northern Minnesota. If the gentleman thinks that is fun, try living up there on \$600 a month in a poorly insulated house when an individual has to choose between eating or heating.

I resent it. This program has been cut from \$900 million in 1981 to a bare \$100 million today. The gentleman talks about saving some Elk Hills Oil Petroleum Reserve and some national policy. National policy is people, people who are old and poor and who deserve to be helped, who deserve to have something better than a miserably cold winter and the choice of heating, eating, or suffering to death. We should not have that kind of choice in this society, and this is a paltry amount to be shifting into this program of weatherization and home heating assistance.

When we weatherize the home, we cut the heating assistance by 15 percent. We should support this amendment.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in support of the Sanders amendment, which will provide additional funding to the low-income weatherization program.

It is my understanding with regard to the NPR that the private industry sources say that they can cut operating costs between \$30 and \$40 million. So this \$11 million is indeed a paltry sum, as my colleague from Minnesota has talked about. This is not going to break the NPR. It is just not going to do that; that is a fallacy.

The weatherization program provides essential energy assistance, and it provides that in my State of Connecticut to the working poor, to the elderly, to the disabled, to low-income individuals. Without this help, many residents could not afford to heat their homes through the winter, and it gets cold in the State of Connecticut.

Weatherization projects protect the homes from elements and make them more energy efficient. It reduces the costs for these individuals and their families. Last year's support for the weatherization program took a big hit from its regular funding level, and de-

spite the President's request to raise funding of this program to \$150 million in 1997, this bill would slash weatherization by 60 percent from 1995 levels.

Let us pass the Sanders amendment, let us help working families.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Chairman, I am not surprised that some bureaucrat in the Energy Department, who is in charge of the Strategic Petroleum Reserve, would object to having a little money taken out of their program. That does not come as a surprise to me. The question is whether or not we ought to be spending that money a little more wisely.

I think that the amendment of the gentleman from Vermont [Mr. SANDERS] will provide us with the opportunity to do precisely that, spend that money a little bit more wisely. This money would take money out of that Naval Petroleum Reserve and put it into weatherization. For every dollar we spend on this weatherization program, we realize about \$1.62 in savings. This saves energy by weatherizing homes.

Of course, on the humanitarian level, which I think is even more critically important, it saves lives. It allows people who are living in cold climates and in uncomfortable conditions to live more comfortably by weatherizing their homes, and also increases their personal security thereby.

So in spite of the fact that someone who is in charge of this particular money now might object to having it go someplace else, I think it is in the best interests of the people of the country to take a little money out of NPR, put it into weatherization and thereby provide a lot more comfort and save some energy for this country.

Mr. SANDERS. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I will never forget running into a woman in Stevens Point in my district. She was about 90 years old. The only thing that kept her going was the fact that she was living in a home that was built for her by her husband as a wedding present when she was 22 years old.

She lived in a living room, a kitchen, and a bathroom. Everything else was boarded up. She slept on an old, beat-up couch. It was the weatherization program that made it possible for that woman to have some meaning in her life. For us to take that away, we ought to be ashamed of ourselves.

This amendment should pass. It is about time we put people ahead of theory. It is about time we put people ahead of nickles.

Mr. DOOLEY. Mr. Chairman, I ask unanimous consent that each side have 1 additional minute.

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

There was no objection.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, I rise in strong opposition to this amendment. Some of the prior speakers have said that they could understand why a Department of Energy bureaucrat would object to the cut of a little money. The bottom line is, there has already been \$43 million cut out of this budget. That is 23 percent below 1995.

That Department of Energy official maybe made a wise decision. They made a determination that by making this additional \$11 million in cuts it is going to reduce the value of a government asset that we are committing to sell. Tell me what businessperson in America would make a decision that would result in the diminishing of the economic value of an asset that they know that they are going to dispose of in the future.

That is the issue at hand here, that we might be finding \$11 million additional to go for heating assistance this year, but next year and the following year, when we have seen the diminishing of the value and fewer dollars that are going to be available for any program, we will have even greater difficulty in providing for some of these needs.

Vote "no" on this amendment. It is a poor decision.

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

Mr. Chairman, I would remind my friend that Chevron has stated that it could cut operating costs by a minimum of \$30 to \$40 million and extend its producing life, which would ultimately boost revenues.

Most importantly, Mr. Chairman, what we are talking about is that in this great country, the United States of America, there are millions of people who face cold in the wintertime. This is not a question of putting storm windows on; this is a question of maintaining a shred of dignity for low-income senior citizens who just do not have enough money to keep their homes warm and who are living in houses where all of the warmth is running out of deteriorating roofs and walls.

What kind of society are we when we cannot take care of and keep warm the weakest and most vulnerable amongst us? We are talking about \$11 million, that is all we are talking about, to keep people warm in America, to keep people from dying in Chicago when the weather there goes above 100 degrees. I do not think that is asking too much.

Mrs. KENNELLY. Mr. Chairman, I rise in support of the Sanders amendment to increase funding for the Low-Income Weatherization Program.

Everyone in this body agrees that Government works best when it helps people solve problems in a cost-effective, commonsense way. Low-income weatherization does that—helping people to conserve energy and preserve their limited incomes.

Because of weatherization, millions of American families do not have to choose between

paying high energy bills and paying for food and shelter. This program is particularly important to Connecticut, which has some of the highest heating costs in the Nation. For people in my State, weatherization is proof that Government can make a positive difference in people's lives.

The Sanders amendment correctly recognizes that any national energy policy must ensure that families are not forced to use more energy than they need or can afford. And by keeping weatherization at last year's levels, this amendment rightfully reflects the difficult funding climate in which we operate.

When we are debating a \$12 billion bill, \$12 million may not sound like a lot of money. But to the families in Connecticut who will benefit from weatherization, this extra funding is precisely the support they need.

I urge my colleagues to support the Sanders amendment to restore funding for weatherization.

Mr. TORKILDSEN. Mr. Chairman, I rise in strong support of the Sanders-Longley amendment to restore much-needed weatherization assistance funds.

My constituents in northeastern Massachusetts and elsewhere in New England suffer from brutal winters that sap household budgets, as they seek to adequately heat their homes.

Two programs help keep low-income homes warm during these months, LIHEAP and the Weatherization Assistance Program. Both have proven to save not only energy dollars, but public health dollars. Studies continue to show that low-income people, particularly the elderly, will sacrifice food and other necessities to heat their homes in the winter. The average income of those receiving weatherization assistance is \$7,641.

This amendment is not asking for an increase—just level funding. In exchange, families in my district are able to remain self-sufficient, keeping them off public assistance, out of hospital emergency rooms and working at their jobs. In an era of shrinking Federal dollars, LIHEAP and the Weatherization Assistance Program are cost-effective prevention programs that deserve our continued support.

I urge my colleagues to support the Sanders-Longley amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

Mr. SANDERS. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 455, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments?

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

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

There was no objection.

Mr. YATES. Mr. Chairman, I take this time in order to have a colloquy

with my good friend, the chairman of the committee, with respect to a telecommunications issue in our bill.

The gentleman will recall that I offered an amendment in committee in an effort to make sure that the huge antennas which are necessary for telecommunications would not be constructed in national parks, wildlife refuges, or national forests or places where the public finds enjoyment.

I planned to reoffer this amendment today but, in the interest of time, I will not offer that amendment if I can have the assurance of the chairman that language will be placed in the statement of the managers for this bill directing the Department of the Interior and the Forest Service to promulgate rules assuring public comment on the placement of telecommunications devices on park, refuge, and Forest Service land. Will the chairman agree to that?

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

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

Mr. REGULA. Mr. Chairman, it is my understanding that this language would not be inconsistent with the telecommunications bill; that there is a provision for public comment, and I think that we should have language in the statement of managers that reinforces what I have been advised is part of that bill.

I think what the gentleman is talking about is very important, because these facilities can be placed on our public lands, parks, and forests, grazing lands, wherever Fish and Wildlife facilities are, and I think allowing for public comment ensures that it will not be detrimental to the public's right to use those facilities.

I would certainly think we would consider that in conference.

Mr. YATES. Mr. Chairman, I thank the gentleman.

AMENDMENT OFFERED BY MR. SHADEGG

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHADEGG: In the item relating to "OTHER RELATED AGENCIES—NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES—NATIONAL ENDOWMENT FOR THE HUMANITIES—GRANTS AND ADMINISTRATION", strike "\$92,994,000" and insert "\$80,000,000, of which at least \$28,000,000 be used for state grants."

The CHAIRMAN. Is there a Member who wishes to be recognized in opposition to the amendment?

Mr. YATES. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Arizona [Mr. SHADEGG] will be recognized for 15 minutes and the gentleman from Illinois [Mr. YATES] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Arizona [Mr. SHADEGG].

□ 1115

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

Last year this Congress made a commitment to fulfill its obligation to balance the Federal budget. We face a \$5.2 trillion debt and a \$153 billion deficit. Our commitment was to reduce the subsidy that we provide to the National Endowment for the Arts and the National Endowment for the Humanities. I rise to offer an amendment which fulfills that commitment.

Last year former Secretary of Education Bill Bennett testified before this Congress that we should eliminate the funding for the National Endowment for the Humanities. And former Secretary Lynne Cheney, who headed the National Endowment for the Humanities, also has called for an ending of this Federal subsidy of the humanities.

Many Members of this Congress, Mr. Chairman, campaigned on a promise to balance the Federal budget and to end spending in areas where we cannot afford to continue to spend. As worthy as support of the humanities may be, and this is not about that issue, we simply can no longer afford to continue to subsidize the humanities.

My amendment takes a modest step in that direction. It fulfills the promise we made last year. The bill before us makes a mere 5 percent cut in the funding for National Endowment for the Humanities. At that rate, Mr. Chairman, it will take us 19 years to fulfill our promise to end the subsidy to the National Endowment for the Humanities. Instead of doing that, this amendment offers an increase in that figure. It is a 12-percent reduction in the funding and the subsidy by the Federal Government to the National Endowment for the Humanities. The current subsidy is \$110.5 million a year. The bill would reduce that by a mere \$6 million a year, taking the figure to \$104.25 million. That is a reduction of only, as I said, 5 percent. Instead of that, I suggested we make more progress on fulfilling our promise to phase out this Federal subsidy of the humanities. We cannot achieve it at the pace we are pursuing. Therefore, this amendment cuts \$12.9 million.

It is important, Mr. Chairman, to note that this cut of \$12.9 million is taken from administration and grants, but is not, Mr. Chairman, taken from State grants. That is, it would come totally out of the Federal portion and would not reduce the amount of the subsidy which the Federal Government provides to the various States for the humanities.

This is a modest proposal which, I suggest, Mr. Chairman, is desperately needed. It fulfills a promise we made to the American people to end the subsidization of the humanities.

I might point out, Mr. Chairman, that during the debate last year, the concern was that the money would not be there to support the humanities if the Federal Government did not do that. In fact, the facts are quite the contrary. Just within the last few months, *Philanthropy News Digest* has reported more than \$50 million given

by foundations to support the humanities in America.

Mr. Chairman, the debate is not about the importance of the humanities to our culture. The debate is about whether or not we can afford to continue to subsidize at the Federal level the National Endowment for the Humanities when the private sector is clearly fulfilling that obligation.

I urge my colleagues to join me and to support this modest amendment to keep our promise, the promise agreed to that we would phase out funding for the National Endowment for the Humanities, that is, the Federal subsidy, over a period of 3 years.

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 gentleman is entirely wrong in connection with his assertions about the lack of importance of the National Endowment for the Humanities in our Government and in our social structure.

Cutting the NEH is the wrong place to balance the budget, may I say to the gentleman. I would also say to the gentleman that the agreement that was reached last year by the leaders of his party was with respect to the National Endowment for the Arts. There was no agreement which looked to the elimination of the National Endowment for the Humanities.

I have checked that very closely in the CONGRESSIONAL RECORD with Members who were at the formation of that agreement in the meeting by the leadership of the gentleman's committee. They inform me that their agreement was limited to the National Endowment for the Arts.

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

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

Mr. SHADEGG. Mr. Chairman, you are quite correct. No formal agreement was instituted between the parties on precisely how we would phase out.

Mr. YATES. Mr. Chairman, not between the parties, within the gentleman's own party. And there was no agreement with the Democratic Party.

Mr. SHADEGG. Mr. Chairman, if the gentleman will continue to yield, the reference I make is to the fact that many members of this committee, in opposing the Chabot amendment last year, which would have zeroed the funding for the National Endowment for the Humanities, took to the floor and said they supported the position of phasing out the funding over a 3-year period. I have their testimony here from that debate a year ago.

Those committee members stood and said, I agree, we should phase it out over 3 years, I can read the gentleman their testimony, and on that basis oppose the elimination over a 1-year period. For that reason my amendment simply proposes to keep pace with a phaseout over three years and not to eliminate in 1 year.

Mr. YATES. Mr. Chairman, will the gentleman respond to my question. Where is the agreement? This is a statement by Members during the course of the debate indicating they were opposed to the continuation of the National Endowment for the Humanities. That figures. There are a number of Members of the House who are opposed to it.

But I would point out to the gentleman that with respect to his amendment and the amendment offered last year by the gentleman from Ohio [Mr. CHABOT], who sought to eliminate the humanities in its entirety, that this amendment was voted down by the House.

I suggest to the gentleman that the reason for that is because the majority of the House, in both parties, believes that the humanities is a necessary part, not only of our Government but of our social structure. It is the leader of the culture, if my colleague will permit me to use that phrase, for the study of the past.

I do not know that the gentleman has studied the works of the National Endowment for the Humanities. It is an organization that I think has a very necessary purpose. It trains teachers in history and other social studies during the summer. Over 400,000 students in the country received the benefit of the training that those teachers have received.

The National Endowment for the Humanities is the leader in the effort made by practically every university in the country and every library in the country to save our very valuable books and newspapers, which are in danger of dying as a result of the deterioration of the paper upon which they are printed.

The humanities is the leader in the formation of studies of the projects, of the papers of George Washington, the papers of Thomas Jefferson, of Benjamin Franklin, of Adams, of Madison, of Ulysses S. Grant, of Eisenhower, of Thomas Edison.

So I say to the gentleman that I would think it would be catastrophic, and I use that word deliberately, I think it would be catastrophic to the best interests of education in our country if the humanities were to be cut further by the gentleman's amendment.

The humanities was cut by 36 percent last year. We were cognizant of that in our committee when we established the level of appropriation for the humanities this year. I would hope that the gentleman's amendment does not succeed.

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

Mr. SHADEGG. Mr. Chairman, I yield 3 minutes to the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from Arizona for yielding me the time.

Mr. Chairman, the National Endowment for the Humanities, although ini-

tially started with well-intentioned goals, has become an agency that caters to the liberal, academic elitists and to that end it wastes taxpayers' money.

Lynne Cheney, former chairman of the National Endowment for the Humanities under Presidents Reagan and Bush, has stated that the NEH has become a political haven for the liberal and social elite by funding studies that instead of searching for academic excellence, they explore liberal social engineering.

I think that it is a worthy cause to study the papers of George Washington and other great founders and great people of this country, but I have to point out to the gentleman from Illinois [Mr. YATES] that George Washington's home, Mount Vernon, is operated completely under private auspices. The Government is not involved in Mount Vernon. It attracts innumerable visitors every year.

Aside from the solid constitutional arguments against congressional authority to fund such agencies and the mere question, is this a proper function of the Federal Government to involve itself in, it totally unreasonable to expect the American taxpayer to pay for studies with little or no practical application. We all must remember that the Federal Government should not be in the business of funding those who wish to promote a certain agenda.

However, the NEH has ignored this point by approving grants for programs such as a \$34,000 study of the representation of gender and sexuality in opera and the \$4.9 million program of Chairman Sheldon Hackney's pet project entitled, "A National Conversation on American Pluralism and Diversity."

Mr. Chairman, with the median family income in this country of \$40,000 and the median family income in the upper reaches of my district of only \$19,000 and with out children facing a massive debt in the future, how can we, in good conscience, justify spending money on studies in which the only purpose is a Federal feel good agenda?

We simply cannot do that, Mr. Chairman. The NEH clearly needs to be sent a message. This amendment will do just that.

Let us follow the leadership of Lynne Cheney and tell the NEH, if they cannot responsibly spend taxpayer money, then they should know that this type of behavior will not be tolerated. I urge a "yes" vote on this amendment.

Mr. YATES. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, we are being sold a basic intellectual fallacy in the gentleman's argument this morning, that because private philanthropy is doing a lot, we should assume that it can do it all. That does not follow.

What really is at issue in this amendment, which by its own author's description is merely the next step down

the road to eliminating the National Endowment for the Humanities, is the absurd proposition that this great Nation of ours will commit cultural suicide, that we will completely eliminate Federal support for one of the most fundamental needs of an informed democratic society, which is to understand its past.

If that has no practical application, God help us. If we really propose to enter the next century having burned the records almost literally by not attending to their preservation, where are our roots? Where is our grasp of the ideas that are important to this land? That is what is at stake here. Are we going to take the next step to divorce ourselves from the heritage of ideas on which the Nation is built and must grow?

It makes absolutely no sense to talk about practicality here. If it did, why fund the National Science Foundation in basic research? The programs at NEA are the basic research ingredients of the ability of the American people to know where they have come from and, in knowing where they have come from, to have a better idea of where we should be headed. To intentionally, consciously, deliberately, knowingly try to undermine that core need of any civilization, should shock our sense of what is right, our sense of values about our country.

Now, I am delighted at the willingness of private philanthropy to do a little bit more, but no one should be under any illusion that the kinds of things that the National Endowment for the Humanities has as its core responsibility can possibly be undertaken by private philanthropy in this country.

As the gentleman from Illinois has pointed out, the preservation of the records of the country, our newspapers, our books, the bringing together of the papers of the founders and the leaders of our country, politically, culturally, scientifically, this is what this is about.

□ 1130

Mr. Chairman, for us to go further, we should be adding funds for the Endowment. We are impoverished in this country in our ability to really understand what this civilization, what this great Nation, is about. We are not overfunded. We see that every day in our lives in our districts where there is less and less interest and attention being paid to the ongoing public business of America, in part because we do not understand how we got here.

Mr. Chairman, let us not make that problem worse. Defeat this ill-conceived amendment.

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

Mr. Chairman, I think the testimony of the last speaker points out a fundamental disagreement. His premise is that without government funding of this National Endowment, we will forget our history and we will forget our

ideas. That is simply wrong, and it is a fundamental disagreement between this side and that side.

I would remind the gentleman that before 1965, when the National Endowment for the Humanities was established, we were not forgetting our ideas or our history, nor were we underfunding the research in those areas. I suggest the gentleman's assertion that we need to do this in the Federal Government is simply wrong.

Mr. Chairman, I yield 30 seconds to the gentleman from Ohio [Mr. REGULA], the chairman of the subcommittee.

Mr. REGULA. Mr. Chairman, I simply rise to point out to our colleagues on our side of the aisle that I have received a letter from 31 of the Republican Members supporting the \$110 million that is in the bill, and I think in fairness we just want to make that information known to the Members on our side.

Mr. YATES. Mr. Chairman, I yield myself 1 minute in order to read to the gentleman from Arizona [Mr. SHADEGG] and to the gentlewoman from Idaho [Mrs. CHENOWETH] a statement that was made by Bill Bennett when he was chairman of the National Endowment for the Humanities. He said this:

I would say the same Founding Fathers, although they did not have or sponsor a National Endowment for the Humanities, would support the notion of a modest endowment that truly recognized the importance of the humanities to national life. James Madison says that he sees the vision of the future as that of learning and liberty leaning on each other. Learned institutions are the favorite objects of free people, says Madison. That is the justification I want to go back to: An endowment that really does help its citizenry appreciate the intellectual roots of this country, that fosters creativity, imagination, critical thinking about issues that matter, that brings them to an appreciation of art, literature, philosophy. That does have a place in Federal Government and a modest role. It has to do its job. It can't be sloppy. But if it takes its responsibilities seriously, it is well worth supporting, because that is one of the sources of our strength as a Nation, and a Nation, and a source of great pride.

That was the statement by Bill Bennett while he was chairman of the Endowment. He did change his mind when he was out of office and the Democrats were in control, I would say to the gentleman.

Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I want to rise in strong opposition. I have been a strong supporter of the humanities. This is one of those programs where basically most of the activity occurs out at the State level, and we thought the new majority party was interested in restoring power and restoring programs to our local areas, and if we cannot spend this small amount of money compared to what other countries spend, on our history, our civilization, our culture; I mean I think it is just a tremendous mistake.

So I would urge my colleagues to vote against this amendment, to sup-

port the money in the bill which is there for humanities, and to support the gentleman from Illinois [Mr. YATES] and the gentleman from Ohio [Mr. REGULA]. I think we have worked out a good agreement.

I do not like the cut that has been made thus far. I think it is too severe. But, please, do not adopt this amendment.

Mr. SHADEGG. Perhaps the gentleman was absent from the floor and does not understand the amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. HOSTETTLER].

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Mr. Chairman, I rise today on behalf of all of the people in my district who repeatedly are left scratching their heads over some of the ridiculous things the Federal Government spends their tax dollars on.

I am talking about the National Endowment for Humanities and I am in support of the gentleman's amendment. Mr. Chairman, how, when faced with a \$5 trillion national debt that continues to grow, can we continue to spend money on projects like these:

Sex and gender in the middle ages, 1150-1450. This course received \$135,000. Let me give a free lesson here and save the money—there were men—and there were women. The fact that we are here today lets us assume some of them had conjugal relations.

Representation of gender and sexuality in opera. This course received \$34,000. There's another hint: The sopranos are usually women. The bass voices are men—no charge.

Here is another example of NEH handiwork. The organization decided to grant taxpayer dollars to fund a proposal by the National Center for History in the Schools. Here is some of what this proposal, which is part of Goals 2000, does:

It has plenty of references to Madonna and MTV, but leaves out any mention of George Washington, D-day, the Moon landing and the Gettysburg Address. Diversity is the main theme of the standards, while liberty and prosperity are not even mentioned.

A few years back, Madonna stayed in Evansville, which is in my district. She was filming "A League of Their Own." Madonna decided to repay the city's hospitality by criticizing it apparently because it was not racy enough for her tastes. Not only does Madonna insult Evansville, she insults all standards of decency and good taste. Yet this NEH proposal mentions her more than George Washington. Historical standards that elevate Madonna over Thomas Edison present an inaccurate and distorted characterization of U.S. history. She should not be promoted at taxpayer expense, let alone at the expense of Thomas Jefferson, Albert Einstein, and Paul Revere.

Our children deserve standards that instill in them a sense of their country's unique place in history, both as a

model of freedom aspired to by peoples around the world and as a magnet for those seeking freedom and prosperity. There is nothing wrong with learning about mistakes of the past, but these standards would do nothing more than establish a revisionist history. And that is what the NEH is pushing, a revisionist "I am sorry for being American" world view. That is not what the taxpayers of this country want. We should do away with this liberal icon, dedicated to the proposition of promoting shallow pop culture and political correctness to the exclusion of substantive, foundational American history.

Mr. Chairman, I do not doubt that these topics are of interest to some people, and I don't mean to belittle their academic interest, but this is the entire point. The means to determine the merit of such things is entirely subjective, so you have a situation where you are guaranteed to be spending taxpayer dollars on things that huge numbers of taxpayers want nothing to do with. When we have to make the tough decisions about how to deal with a more than \$5 trillion national debt, we had better be able to see that places like this are where we must start. There are so many private foundations and other private donors who give money for worthy causes. If no one can be found who thinks a particular project is worthwhile, why should the U.S. taxpayer then have to pay for it? We need to be fiscally responsible. We need to balance the budget.

Mr. SHADEGG. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Chairman, I rise in strong support of the amendment offered by my friend from Arizona, Mr. SHADEGG. It is consistent with the assurances given during last year's debate that we will take the appropriate steps to phase out taxpayer funding in the National Endowment for the Humanities over a 3-year period. The rather modest reduction proposed in the bill does not appear to be consistent with that assurance that this would be phased out over 3 years.

During last year's consideration of the Interior appropriation bill, I had offered an amendment that would have zeroed out funding for the NEH, but a lot of Members did not support that with an assurance that this would be phased out in 3 years, and that 3-year phaseout seems to be, at best, stalled, and that is one of the reasons we should support Mr. SHADEGG'S amendment.

Mr. Chairman, let us take a look at the National Endowment for the Humanities, and I am not going to argue that it does not do anything that is good, but there are an awful lot of wasteful things done with the American people's tax dollars. It is important to note some of the things.

For example, who can forget the Endowment's \$1.7 million national conversation kit designed to teach Ameri-

cans how to talk to one another? That was a kit that encouraged all of us to watch this little known movie called "Casablanca." It was a good movie, but most of us had figured out long before the NEH told us about it that "Casablanca" was a good movie.

And how about the \$135,000 handout to a couple of dozen college professors so that they could take a summer trip to Chicago to talk about sex and gender in the middle ages?

Or that \$400,000 grant to a UCLA academic who produced something called the Art of Being Cuna, which I am told is an expressive culture of some islands down in Panama? Fine. But do not take the money out of the hardworking pockets of the American people and the people of my district in Cincinnati to pay for that stuff. If people want to fund it privately, fine, but do not take our hardearned tax dollars to do this.

Mr. Chairman, there are an awful lot of things we need to fund. We are serious about balancing the budget. Support Mr. SHADEGG' amendment.

Mr. SHADEGG. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. CORBURN].

Mr. CORBURN. Mr. Chairman, I wanted to respond to something that the gentleman from Washington had to say. The question was asked whether or not we could afford this. Of course, we can afford this. But that is not the question. The question is: Can our children afford it? The ones that are going to pay back the debt?

Even if there was nothing controversial within NEH, we should not spend money we do not have on a program that is not of human necessity, and that is the question. We lose sight of the fact that we are spending our children and grandchildren's money on something the majority of which, throughout the rest of this country, is done through philanthropy.

Can we afford it? Absolutely we can afford it. Can we do it? Yes. Should we do it? Absolutely not.

I support the amendment and would ask my colleagues to support it as their vote.

Mr. YATES. Mr. Chairman, I yield 30 seconds to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I appreciate the gentleman for yielding this time to me, and I want to correct myself. The gentleman, Mr. SHADEGG'S, amendment does not eliminate funding for the National Endowment for the Humanities, it just reduces it by \$13 million. But we have already dramatically reduced this program, I think almost by 50 percent, and I think to cut it further would be a very serious mistake.

I would say to the gentleman who was just in the well: I am not sure; he said the National Endowment for the Arts. I assume he meant the National Endowment for the Humanities.

But if we cannot spend a small amount of money to understand our history and civilization, I think that is a tragic mistake.

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

Mr. Chairman, I thank the gentleman from Washington [Mr. DICKS] for setting the record straight with regard to the amendment. It does propose simply a modest cut.

Mr. Chairman, it appalls me. Too many people on the floor of this Congress fail to understand the power of taxation. The power of taxation is the power to put a gun at the heads of the American people and take money from them.

□ 1145

The average American in this Nation earns somewhere between \$20,000 and \$30,000 a year. For us to be taking money from them to subsidize the National Endowment for the Humanities, when we face a \$153 billion deficit and a \$5.2 trillion deficit and when funding from the private sector is abundant, \$50 million in funding just in the last few years, Mr. Chairman; by 1992 there were 36,000 philanthropic foundations with \$176.8 billion in assets and \$10.2 billion in grants in this country for the humanities.

I suggest we cannot continue to subsidize the humanities, and this is a reasonable proposal that keeps us on schedule with a 3-year phaseout, the kind of agreement we made with this Nation. It is not a radical proposal to eliminate the funding for this, even though a case can be made for that. It is, rather, a suggestion that we keep faith with the American people and we quit using the gun at their head to redistribute income for worthy purposes like the humanities, when the private sector can, Mr. Chairman, and is doing it. I urge my colleagues to support the amendment.

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

The CHAIRMAN. The gentleman from Montana [Mr. WILLIAMS] is recognized for 4 minutes.

Mr. WILLIAMS. Mr. Chairman, 31 years ago the Congress of the United States created the National Endowment for the Humanities for a grateful public. On behalf of that public the Congress said this: "An advanced civilization must not limit its efforts to science and technology alone, but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future. To fulfill its mission, achieve an orderly continuation of a free society, and provide models of excellence to the American people, the Federal Government must transmit the achievement and values of civilization from the past to the future."

Thirty years ago the Congress gave that charge to the National Endowment for the Humanities, and the endowment has met that charge faithfully, thoughtfully, and innovatively. The National Endowment for the Humanities is a national success.

Mr. Chairman, many Members recognize things quickly for which the national endowment is responsible: Ken Burns' series on the Civil War and Baseball, the TV series "Eyes on the Prize." The former chairman of the committee, the gentleman from Illinois [Mr. YATES], has talked about how the National Endowment for the Humanities has moved to preserve the presidential papers of Madison, Jefferson, and Adams, of Jackson and Grant and Dwight Eisenhower.

It has funded such things as the Center for the Rocky Mountain West, the Delaware History Museum the Academy of Religion in Atlanta, GA. In the last Congress this agency was slashed by 40 percent, more than any other. In this Congress this bill would cut it \$5 million more, and now this amendment would cut \$13 million more for an \$18 million cut, savaging this successful Federal effort.

The current chair of the humanities endowment, Sheldon Hackney, has said this: "I like to think of the humanities as human beings, recording and thinking about human experience and the human condition, preserving the best of the past and deriving new insights in the present."

This country has never needed the humanities more. We not only face the challenges of a new geopolitical situation and the problems of adjusting to economic competition in a new global marketplace, but we face a crisis of values here at home. And, said Chairman Hackney, "The more we know, the more meaningful life is. Such is the gift of the National Endowment of the Humanities to the American people."

This is an important effort. It is small funding. It has been cut 40 percent. Do we not care enough about passing on the scholarly and intellectual achievements of yesterday and today through this tiny Federal effort to our children and their grandchildren?

The National Endowment for the Humanities is a national success story. Reject the gentleman's amendment to cripple this important and critical national effort.

Mr. CLAY. Mr. Chairman, I rise in opposition to the amendment. I think it is vital that we look at the total context of what the National Endowment for the Arts does, and the total benefit it provides for the American people.

In fiscal year 1995, the NEA approved 3,656 grants, out of over 14,000 applications. With those numbers, it is always easy, after the fact, to find one grant to criticize.

Let's look at some of the clear benefits the American people receive from the NEA. These thousands of projects help enrich the cultural life of all Americans. The NEA helps nurture promising artists and promising artists and promising artists and performers from all parts of this Nation, from all 50 States and the territories, from urban centers and from small towns.

The NEA costs each American only 38 cents a year. This investment makes possible a whole world of culture, such as symphonies, chamber music, operas, poetry readings, chil-

dren's festivals, Shakespeare festivals, museum exhibitions, dance performances, children's museums, and folk festivals.

Modest NEA funding helps leverage additional contributions from other sources. Indeed, each NEA dollar attracts an average of \$12 from other sources.

The NEA has played a crucial role in fostering African-American artists and performers. For example, in fiscal year 1995, almost 14 percent of Endowment funding went to fund organizations or projects designed to serve or be relevant to minorities. Furthermore, the success rate of minority-run organizations has been consistently higher than that of the total applicant pool.

Let me also note that NEA Chairman Jane Alexander has recently made a number of management changes. These changes should help ensure more effective use of limited Federal funds.

The NEA has a vital role to play in the cultural life of our Nation. It provides opportunities for artists, including African-American artists, that might not otherwise be available. Let's look at the big picture and not let criticism of one film detract us from the clear benefits of NEA funding.

I urge my colleagues to defeat this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in strong opposition to this amendment. The National Endowment for the Arts is one of the finest institutions in our Federal Government—and sifting through the trash heap to find grants that some narrow-minded people may take offense at does not change this fact.

Mr. Chairman, this year's alleged controversy revolves around a film entitled "Watermelon Woman" funded in part by the NEA. But if it was not this grant, the Endowment's critics would have dreamed up some other project that outraged them.

The specifics of these grants do not seem to be important to the Endowment's critics. The fact that "Watermelon Woman" was a highly acclaimed film that dealt seriously and realistically with the challenges facing black women in the entertainment industry does not stop the Endowment's critics from issuing unfounded charges that it promotes alternative lifestyles. I wonder how many Members here today have actually watched "Watermelon Woman"? I wonder how many Members realize that the aspects of the film that caused so much controversy are nothing more graphic than one would find in any "R" rated film?

But these facts do not seem to matter. Neither does the fact that the Endowment brings art education into the lives of rural and underprivileged children who would otherwise never be able to participate in the arts.

Or the fact that community theaters throughout the country will be forced to close if their NEA grants are cut even further; or the fact that symphony orchestras will be forced to cancel performances for school groups because of reduced NEA funding; or the fact that every cut to the NEA means less funding for arts education programs in every State in the Union; or the fact that the nonprofit arts community generates \$3.4 billion in Federal tax revenue each year; or the fact that the NEA's budget has already been cut by \$62 million, nearly 40 percent, from fiscal year 1995.

In my district recently in the community of Acres Homes, the Houston Symphony visited

our community center and performed before hundreds of children. That is the benefit of the NEA.

I wonder how many of my colleagues are aware of a recent poll conducted by Lou Harris which showed that 61 percent of Americans would pay an additional \$5 in taxes to fund the arts. Right now the average person pays less than 40 cents a year in taxes to support the NEA.

Mr. Chairman, I won't use up more time discussing this dubious amendment, I know other Members would like to be heard. I simply would like to urge my colleagues to vote against this amendment, if offered, and vote for our Nation's culture.

I reserve the balance of my time.

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

As a lover of the arts, a New Yorker, and proud Representative of a district which is a center of creativity and innovation, I rise in strong opposition to this amendment which cuts the NEH by \$12 million, and I also want to voice my deep concern over the intention of this Congress to phase out the NEA and NEH over the next 2 years.

Far too few Members of this body protested the \$11 billion unwanted increase we gave the Pentagon, but we are hard-pressed to let the NEA and NEH function on their meager budgets of \$99.5 million and \$110 million, which were already reduced 40 percent this year.

This is a dangerous time for all educational establishments as current congressional leadership seeks to slash what Americans pride ourselves on, by placing the NEH and NEA on the chopping block.

A recent Harris poll showed that 61 percent of Americans would be willing to pay \$5 or more in taxes to support our cultural institutions. Knowing this, I am certain the public would be delighted to continue paying the 38 cents a year it is asked to fund the NEA and NEH at their current levels.

Federal support for the NEA and NEH, although a mere token, makes the arts and humanities more accessible to all Americans.

Other developed countries in the world understand how cultural institutions impact on the lives of their citizens and their advancement as a nation. Comparatively, Britain spends 3 times, France 10 times, and Germany over 12 times what the United States does.

The arts give meaning to our lives while reminding us of our common history as a nation and as a world.

Cutting funds to the NEA and NEH closes off access for the people who might stand to benefit the most, including at-risk youth.

This relatively small Government investment generates \$12 for every \$1 it spends, stimulating the economy and creating jobs and at the same time offering our children one less reason to fall prey to despair.

The President of the United States, Members from both sides of the aisle, and mayors from all across the country agree on the importance of the arts and humanities. In fact, 187 mayors sent a letter reminding Congress and the President, that, quote, "funding this country's cultural resources is clearly woven into the federal government's broad national mandate" and that the "arts are critical to the quality of life and livability of our cities."

Have the courage and insight to stop the further slashing of funds for these essential

cultural organizations which we all know benefit our children while benefiting our economy in numerous ways.

Mr. NADLER. Mr. Chairman, I rise in strong opposition to this amendment. Over the past 2 years, the National Endowment for the Humanities has withstood a 40-percent cut in funding. Yet, it continues to provide services to teachers, students, and the general public to promote the humanities.

There is no controversy as to the morality or quality of the services, provided by the NEH. In 1 year alone, the NEH sponsored 29 teacher institutes and 69 seminars for over 3,000 school teachers from 49 States, Puerto Rico, Guam, and the District of Columbia. These teachers in turn reached over 500,000 students in just one academic year. The NEH media awards will culminate in 70 hours of television and 69 hours of radio reaching close to 244 million Americans.

Cutting the NEH budget even further would exacerbate the assault on public education we have witnessed in this Congress. Hundreds of thousands of school children will suffer from the lack of educational materials normally provided by the NEH. Teachers will not benefit from the seminars offered by the NEH. This House has passed legislation for the V-chip and the Telecommunication Decency Act because people in this body believe there is too much violence and pornography reaching American homes. But now, the millions of people who turn to programming funded by the NEH as an alternative to commercial television and radio—the kind of programming to which Members of this House give lip service—would be denied this valuable programming because of this amendment.

Voting against this amendment is an opportunity to demonstrate a real commitment to better education and family friendly programming. This amendment should be defeated.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise today in strong opposition to the amendment that would literally eviscerate the National Endowment for the Humanities.

Eliminating \$12 million from the grants and administration account for the NEH with the expectation that private-sector donors will make up the difference is a misinformed position and a naive proposal.

Corporate giving has declined steadily since 1985, and from 1984 to 1994, donations decreased by about one-sixth in real dollars.

Corporate giving is very market-driven. While I certainly believe businesses have the right to watch out for their bottom lines, we have to acknowledge that the consequences of this are that grants are determined by location and benefit to employees.

This means that that a relatively small number of institutions in a limited number of geographic areas receive a disproportionate share of the funds.

The NEH makes the humanities available to all Americans. Only a Federal agency like the NEH has the size, scope, and expertise to bring the humanities into the lives of all Americans.

Federal funding serves as a catalyst for corporate contributions. Many NEH grants require from \$1 to \$4 in non-Federal money for every NEH dollar.

Since the NEH began, these grants have attracted \$1½ billion in private funds, which demonstrates that the seed money provided at the Federal level stimulates huge increases in private giving.

Moreover, private corporations know that the NEH has the institutional knowledge about disciplines and they rely heavily on the NEH to identify organizations that have a sound organizational structure, as well as the scholastic excellence worthy of further corporate support.

An NEH imprimatur is a stamp of quality and that is what spurs private-sector donations. Without the NEH, there will be no private dollars to be distributed. It is that simple.

In our country's poorest and most isolated areas, cultural and scholastic activities do not attract private-sector donors. Thankfully, the NEH has taken the lead in serving these areas and has wisely invested in the education, the lives, and the futures of the children living in these communities, whose abilities are too often overlooked.

Given that the cost to each American is only 42 cents a year and that the humanities—history, literature, languages, philosophy—are fully two-thirds of America's school curriculum, the NEH is a bargain for taxpayers.

Finally, the local economies of small towns and big cities are stimulated by NEH sponsored exhibits and projects. Supporting the NEH is good business sense and good historical sense. It is as much a sound economic policy as the Government building interstate highways, funding airports, or paying for basic research in agriculture, energy, health, or any other area.

Given that the NEH suffered a 36-percent cut last year alone and that many worthy projects have already been canceled due to this reduction, reducing funds even further would be foolish and shortsighted. Everyone from children just beginning school to the country's greatest scholars depend on these funds.

Mr. BEREUTER. Mr. Chairman, this Member rises today in opposition to the amendment offered by the gentleman from Arizona [Mr. SHADEGG] to decrease funding for the National Endowment for the Humanities [NEH] by \$12 million. This appropriations bill provides \$104.5 million for NEH, which is consistent with the agreement to eliminate Federal funding of NEH within 3 years. As you know, the amount appropriated by the committee is a 40-percent cut from fiscal year 1995 funding. An additional 11-percent cut would seriously undermine NEH and, most importantly, the State humanities councils that are already working diligently to replace decreasing Federal funds with private contributions.

This Member is most familiar with the National Endowment for the Humanities in the form of the Nebraska Humanities Council which consistently provides high-quality humanities programming at very little cost to citizens of all walks of life in my State. Since 1973, they have funded programs in more than 200 different communities in all of Nebraska's 93 counties—reaching more communities each year. Some of those counties have fewer than 500 residents and have meager cultural resources.

The Nebraska Humanities Council has been especially effective at reaching residents in the 1st Congressional District of Nebraska. This Member's district encompasses Lincoln with its universities, colleges, and museums as well as small towns whose only educational assets are their consolidated schools. The council has developed a humanities resource center with a large speakers bureau, exhibits, films, and videos that enable the smallest commu-

nities to benefit from the cultural resources of Nebraska's metropolitan areas. The speakers bureau has been particularly helpful to Nebraska's schools as they comply with a new requirement for multicultural education. Of course, the humanities council does not charge the schools for this valuable educational service.

In closing, Mr. Chairman, this Member urges the defeat of the Shadeegg amendment.

Ms. SLAUGHTER. Mr. Chairman, I rise today in strong opposition to the Shadeegg amendment. This amendment is representative of the continuous assault on the arts by my colleagues on the other side of the aisle. Frankly, I am amazed at my colleagues' attempts to rob our citizens of one of the most precious aspects of our society.

The National Endowment for the Humanities is the single largest source of support for the humanities. While humanities activities in our Nation would still exist without the NEH, they would not longer be accessible to the entire country. They would in all likelihood be reserved only for the rich who could afford them. What would the constituents of our districts say when there is no NEH to support museums or libraries or to preserve historical documents; when there is no longer an NEH to teach generations to come about history, literature, and philosophy, about who we are as Americans? Last year, NEH was cut by a massive 36 percent. This required the NEH to reduce from 6 grant divisions to 3; from 31 grant programs to 9; and from 276 staff positions to 120. In addition, some grant programs were hurt more than others. The Research and Education Division—including teacher training programs and Presidential papers—was cut by 60 percent.

Through the NEH, in fiscal year 1995, more than 2,600 high school and college teachers attended summer seminars and institutes. Over 400,000 students were taught by these teachers who had better mastery of the subject area, and greater enthusiasm for teaching after participating in this program. With fiscal year 1996 funds, NEH will only be able to support 1,400 teachers, reaching 220,000 students—almost half as many as before. Obviously these facts do not impress my colleagues as evidenced by their attempts to cut funding for the NEH even further.

The NEH has long been attentive to the educational needs of our Nation's children. The public programming made available to children through NEH funding has been wonderful. Sadly, funding for the NEH's public programs have been cut by 40 percent, which means there will be fewer dollars available for children's programming.

Mr. Chairman, I urge my colleagues to defeat this ill-conceived amendment.

Mr. TORKILDSEN. Mr. Chairman, I rise in opposition to this amendment, and in strong support of the National Endowment for the Humanities.

Think about what would be lost if funding for the Endowment were further cut: The papers of Abraham Lincoln, George Washington, Thomas Jefferson, and Benjamin Franklin; 230,000 disintegrating pages of newspaper and 628,000 brittle books; 26 million archaeological and historical objects important to our culture; and scholarships and stipends for students conducting research, and training and institutes for teachers.

If this amendment passes, these programs may simply disappear. Federal support for

these projects is central to their survival because past efforts have shown they are not glamorous enough to attract enough private dollars. The private sector can't do it alone.

The 1988 Republican Party platform:

Republicans consider the resurgence of the arts and humanities a vital part of getting back to basics in education * * * To that end, we will: Support the National Endowments for the Arts and Humanities * * * in their efforts to support America's cultural institutions, artists and scholars.

I urge my colleagues to support this Republican program and vote against this amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise today to express my strong opposition to an amendment offered by Representative SHADEGG which would further reduce funding for the National Endowment for Humanities. In fiscal year 1996, the Interior appropriations bill cut the NEH budget nearly in half; a cut which I believe will devastate many existing educational programs nationwide. Unfortunately, the Interior appropriations bill for fiscal year 1997 maintains that inadequate funding level, with the end goal of elimination of the NEH by 1998. As the only voice for South Dakota in the House of Representatives, I must speak out against the elimination of programs which help the people of my State preserve the rich and unique cultural heritage of South Dakota and the surrounding great plains States.

NEH programs exemplify the type of public-private partnerships that have traditionally fostered a collective dedication to cultural and historical education. The NEH gives State humanities councils the necessary freedoms to meet local educational needs. In the last 5 years, institutions in South Dakota have received \$2.7 million from the NEH and the South Dakota Humanities Council for library programs and exhibits, literary publications, and cultural heritage visitor centers.

The South Dakota Humanities Council relies on the NEH for 90 percent of its funding. That support goes directly to schools and small communities for projects like the "Women Missionaries and Teachers in South Dakota" Program at the Siouxland Heritage Museum, and "Lakota Culture; Interactive MultiMedia" at the South Dakota School of Mines and Technology. At the same time, broader educational projects continue the literary legacy of many of this Nation's most acclaimed authors and long time South Dakota residents, including Laura Ingalls Wilder, who gave us the "Little House" series, and L. Frank Baum, author of the classic "The Wonderful Wizard of Oz." The many NEH-funded heritage fairs and events held throughout my State every year are endorsed by the South Dakota State Arts and Humanities Councils, as well as State and local tourism authorities.

These and countless other worthy public education programs will disappear in my rural State, and the creativity behind this type of education programming will be thwarted if efforts to gut or eliminate the NEH continue.

In the face of severe cuts to the Institute for Museum Services, the only other Federal funding mechanism specifically chartered to work with States in recording, preserving, and educating our children on the American experience, we cannot stand by and allow the complete elimination of the programs vital to public education that are funded through the National Endowment for Humanities.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona [Mr. SHADEGG].

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

Mr. SHADEGG. Mr. Chairman, on that I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 455, further proceedings on the amendment offered by the gentleman from Arizona [Mr. SHADEGG] will be postponed.

Are there further amendments?

AMENDMENT OFFERED BY MR. FALEOMAVAEGA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. FALEOMAVAEGA: Insert after section 320 the following new section:

SEC. 321. None of the funds appropriated or otherwise made available by this Act may be used to permit or facilitate the planning, construction, or operation of a third telescope on Mt. Graham in the Coronado National Forest unless it is made known that the planning, construction, or operation of that telescope first complies with all applicable laws, notwithstanding section 335 of Public Law 104-134.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the amendment.

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

Mr. Chairman, I am offering an amendment regarding the construction of the third telescope on the top of Mount Graham in Arizona. The amendment adds new language limiting the appropriation of funds for the further construction of the Mount Graham telescope project until such time as the project complies with all environmental and historic preservation laws. This amendment is also intended to override the provisions of section 317 of this bill, which deems the alternative site for the third telescope to be in compliance with all the environmental laws, even though it isn't. The alternative site that section 317 refers to lies outside of the original boundaries set by Congress.

The reason the Mount Graham project is so controversial is because Mount Graham has been a sacred place of worship for the Apache Indians for thousands of years and because the mount is home to an irreplaceable ecosystem, including the red squirrel.

Section 317 is yet a third attempt to exempt the Mount Graham observatory project from the National Environmental Policy Act, the Endangered Species Act, the National Historic Preservation Act, and other laws. The project was partially exempted from complying with studies under these laws by a 1988 law. The reason these studies were not completed in 1988 was that the proponents were unwilling to list the many alternatives to the

project to the American public. A 1984 study listed 38 sites in the continental U.S. superior to Mount Graham. A 1987 study demonstrated that Mauna Kea in Hawaii was a better site than Mount Graham.

The other alternatives are so important because Mount Graham is host to over 18 plants and animals found nowhere else in the world and is a mountain most sacred to the Apache people. U.S. Fish and Wildlife Service studies show that the 7 telescopes authorized in the 1988 law would permanently destroy 25 percent of the best habitat of the endangered Mt. Graham red squirrel. Furthermore, the telescopes desecrate sacred religious ground. The San Carlos Apache Tribe calls this project, "a display of profound disrespect for a cherished feature of our original homeland as well as a serious violation of our traditional religious beliefs." Protecting the religious rights of our people, including Indians, is part of the National Historic Preservation Act. Section 317 would simply waive those protections.

Subsequent University of Arizona studies showed the University had placed its project on the worst spot on Mt. Graham. Its studies also found another observatory site in southern Arizona with clearly superior visibility. The point is that if the university had just waited to finish its homework it would have chosen another site. Instead, in their haste, they committed a monumental scientific siting blunder. The U.S. Courts ruled in 1994 and 1995, that its December 1988 law, as well as NEPA and the ESA.

Similarly, this House, in 1990, held hearings chaired by Congressmen GERRY STUDDS and BRUCE VENTO in which the Fish and Wildlife Service admitted that the "no jeopardy" opinion on which Congress relied in passing the 1988 exemption was carried out in probable violation of law. The point I am making is that the very assumptions we have been basing our actions upon regarding the construction of this project have been wrong. If that is the case, then is it really too much to ask to have someone scientifically review this project, and let the university follow the law like everyone else?

There have been complaints that if we require the university to complete the necessary environmental studies then it will gratefully delay the project. That is not true. Even if we could begin construction today, the fact of the matter is that it will still take over 3 years to complete the two mirrors for the telescope, more than the amount of time it will take to complete the long-overdue environmental studies the university objects to.

The National Congress of American Indians, representing over 200 tribes in the United States opposes this project. All of the tribes in Arizona, including the Hopi and Navajo support the Apache's opposition. The racial justice working group of the National Council

of Churches, representing some 48 million U.S. citizens and some 50 Christian denominations oppose this desecration.

As a final point, I would like to note that since passage of the 1996 omnibus appropriations bill, which contained a similar rider, a 6,000 acre fire burned large portions of the mountain. Perhaps this was a sign from God. At any rate, the fire seriously damaged the remaining habitat of the endangered species living on the mountain. If for no other reason than this, we need to make sure that all of the environmental protections are in place and are followed before we further destroy the top of the mountain.

The American public holds our precious religious freedoms dearly. These are what our country was founded on. I cannot think of another instance where we have been asked to so callously disregard the religious rights of our own citizens. This is intolerable and I urge my colleagues to vote for my amendment.

Mr. Chairman, I include for the RECORD a listing of groups opposed to the Mt. Graham International Observatory, and a letter from the San Carlos Apache Tribe regarding the Mt. Graham Observatory telescope project.

The material referred to is as follows:

GROUPS OPPOSED TO THE MT. GRAHAM
INTERNATIONAL OBSERVATORY
NATIVE AMERICAN GROUPS

American Indian Resource Institute.
Apache Survival Coalition.
Association on American Indian Affairs.
Council of Energy Resource Tribes.
Morning Star Foundation.
National Congress of American Indians.
National Indian Policy Center.
National Tribal Environmental Council.
Native American Rights Fund.
Northwest Indian Fisheries Commission.
Red Indian Society of the Americas.
San Carlos Apache Tribe and Council.

INTERNATIONAL GROUPS

Associated Students for Environmental and Economic Development.
Big Mountain Action Group (Germany).
Campagna Nord-Sud (Italy).
Greenpeace (Germany).
Institute of Ecology and Action Anthropology (INFOE, Europe).
International Working Groups for Indigenous People (Denmark).
KOLA (Belgium).
KWLA (Belgium).
Naturschutzbund (Germany).
Pax Christi (Germany).
Robinwood (Germany).
Society for Threatened People (Austria, Switzerland, Italy, and Germany).
Soconas Incomindios (Italy).
Survival International.
Working Group for Indigenous People (Europe).

NATIONAL GROUPS

Animal Defense Council.
Biodiversity Legal Foundation.
Center for Resource Management.
Defenders of Wildlife.
Earth First!
Environmental Defense Fund.
Friends of the Earth.
Great Bear Foundation.
Greenpeace.
Humane Society of America.
Hollywood Women's Political Caucus.
National Audubon Society.

National Bear Society.
National Parks and Conservation Association.
National Wildlife Federation.
National Wildlife Society.
Natural Resources Defense Council.
Preserve Appalachian Wilderness.
Safari Club International.
Save America's Forests.
Scientists for the Preservation of Mt. Graham.
Sierra Club.
Sierra Club Legal Defense Fund.
Student Environmental Action Coalition.
Wilderness Society.
Wildlife Society.

ARIZONA GROUPS

Arizona Arms Association.
Arizona Audubon Council; (Huachuca, Maricopa, Northern Arizona, Prescott, Tucson and Yuma).
Arizona Bear Society.
Arizona Bowhunter's Association.
Arizona Flycaster's Association.
Arizona Game and Fish Commission.
Arizona Muzzleloader's Association.
Arizona Native Plants Society.
Arizona Wilderness Coalition.
Arizona Wilderness Society.
Arizona Wildlife Federation.
Arizona Wildlife Society.
Cochise Conservation Council.
Desert Whitetailers.
Flagstaff Archers.
Friends of Mt. Graham.
Gila Biodiversity Project.
Gray Panthers Partners.
Greenpeace (Arizona).
Mt. Graham Conservation Project.
Rod and Gun Clubs: (Sierra Vista, Sportsman's, Tucson and Yuma Valley).
Sierra Club (Rincon Chapter and Grand Canyon Chapter).
Southern Arizona Hiking Club.
Southwest Center for Biodiversity.
Sportsman's Voice.
Student Environmental Action Coalition (University of Arizona and Arizona State University).
The Great Bear Foundation.
The Nature Conservancy.
Trout Unlimited, Zane Gray Chapter.

RESOLUTIONS OPPOSING THE MT. GRAHAM
INTERNATIONAL OBSERVATORY

EUROPE

City Council of Florence, Italy, June 1, 1992.
City Council of Rome, Italy, April 28, 1992.
Council of the Region of Piedmont (Italy), May 5, 1992.
Green Party of Italy.
North American Indian Support Groups, European Meeting, July 18, 1991 and July 25, 1992.

CONSERVATION GROUPS

Arizona Game and Fish Commission.
Nature Conservancy.
Society for Conservation Biology, June 21, 1991.

SAN CARLOS APACHE

Petition signed by 15 San Carlos Apache Spiritual Leaders, April 1992.
San Carlos Apache Tribal Council, December 10, 1991.
San Carlos Apache Tribal Council, July 10, 1990.

NATIVE AMERICAN TRIBES AND
REPRESENTATIVES

Hui mālama i nā kūpuna 'o hawai'i nei, August 12, 1992.
International Indian Treaty Council.
Kaibab—Paiute Indian Tribal Council, May 21, 1992.
Keepers of the Treasures, November 15, 1991.

Mohawk Nation, April 19, 1992.
National Congress of American Indians, January 18, 1993.
Native American/Environmentalist Roundtable, November 8, 1991.
Native Lands Institute, May 31, 1992.
Petition Signed by members of 20 Native Nations, during Holy Places Conference, May 30, 1992.
Refugio del Rio Grande Board of Directors, February 23, 1992.
Salt River Pima—Maricopa Indian Community Council, June 24, 1992.
Tohono O' Odham Legislative Council, May 5, 1992.

THE CULTURAL & NATURAL
HERITAGE PROJECT,

Portland, OR, December 10, 1995.

Re H.R. 1997 (Interior appropriations) and Rep. Kolbe (R-AZ) Rider to exempt Mt. Graham astrophysical project from all environmental and cultural resource laws.

President WILLIAM J. CLINTON,
c/o Katie McGinty, Council on Environmental Quality, The White House.

DEAR MR. PRESIDENT: On April 29, 1994, you met with some 200 leaders of American Indian tribes at the White House and made the following statements and commitment: "I promise to continue my efforts to protect your right to fully exercise your religion as you wish. Let me talk a minute about the issue of religious freedom because I feel strongly about it . . . For many of you, traditional religions and ceremonies are the essence of your culture and existence . . . No agenda for religious freedom will be complete until traditional Native American religious practices have received the protections that they deserve."

President Clinton, you must keep your promise. The trust responsibilities incumbent on the United States government absolutely require rejection of any attempt to further harm the Apaches' human rights and religious freedom that would unavoidably result from any further developments on Mt. Graham (the Apache long-ago named the mountain *dzil ncha si an*, or "big seated mountain"). See also, e.g., Mary Christina Wood, "Fulfilling the Executive's Trust Responsibility Toward the Native Nations on Environmental Issues: A Partial Critique of the Clinton Administration's Promises and Performance," 25 ENVTL L 733 (1995).

The President and your office must act immediately to thwart Rep. Kolbe's malignant efforts on behalf of the University of Arizona and a small, exclusive cadre of special interests to exempt the Columbus Project (aka "the Large Binocular Telescope" or "LBT") from environmental and cultural resource protection laws. The University of Arizona insists on installing this facility on Mt. Graham, despite objective scientific data proving that there are dozens of terrestrial sites better suited for this type of optional astronomy. Don't make the same mistake you made on the timber salvage in July.

The traditional religious and ceremonial uses of Mt. Graham have been documented since as early as the 1930's by noted anthropologist Grenville Goodwin, whose works are published by the University of Arizona Press. The irony is shameful. The Kolbe rider and any others like it should render any legislation fatally defective and require a presidential veto whenever necessary. Please take special note of the unprecedented and historic Inter-Apache Policy on the Protection of Apache Cultures and the accompanying December 1, 1995 inter-tribal letter to the House Appropriations Committee (copy enclosed).

MICHAEL V. NIXON, Esq.

Enclosures.

THE SAN CARLOS APACHE TRIBE,
San Carlos, AZ, September 25, 1995.

Re update of tribe's position on mount Graham.

TO WHOM IT MAY CONCERN: On June 13, 1995, the San Carlos Apache Tribal Council passed a resolution to reaffirm their position on its support of the Native American Free Exercise of Religion Act and wholeheartedly opposed the construction of the Mount Graham International Observatory telescope project.

During the January 18-19, 1993, National Congress of American Indians Annual Convention (NCAI) unanimously passed a resolution in opposition of the construction of telescoped on Mount Graham. NCAI is the largest intertribal organization nationwide which represents over 500 tribes and advocates for national regional and local tribal concerns.

The National Council of Churches (NCC) through a resolution passed on March 27, 1995, opposed any construction of new developments on Mount Graham. NCC comprises of over 300 religious denominations in the Country.

It is our understanding the University of Arizona lobbyists are proposing to introduce new legislation which will exempt the University of Arizona for the second time in their attempt to build the Large Binocular Telescope on Mount Graham. In July of 1995, the Ninth Circuit Court of Appeals ruled against the University of Arizona for violation of Endangered Species Act.

We are, therefore, requesting that you, as our legislators and working body of the United States Government, oppose any riders or exemptions of the 1988 Arizona-Idaho Conservation Act P.L. 100-696 on behalf of the University of Arizona's proposed telescope on Mount Graham.

Sincerely yours,

MARVIN MULL, Jr.
Tribal Vice-Chairman.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Arizona [Mr. KOLBE] insist on his point of order?

Mr. KOLBE. Mr. Chairman, notwithstanding my great respect for the gentleman from American Samoa, and notwithstanding the fact that this issue was debated and considered on last year's Interior appropriations bill, I do make a point of order against the amendment because it proposes to change existing law, and therefore constitutes legislation on an appropriation bill, which, of course, violates clause 2 of House Rule XXI.

That rule states in part: "No amendment to a general appropriation bill shall be in order if changing existing law. * * *" This amendment would, first, give affirmative direction in its effect; second, impose additional duties on Cabinet and executive officials; third, modify existing powers and duties; fourth, does not apply solely to the appropriation under consideration; and fifth, it modifies existing law.

For those reasons, I ask that the Chair give me a ruling on my point of order.

The CHAIRMAN. Is there further discussion on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Arizona [Mr. KOLBE] makes a point of order that the amendment offered by the gentleman from American Samoa constitutes leg-

islation on an appropriations bill in violation of clause 2 of rule 21. The amendment limits funds in the bill for the planning, construction, or operation of a third telescope on Mt. Graham in the Coronado National Forest unless it is made known that the planning, construction, or operation of that telescope complies with all applicable laws, notwithstanding section 335 of Public Law 104-134. The inclusion of the language "notwithstanding section 335 of Public Law 104-134" in the amendment is a waiver of law that would otherwise apply to the operation of this telescope. As such, the amendment changes existing law in violation of clause 2 of rule 21 and is not in order. The Chair sustains the point of order.

PARLIAMENTARY INQUIRIES

Mr. FALEOMAVAEGA. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FALEOMAVAEGA. Mr. Chairman, would it be appropriate to ask that we have a recorded vote on the point of order?

The CHAIRMAN. No, not at this point. The amendment has been ruled out of order on a point of order, and this amendment is not pending.

Are there further amendments?

□ 1200

Mr. REGULA. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. REGULA. Mr. Chairman, am I correct in understanding that the votes will now occur on those amendments that have been rolled up to this point including the one from last night of the gentleman from Massachusetts [Mr. KENNEDY]?

The CHAIRMAN. That was the intent, but the Chair understands that the gentleman has a unanimous-consent request.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that before the Committee of the Whole resumes its unfinished business on the demand for recorded votes on the amendments regarding weatherization offered by the gentleman from Vermont [Mr. SANDERS] and the gentleman from Mississippi [Mr. PARKER] that there be an additional 10 minutes of debate on each amendment equally divided and controlled by the proponent and myself.

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

There was no objection.

AMENDMENT NO. 23 OFFERED BY MR. PARKER

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Mississippi [Mr. PARKER] and the gentleman from Ohio [Mr. REGULA] will each control 5 minutes.

The text of the amendment is as follows:

Amendment offered by Mr. Parker: In the item relating to "DEPARTMENT OF ENERGY—ENERGY CONSERVATION"—

(1) after the second dollar amount, insert the following: "(increased by \$18,204,000)";

(2) after the third dollar amount, insert the following: "(increased by \$11,764,000)"; and

(3) after the fourth dollar amount, insert the following: "(increased by \$6,440,000)".

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. PARKER].

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

Mr. Chairman, I want to thank the chairman of the committee for working out this agreement so we could correct some of the confusion that has occurred and make sure all the Members understand what is coming before the body.

Mr. Chairman, I want to take this opportunity to discuss with my colleagues the importance of the amendment that I offered last night with the gentleman from Pennsylvania [Mr. FOX] and acknowledge the floor statements in support of this amendment by the gentleman from Vermont [Mr. SANDERS], the gentleman from Florida [Mr. STEARNS], the gentleman from Maine [Mr. LONGLEY], the gentleman from Missouri [Mr. VOLKMER], and the gentleman from New York [Mr. BOEHLERT].

I want to once again emphasize that this is a bipartisan effort to restore equity to this program and to shift only \$18 million to low-income weatherization and the State energy programs from other energy conservation programs. The simple truth is these programs have taken a disproportionate share of the cuts.

This amendment is good for the environment by reducing pollution, it is good for low-income Americans because it allows weatherization of homes, and it is welfare reform because it increases independence of low-income Americans. It helps our States and local governments by allowing them flexibility to leverage other funding sources to do good and effective energy projects.

I would like to clear up some confusion on this amendment and to correct an error that was in the Legislative Digest. First of all, we do not remove money from fossil fuel accounts. Second, these State energy programs and the low-income weatherization programs are energy conservation programs. An impression was given that only energy research and development is energy conservation. This is simply not correct. A broad look at energy conservation shows that in addition to research, we must employ technologies and work with States, local governments, businesses and low-income Americans to get energy efficiency implemented. In fact, the State energy programs and the low-income weatherization program have implemented the largest percentage of energy efficiency programs during the past 20 years of any other energy conservation program in this country. They are clearly the most successful and cost-effective programs at the Department of Energy and they help people directly.

If your goal is to send money back to the States and remove money which supports the bureaucracy in Washington, the logical vote is a "yes" on the Parker-Fox amendment. It helps to create equity in the program at the DOE, it is a commonsense approach, and I urge my colleagues to support this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOX], the coauthor of this amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, I want to discuss the importance of this bipartisan Parker-Fox amendment which concerns the low-income weatherization and State energy programs.

Last night a number of Members made very eloquent floor statements in support of these programs. Make no mistake about it, these programs are energy conservation programs. They help people from the homes to the farms to small businesses.

Our amendment is supported by the States and by the community action agencies and by Democrats and Republicans alike because it is good public policy that puts increased amounts of money into weatherizing homes of poor Americans so that they can be independent and not choose between heating and eating.

We are here on the floor of the House to reduce the deficit, to continue to fund only those programs that really matter and help our country move forward. These are key priorities because they help us compete and they reduce cost. These programs put the results of our R&D into the field and create real partnerships.

In summation, I would say, Mr. Chairman, that it restores funding to weatherization and it is also revenue neutral, a very important key point.

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

Mr. Chairman, the Department of Energy made a decision that what they would do is they would protect the bureaucracy in Washington and they would put the major cuts, the largest percentage of cuts, on the States. Within the categories, the accounts that are in the Interior bill dealing with the DOE, the only moneys which go to the States where the States can actually utilize that money, that goes directly to our constituents, are the ones that go to the State energy officials and the weatherization programs. Everything else stays in Washington in the bureaucracy. Most of it, I must say, is corporate welfare at its worst. All we are talking about is having some equity. Most of the cuts have been put into these accounts going to the States, they have cut them over 50 percent. Around 25 percent of the cuts have stayed in Washington.

We are just talking about equity. We are trying to get more money back to people, to low-income people where we actually can get money back to those individuals and it can do some good. I urge support for the Parker-Fox amendment.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. I thank the gentleman for yielding me the time.

Mr. Chairman, I have gained this honor because I spoke out against these amendments when they were first debated on the floor, and I probably will repeat a little bit of what I said previously.

The cuts that are proposed to be made in order to fund the increases in the weatherization program are out of the energy research and development account in which I have a very strong interest. This is not to say I am opposed to weatherization. I think weatherization has been cut more than I would like, and I would support any move to increase it that does not cut into energy R&D.

What has happened in energy R&D. We have with this bill a 20-percent cut from the levels of 1995, using that as a benchmark, a 10-percent cut from 1996, the current year's figures, and what we have, of course, is a request from the President to increase the 1995 figures by 20 percent or the 1996 figures by 30 percent in order to achieve the great values which occur as a result of this program.

What are these values? I should just mention one or two, for example. The energy conservation research and development program has produced things like the energy efficient windows that have saved taxpayers \$1.8 billion in energy costs; energy efficient building design that saved consumers \$1.9 billion in energy costs; and energy efficient freezers and refrigerators that have saved consumers \$6 billion in the 10 years from 1980 to 1990.

In effect, these are programs which are making this country more efficient both industrially and in terms of homes and appliances and things of that sort, and making us more competitive in the world. It is a poor choice to propose this cut to fund the weatherization program. I ask that the amendment be defeated.

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

Mr. Chairman, I know this has some attraction, but let me point out we are choosing in a sense whether we want to send the money to the State bureaucracy or whether we want to support energy efficiency research and development. Let me read from a letter from the administration:

Notwithstanding that, we are concerned that the reductions proposed in the Parker-Fox amendment would severely compromise vital research and development programs, which have already taken substantial cuts,

as was pointed out by the gentleman from California.

As the gentleman said, the weatherization programs are good. We put \$125 million into weatherization and state

grants. Let me also add, because we have heard some tales of woe about the impact on low-income individuals, that this morning, as I understand it, the full Appropriations Committee approved the Labor, Health and Human Services bill that includes \$1.2 billion for low-income heating assistance.

It is not as if we do not have money to provide warmth for those who are in financial difficulties. We put \$1.2 billion in to pay their fuel bills. In addition, we have \$100 million in our bill for weatherization. So I think we are very sensitive to the problems of the low-income in terms of providing heating, because the total would be \$1.3 billion.

As was pointed out by the gentleman from California, we have already cut energy conservation severely over the last 2 years. These are programs that provide for pollution control, for clean air, for energy efficiency, for making automobiles more fuel efficient, programs that are absolutely vital to the future. If you improve energy efficiency, the LIHEAP money that we spend will go further in terms of home heating, in terms of the automobiles for those low-income people that need to get to work.

In the long-term benefits to society, energy conservation research is vitally important to every American. It gives us independence from other energy sources outside the United States. It gives us cleaner air. It will give us more fuel efficient automobiles.

It is not as if all this money is coming from the Federal Government. A great amount of it is coming from the private sector. This is a case of the Government providing a helping hand, and this is consistent with what many of our Members talk about: Let us get the Government out of 100 percent. We have done that. We have said on these programs they have to be matched at least 50 percent, in some cases more, by the private sector.

Mr. Chairman, I think in terms of national policy and even for the poor that it would be much better to approach it the way the committee has. I urge a "no" vote on the Parker-Fox amendment.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Vermont [Mr. SANDERS] will be recognized for 5 minutes and the gentleman from Ohio [Mr. REGULA] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

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

Mr. Chairman, my amendment is very simple. It transfers \$11,764,000 from the naval petroleum reserve into the low-income weatherization assistance programs.

What we should understand is that last year the weatherization program was hit very hard. In fact, it was almost slashed in half. This bill today recommends an additional 10-percent

cut on top of last year's decimating cut.

Let us stand with the millions of people in this country who go cold in the winter, people who stifle in certain climates in the summer, whose health is endangered. This is the United States of America and elderly people should not be forced to go cold in America.

□ 1215

Mr. Chairman, I should point out that this is a compromise amendment. The administration properly requested an increase in funding to \$150 million. The committee recommends \$100 million, and this amendment simply raises that to \$112 million.

Mr. Chairman, let me say a word about the Naval Petroleum Reserve from which we take the money. The NPR's operating funds go to running three oil fields which are jointly operated by the Government and Chevron. The productivity of these fields has steadily declined since its peak in 1976. The President earmarked the NPR for sale in fiscal year 1997, indicating, and I quote: "Producing oil and gas is a commercial, not a governmental activity, which is more properly performed by the private sector."

Mr. Chairman, I yield 1½ minutes to my friend, the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Chairman, I thank the gentleman from Vermont for yielding me the time.

It has been a pleasure to work with both the gentleman from Vermont [Mr. SANDERS] as well as the gentleman from Mississippi [Mr. PARKER] and the gentleman from Pennsylvania [Mr. FOX] on this amendment. I guess I want to emphasize the nature of the compromise that we feel should be reached, which would be to maintain funding at the current level and restore the additional cut over cuts that had been made in prior years.

I think the point that I would like to make that is very important is that the weatherization assistance program is used to increase the energy efficiency of residences occupied by low-income individuals. It is not merely a transfer of money to a State bureaucracy. In the case of the State of Maine, the funds are received by the Maine State Housing Authority, which then is the agency in Maine charged with operating the program, distributes the funds to regional community action programs, CCAP agencies which take and process the applications and make the payments.

Now, as I indicated, Mr. Chairman, there are a number of issues that we have been debating over the last year and a half about how to improve and streamline the system. For whatever reason, those innovations and changes have not occurred. We are dealing with the existing distribution system and on that basis, I think it would be terribly unfortunate that those who need this assistance get caught in the crossfire between the administration and the

Congress over precisely how we do it. The fact of the matter is, the system has been established, it is functioning, as in this case we are talking about protecting a level of funding for those who need the weatherization assistance, and I think that the most effective way of doing that is through the amendments that have been introduced by both gentlemen. So the question, if there is one, is between how we pay for it, not the fact that we need to do it.

Mr. SANDERS. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] has 1½ minutes remaining, and the gentleman from Ohio [Mr. REGULA] has 5 minutes.

Mr. REGULA. Parliamentary inquiry, Mr. Chairman. As I understand it, I have the right to close.

The CHAIRMAN. The gentleman is correct.

Mr. SANDERS. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois [Mr. GUTIERREZ].

Mr. GUTIERREZ. Mr. Chairman, I think that the issue is a very important one and one that is not only in New Hampshire and Maine but certainly in the city of Chicago. The energy assistance program will help a lot, and I just wanted to remind my colleagues that last summer, over 500 people died during the heat wave in the city of Chicago. Over 500 people, the immense majority of them low-income poor, senior citizens who rely heavily on this program and could really use a tightening up of their windows and their doors, because one of the major reasons, of course, is how do you pay for the electricity to run the air-conditioning and the fans?

Please support this for the heat in Chicago and the cold in New Hampshire.

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

Mr. Chairman, let me reiterate what the gentleman from Illinois [Mr. GUTIERREZ] reminded us. Last year in the city of Chicago, as I understand it, 500 people died in a sweltering summer. That is not what America is supposed to be. In my State of Vermont and throughout the northern part of our country, there are millions of people, including low-income people, who simply do not have the money to adequately heat their homes. They are living in homes where when they put heat out, the heat is going through the windows, it is going through the roof, it is going through the cracks in the wall. The homes are not insulated.

The weatherization concept is a cost-effective program. What is the sense of putting heat into a house when it is simply going to leak out? Mr. Chairman, over 4.4 million homes have been weatherized with these funds. Over 90 percent of the recipients make less than \$15,000 a year and they spend an average of \$1,100 on their energy bills.

Our amendment is a sensible amendment. It is an environmental amend-

ment. It is a conservation amendment. Most important, it is a humane amendment. People in the United States should not go cold in the wintertime.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, I was here in the well earlier and I assumed that the time that we had allotted was the time that was going to be used and apparently we now have more time. I will be more direct than I was earlier.

The idea of taking money out of the Naval Petroleum Reserve, \$11 million on top of the \$43 million that has been removed on a project which the President has signed that we are going to sell this Government property, is a dumb idea. The Department of Energy itself has said if you take the \$11 million, we have two choices. We do not drill like we need to drill to continue the production. That will cost the American taxpayers next year \$14 million. He takes \$11 million out. Next year, it costs the taxpayers \$14 million. In 1998, it costs the taxpayers \$31 million because they did not have the money to drill the wells they need to continue to improve the largest Government holding of oil resources in the lower 48.

If they decide they are going to spend money they would have otherwise spent on other projects, it would come out of the environmental fund, which means it may not meet the standards that these people impose for the environment.

Now, you are damned if you do and you are damned if you do not. Weatherization is important, but keeping a natural resource that we are going to sell for potentially \$1 billion up the private sector levels to get the maximum taxpayer dollar out of it simply is not a smart thing to do when they have taken \$43 million out and now he wants to take \$11 million out. Notwithstanding whatever the merits of your weatherization, the idea of going after this is typical fuzzy-headed thinking. Why, at the time you are getting your house ready to sell and the contractor says you have a hole in the roof, it will cost \$5,000 to fix, but you will have to lower the price of the House by \$10,000, you do not spend the money to make sure that you can get the full market value for the House?

He is taking what we are going to sell and refusing to spruce it up so we can get the highest dollar possible for the taxpayer.

As far as the weatherization program is concerned, there are a number of other areas to find the funds. There are amendments that have approached it in other areas to find the funds. Why he is absolutely insistent upon going after this particular fund, at a time when the Congress—the House and the Senate—and the President have agreed to spruce up this property to get the highest possible taxpayer dollar out of selling that property, is beyond me. Except I remember then that he is on

the ballot in Vermont and when he reached this body, his ballot designation was Socialist.

The CHAIRMAN. The gentleman from Vermont.

Mr. SANDERS. Excuse me, Mr. THOMAS. You made a falsehood and I would like an apology. I was on the ballot in the State of Vermont as an independent, always have been, and I would like an apology from you, sir.

Mr. THOMAS. I certainly apologize if the gentleman has never, ever represented himself as representing a socialist point of view.

Mr. SANDERS. I am a democratic socialist. That is very different from what you just said.

Mr. THOMAS. I apologize. The gentleman wishes to be called a democratic socialist.

Mr. SANDERS. Excuse me, I was on the ballot as an independent.

The CHAIRMAN. The time is controlled by the gentleman from Ohio.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to correct my statement. The gentleman was not on the ballot as a socialist. He was on the ballot in Vermont, as he indicates, as an independent but that he proudly claims he is a democratic socialist.

Mr. SANDERS. Mr. Chairman, I do not need to be told what I proudly claim.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. THOMAS]?

Mr. VOLKMER. Reserving the right to object, Mr. Chairman, I think that the debates thus far all day and yesterday on this bill have not been very rancorous. We have just seen the gentleman from California use some words that I think are not properly descriptive of the gentleman from Vermont. I would hope, under my reservation, to say that this would not continue and that the gentleman from California who used those words would refrain in the future from doing so. I do not think it is appropriate for any Member of the House to try to erroneously designate someone for what they are not.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

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

Mr. Chairman, first of all, so that the Members understand what is going to happen, we are going to have three votes that have been rolled. The first vote will be on the Parker amendment, which adds \$18 million to weatherization and it cuts \$18 million from conservation research.

The second vote will be on the Sanders amendment, which adds \$11.7 million to weatherization and takes \$11.7 million from the Naval Petroleum Reserve.

The third vote will be on the Shadegg amendment, which cuts the National Endowment for the Humanities by \$12 million.

Let me say to my colleagues if you vote for both weatherization add-ons, you would be adding a very substantial amount to this program over last year's level. I would urge our colleagues to vote "no" on Parker and to vote "no" on Sanders.

On Parker, I think that taking money from conservation research to put into weatherization is not a good long-term national policy. Let me point out again, I am not hard-hearted at all, but we have \$1.2 billion in LIHEAP. This is low-income heating assistance. So the people who need this help will get their fuel bills paid, be it electricity, gas, oil, whatever is the case. We also have \$100 million in weatherization, and under our budget constraints, I think these are very fair and very reasonable amounts. Energy conservation is extremely important to this nation's future.

On the Sanders amendment, I think the problem there is we are going to sell the Naval Petroleum Reserve. It is worth billions of dollars. On the short term, the administration advises us that they will lose \$14 million in revenues. So we are going to take out \$11 million and lose \$14 million. Not very good management, and we are the managers of this enterprise.

Second, it will be detrimental to the value of the property which will be sold in the near future. To do that is not good management. To put additional money into weatherization, which already has \$100 million, and do it in a way that is detrimental to the sale of this property which will generate billions of dollars that could then be available for these programs in the future is not good policy in either the short or long term.

For this reason, I would urge a "no" vote on the Parker amendment, a "no" vote on the Sanders amendment, and there will be the three votes that have been rolled over.

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

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 455, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentleman from Mississippi [Mr. PARKER]; the amendment offered by the gentleman from Vermont [Mr. SANDERS]; and the amendment offered by the gentleman from Arizona [Mr. SHADEGG].

AMENDMENT OFFERED BY MR. PARKER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi [Mr. PARKER] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 204, noes 218, not voting 12, as follows:

[Roll No. 259]

AYES—204

Andrews	Gekas	Ney
Armey	Geren	Norwood
Bachus	Gilchrest	Nussle
Baldacci	Gilman	Oberstar
Bartlett	Goodling	Orton
Bass	Green (TX)	Pallone
Bentsen	Greenwood	Parker
Bereuter	Gunderson	Pastor
Bilirakis	Gutierrez	Paxon
Blute	Gutknecht	Payne (NJ)
Boehlert	Hall (TX)	Peterson (MN)
Boehner	Hamilton	Petri
Bonilla	Hancock	Pombo
Bono	Hastert	Pomeroy
Browder	Hayes	Portman
Brownback	Hayworth	Pryce
Bunning	Hilleary	Quinn
Burr	Hinchey	Rahall
Buyer	Hobson	Rangel
Camp	Hoekstra	Reed
Campbell	Hoke	Riggs
Canady	Horn	Roberts
Cardin	Hostettler	Rohrabacher
Castle	Houghton	Ros-Lehtinen
Chabot	Hunter	Rose
Chambliss	Hutchinson	Roukema
Chapman	Jackson (IL)	Sanders
Chenoweth	Jacobs	Scarborough
Christensen	Johnson (CT)	Scott
Chrysler	Johnson, Sam	Shadegg
Clayton	Jones	Shays
Clinger	Kasich	Sisisky
Coble	Kelly	Skelton
Coburn	Kennedy (MA)	Smith (NJ)
Collins (GA)	Kennedy (RI)	Smith (WA)
Combest	Kennelly	Solomon
Condit	Kildee	Souder
Cooley	King	Stearns
Crane	Kleczka	Stokes
Creameans	Klug	Stump
Cummings	LaFalce	Stupak
Cunningham	LaHood	Talent
Danner	Largent	Tate
DeLauro	Latham	Taylor (MS)
DeLay	LaTourette	Taylor (NC)
Diaz-Balart	Laughlin	Thompson
Dickey	Lazio	Thornberry
Duncan	Leach	Thurman
Dunn	Lightfoot	Tiahrt
Edwards	Linder	Torricelli
Ehrlich	LoBiondo	Trafficant
Engel	Longley	Upton
English	Manton	Velazquez
Evans	Manzullo	Volkmer
Everett	Martinez	Walker
Ewing	Martini	Ward
Filner	Matsui	Watt (NC)
Flake	McCrery	Watts (OK)
Flanagan	McHale	Weldon (PA)
Foley	McHugh	Weller
Fowler	McInnis	Wicker
Fox	McNulty	Williams
Franks (CT)	Metcalf	Wise
Frelinghuysen	Meyers	Wynn
Frisa	Minge	Young (AK)
Funderburk	Molinari	Young (FL)
Ganske	Montgomery	Zeliff
Gejdenson	Moorhead	Zimmer

NOES—218

Abercrombie	Bevill	Calvert
Ackerman	Bilbray	Clay
Allard	Bishop	Clement
Archer	Bliley	Clyburn
Baessler	Blumenauer	Coleman
Baker (CA)	Bonior	Collins (IL)
Baker (LA)	Borski	Collins (MI)
Ballenger	Boucher	Conyers
Barcia	Brewster	Costello
Barr	Brown (CA)	Cox
Barrett (NE)	Brown (FL)	Coyne
Barrett (WI)	Brown (OH)	Cramer
Barton	Bryant (TN)	Crapo
Bateman	Bryant (TX)	Cubin
Becerra	Bunn	Davis
Beilenson	Burton	de la Garza
Berman	Callahan	Deal

DeFazio	Kaptur	Quillen
Dellums	Kim	Radanovich
Deutsch	Kingston	Regula
Dicks	Klink	Richardson
Dingell	Knollenberg	Rivers
Dixon	Kolbe	Roemer
Doggett	Lantos	Rogers
Dooley	Levin	Roth
Doolittle	Lewis (CA)	Roybal-Allard
Dornan	Lewis (GA)	Royce
Doyle	Lewis (KY)	Rush
Dreier	Lipinski	Sabo
Durbin	Livingston	Salmon
Ehlers	Lofgren	Sanford
Ensign	Lowe	Sawyer
Eshoo	Lucas	Saxton
Farr	Luther	Schaefer
Fattah	Maloney	Schiff
Fawell	Markey	Schroeder
Fazio	Mascara	Seastrand
Fields (LA)	McCarthy	Sensenbrenner
Foglietta	McCollum	Serrano
Forbes	McDermott	Shaw
Ford	McIntosh	Shuster
Frank (MA)	McKeon	Skaggs
Franks (NJ)	McKinney	Skeen
Frost	Meehan	Slaughter
Furse	Meek	Smith (MI)
Gallegly	Menendez	Smith (TX)
Gibbons	Mica	Spence
Gillmor	Millender-	Spratt
Gonzalez	McDonald	Stark
Goodlatte	Miller (CA)	Stenholm
Gordon	Miller (FL)	Stockman
Goss	Mink	Studds
Graham	Moakley	Tanner
Greene (UT)	Mollohan	Tejeda
Hall (OH)	Moran	Thomas
Hansen	Morella	Thornton
Hastings (FL)	Murtha	Torres
Hastings (WA)	Myers	Towns
Hefley	Myrick	Vento
Hefner	Nadler	Visclosky
Heineman	Neal	Vucanovich
Herger	Nethercutt	Walsh
Hilliard	Neumann	Wamp
Holden	Obey	Waters
Hoyer	Olver	Waxman
Hyde	Ortiz	Weldon (FL)
Inglis	Owens	White
Istook	Oxley	Whitfield
Jackson-Lee	Packard	Wilson
(TX)	Payne (VA)	Wolf
Jefferson	Pelosi	Woolsey
Johnson, E. B.	Pickett	Yates
Johnston	Porter	
Kanjorski	Poshard	

NOT VOTING—12

Emerson	Johnson (SD)	Ramstad
Fields (TX)	Lincoln	Schumer
Gephardt	McDade	Tauzin
Harman	Peterson (FL)	Torkildsen

□ 1255

Messrs. MCINTOSH, HYDE, OLVER, NADLER, and CLAY, Ms. WATERS, Messrs. FIELDS of Louisiana, HEFNER, GALLEGLY, and ARCHER, Ms. ROYBAL-ALLARD, Messrs. DORNAN, MICA, DREIER, COX of California, SANFORD, ROYCE, RUSH, and BISHOP changed their vote from "aye" to "no."

Messrs. GUTIERREZ, SOLOMON, GILCHREST, BEREUTER, and STOKES, Mrs. CHENOWETH, Messrs. ROBERTS, LARGENT, BONO, PALLONE, and DELAY, Mrs. JOHNSON of Connecticut, and Messrs. GILMAN, CUNNINGHAM, and WILLIAMS changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were

postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 206, not voting 13, as follows:

[Roll No. 260]

AYES—215

Ackerman	Green (TX)	Neal
Andrews	Greenwood	Oberstar
Baesler	Gunderson	Obey
Baldacci	Gutierrez	Olver
Barcia	Gutknecht	Owens
Barrett (WI)	Hall (OH)	Pallone
Bass	Hamilton	Pastor
Beilenson	Hastings (FL)	Payne (NJ)
Bevill	Hayworth	Payne (VA)
Bishop	Hefner	Pelosi
Blumenauer	Heineman	Peterson (MN)
Blute	Hilleary	Petri
Boehlert	Hilliard	Pomeroy
Bonior	Hinchev	Poshard
Borski	Hoekstra	Quinn
Boucher	Holden	Rahall
Browder	Houghton	Rangel
Brown (CA)	Jackson (IL)	Reed
Brown (FL)	Jackson-lee	Richardson
Brown (OH)	(TX)	Rivers
Camp	Jacobs	Roemer
Cardin	Jefferson	Ros-Lehtinen
Castle	Johnson (CT)	Roukema
Chabot	Johnson, E. B.	Rush
Chrysler	Johnston	Sabo
Clay	Kanjorski	Sanders
Clayton	Kaptur	Sanford
Clement	Kelly	Sawyer
Clyburn	Kennedy (MA)	Saxton
Coleman	Kennedy (RI)	Schiff
Collins (IL)	Kennelly	Schroeder
Collins (MI)	Kildee	Scott
Conyers	King	Sensenbrenner
Cooley	Klecza	Serrano
Costello	Klink	Shays
Coyne	Klug	Skaggs
Cramer	LaFalce	Slaughter
Cummings	LaHood	Smith (NJ)
Danner	LaTourrette	Smith (WA)
Deal	Lazio	Solomon
DeFazio	Leach	Spratt
DeLauro	Levin	Stokes
Dellums	Lewis (GA)	Studds
Deutsch	Lightfoot	Stupak
Dicks	Lipinski	Talent
Dingell	LoBiondo	Tanner
Duncan	Longley	Thompson
Durbin	Lowe	Thornton
Ehrlich	Luther	Thurman
Engel	Maloney	Torricelli
English	Manton	Towns
Ensign	Manzullo	Trafficant
Evans	Markey	Upton
Fattah	Martinez	Velazquez
Fields (LA)	Martini	Vento
Filner	Mascara	Visclosky
Flake	McDermott	Volkmer
Flanagan	McHale	Walsh
Foglietta	McHugh	Wamp
Forbes	McKinney	Ward
Ford	McNulty	Waters
Fox	Meehan	Watt (NC)
Frank (MA)	Meek	Watts (OK)
Franks (CT)	Menendez	Weldon (PA)
Frisa	Minge	Weller
Furse	Mink	Whitfield
Gejdenson	Moakley	Williams
Gekas	Molinari	Wise
Gibbons	Mollohan	Wynn
Gilman	Moran	Yates
Gonzalez	Morella	Zeliff
Gordon	Nadler	Zimmer

NOES—206

Abercrombie	Archer	Bachus
Allard	Armey	Baker (CA)

Baker (LA)	Fowler	Myers
Ballenger	Franks (NJ)	Myrick
Barr	Frelinghuysen	Nethercutt
Barrett (NE)	Frost	Neumann
Bartlett	Funderburk	Ney
Barton	Gallegly	Norwood
Bateman	Ganske	Nussle
Becerra	Geren	Ortiz
Bentsen	Gilchrest	Orton
Bereuter	Gillmor	Oxley
Berman	Goodlatte	Packard
Bilbray	Goodling	Parker
Bilirakis	Goss	Paxon
Bliley	Graham	Pickett
Boehner	Greene (UT)	Pombo
Bonilla	Hall (TX)	Porter
Bono	Hancock	Portman
Brownback	Hansen	Pryce
Bryant (TN)	Hastert	Quillen
Bryant (TX)	Hastings (WA)	Radanovich
Bunn	Hayes	Regula
Bunning	Hefley	Riggs
Burr	Herger	Roberts
Burton	Hobson	Rogers
Buyer	Hoke	Rohrabacher
Callahan	Horn	Rose
Calvert	Hostettler	Roth
Campbell	Hoyer	Roybal-Allard
Canady	Hunter	Royce
Chambliss	Hutchinson	Salmon
Chapman	Hyde	Scarborough
Chenoweth	Inglis	Schaefer
Christensen	Istook	Seastrand
Clinger	Johnson, Sam	Shadegg
Coble	Jones	Shaw
Coburn	Kasich	Shuster
Collins (GA)	Kim	Sisisky
Combest	Kingston	Skeen
Condit	Knollenberg	Skelton
Cox	Kolbe	Smith (MI)
Crane	Lantos	Smith (TX)
Crapo	Largent	Souder
Creameans	Latham	Spence
Cubin	Laughlin	Stark
Cunningham	Lewis (CA)	Stearns
Davis	Lewis (KY)	Stenholm
de la Garza	Linder	Stockman
DeLay	Livingston	Stump
Diaz-Balart	Lofgren	Tate
Dickey	Lucas	Taylor (MS)
Dixon	Matsui	Taylor (NC)
Doggett	McCarthy	Tejeda
Dooley	McCollum	Thomas
Doolittle	McCrery	Thornberry
Dornan	McNinnis	Tiahrt
Doyle	McIntosh	Torres
Dreier	McKeon	Vucanovich
Dunn	Metcalf	Walker
Edwards	Meyers	Waxman
Ehlers	Mica	Weldon (FL)
Eshoo	Millender-	White
Everett	McDonald	Wicker
Ewing	Miller (CA)	Wilson
Farr	Miller (FL)	Wolf
Fawell	Montgomery	Woolsey
Fazio	Moorhead	Young (AK)
Foley	Murtha	Young (FL)

NOT VOTING—13

Brewster	Johnson (SD)	Schumer
Emerson	Lincoln	Tauzin
Fields (TX)	McDade	Torkildsen
Gephardt	Peterson (FL)	
Harman	Ramstad	

□ 1304

The Clerk announced the following pair:

On this vote:

Mr. Gephardt for, with Ms. Harman against.

Messrs. LANTOS, PAXON, and POMBO changed their vote from "aye" to "no."

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Chairman, on rollcall No. 260, I inadvertently voted "yes." I intended to vote "no."

AMENDMENT OFFERED BY MR. SHADEGG

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona [Mr. SHADEGG] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 254, not voting 12, as follows:

[Roll No. 261]

AYES—168

Allard	Gallegly	Norwood
Archer	Ganske	Nussle
Army	Gekas	Orton
Baker (CA)	Geren	Oxley
Ballenger	Gillmor	Packard
Barr	Goodlatte	Parker
Barrett (NE)	Goodling	Paxon
Bartlett	Graham	Petri
Barton	Gutknecht	Pombo
Bilirakis	Hall (TX)	Porter
Bliley	Hamilton	Portman
Boehner	Hancock	Quinn
Bonilla	Hansen	Radanovich
Brownback	Hastert	Riggs
Bryant (TN)	Hastings (WA)	Roberts
Bunning	Hayworth	Roemer
Burr	Heineman	Rohrabacher
Burton	Herger	Royce
Buyer	Hilleary	Salmon
Callahan	Hobson	Scarborough
Camp	Hoekstra	Schaefer
Campbell	Holden	Seastrand
Canady	Hostettler	Sensenbrenner
Chabot	Hunter	Shadegg
Chambliss	Hutchinson	Shays
Chapman	Hyde	Shuster
Chenoweth	Inglis	Smith (MI)
Christensen	Istook	Smith (NJ)
Chrysler	Johnson, Sam	Smith (TX)
Coble	Jones	Smith (WA)
Coburn	Kasich	Solomon
Collins (GA)	King	Souder
Combest	Kingston	Stearns
Condit	Klug	Stenholm
Cooley	LaHood	Stockman
Cox	Largent	Stump
Crane	Latham	Talent
Crapo	Laughlin	Tate
Cremeans	Linder	Taylor (MS)
Cubin	Lipinski	Taylor (NC)
Cunningham	Longley	Thomas
Deal	Lucas	Thornberry
DeLay	Manzullo	Tiahrt
Doolittle	McHale	Upton
Dornan	McInnis	Visclosky
Dreier	McIntosh	Walker
Duncan	McKeon	Wamp
Dunn	Metcalfe	Watts (OK)
Edwards	Mica	Weldon (FL)
Ehrlich	Miller (FL)	Weldon (PA)
English	Montgomery	Weller
Everett	Moorhead	Wicker
Ewing	Myers	Wolf
Franks (CT)	Myrick	Young (AK)
Frisa	Neumann	Young (FL)
Funderburk	Ney	Zimmer

NOES—254

Abercrombie	Bentsen	Brewster
Ackerman	Bereuter	Browder
Andrews	Berman	Brown (CA)
Bachus	Bevill	Brown (FL)
Baesler	Bilbray	Brown (OH)
Baker (LA)	Bishop	Bryant (TX)
Baldacci	Blumenauer	Bunn
Barcia	Blute	Calvert
Barrett (WI)	Boehlert	Cardin
Bass	Bonior	Castle
Bateman	Bono	Clay
Becerra	Borski	Clayton
Beilenson	Boucher	Clement

Clinger	Jackson (IL)	Pastor
Clyburn	Jackson-Lee	Payne (NJ)
Coleman	(TX)	Payne (VA)
Collins (IL)	Jacobs	Pelosi
Collins (MI)	Jefferson	Peterson (MN)
Conyers	Johnson (CT)	Pickett
Costello	Johnson, E. B.	Pomeroy
Coyne	Johnston	Poshard
Cramer	Kanjorski	Pryce
Cummings	Kaptur	Quillen
Danner	Kelly	Rahall
Davis	Kennedy (MA)	Rangel
de la Garza	Kennedy (RI)	Reed
DeFazio	Kennelly	Regula
DeLauro	Kildee	Richardson
Dellums	Kim	Rivers
Deutsch	Kleczka	Rogers
Diaz-Balart	Klink	Ros-Lehtinen
Dickey	Knollenberg	Rose
Dicks	Kolbe	Roth
Dingell	LaFalce	Roukema
Dixon	Lantos	Roybal-Allard
Doggett	LaTourrette	Rush
Dooley	Lazio	Sabo
Doyle	Leach	Sanders
Durbin	Levin	Sanford
Ehlers	Lewis (CA)	Sawyer
Engel	Lewis (GA)	Saxton
Ensign	Lewis (KY)	Schiff
Eshoo	Lightfoot	Schroeder
Evans	Livingston	Scott
Farr	LoBiondo	Serrano
Fattah	Lofgren	Shaw
Fawell	Fawell	Sisisky
Fazio	Luther	Skaggs
Fields (LA)	Maloney	Skeen
Filner	Manton	Skelton
Flake	Markey	Slaughter
Flanagan	Martinez	Spence
Foglietta	Martini	Spratt
Foley	Mascara	Stark
Forbes	Matsui	Stokes
Ford	McCarthy	Studds
Fowler	McCollum	Stupak
Fox	McCrery	Tanner
Frank (MA)	McDermott	Tejeda
Franks (NJ)	McHugh	Thompson
Frelinghuysen	McKinney	Thornton
Frost	McNulty	Thurman
Furse	Meehan	Torres
Gejdenson	Meek	Torricelli
Gibbons	Menendez	Towns
Gilchrist	Meyers	Traficant
Gilman	Millender-	Velazquez
Gonzalez	McDonald	Vento
Gordon	Miller (CA)	Volkmer
Goss	Minge	Vucanovich
Green (TX)	Mink	Walsh
Greene (UT)	Moakley	Ward
Greenwood	Molinari	Waters
Gunderson	Mollohan	Watt (NC)
Gutierrez	Moran	Waxman
Hall (OH)	Morella	White
Hastings (FL)	Murtha	Whitfield
Hayes	Nadler	Williams
Hefley	Neal	Wilson
Hefner	Nethercutt	Wise
Hilliard	Oberstar	Woolsey
Hinchee	Obey	Wynn
Hoke	Olver	Yates
Horn	Ortiz	Zeliff
Houghton	Owens	
Hoyer	Pallone	

NOT VOTING—12

Emerson	Johnson (SD)	Ramstad
Fields (TX)	Lincoln	Schumer
Gephardt	McDade	Tauzin
Harman	Peterson (FL)	Torkildsen

□ 1312

The Clerk announced the following pair:

On this vote:

Mr. Emerson for, with Ms. Harman against.

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. TORKILDSEN. Mr. Chairman, this morning I was in my district on official business. Had I been present, I

would have voted on three rollcalls: "yea" on rollcall 259, "yea" on rollcall 260, and "nay" on rollcall 261.

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

The CHAIRMAN. Without objection, the gentleman from Illinois [Mr. POSHARD] is recognized for 5 minutes.

There was no objection.

Mr. POSHARD. Mr. Chairman, the committee report includes language indicating an expectation that the Forest Service will not engage in any below cost timber sales. Does the chairman agree that this provision should be applied to hardwood timber stands but should not preclude the Forest Service from taking out pine stands in order to reforest the Shawnee with native hardwoods.

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

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

Mr. REGULA. Mr. Chairman, it is the committee's belief that we should avoid below cost timber sales on the Shawnee, but the removal of pine to re-store hardwoods may be done at the lowest cost possible.

□ 1315

Mr. POSHARD. It is my understanding from forest management that taking out the pines will actually enhance habitat for the Indiana Bat and other species with which the committee is concerned. Does the committee believe that it would be appropriate to remove pine stands and replace them with hardwoods in order to protect that habitat and those species?

Mr. REGULA. That is the committee's view.

Mr. POSHARD. Mr. Chairman, there is further direction regarding clearcutting. Is it the committee's intent to keep the Forest Service from clearcutting hardwood stands?

Mr. REGULA. That is the committee's position.

Mr. POSHARD. Mr. Chairman, I appreciate the committee's indulgence.

AMENDMENT OFFERED BY MS. FURSE

Ms. FURSE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. FURSE: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated or otherwise made available in this Act (including funds appropriated or otherwise made available for salaries and expenses of employees of the Department of Agriculture or the Department of the Interior) may be used to prepare, advertise, offer, or award any contract under any provision of the emergency salvage timber sale program established under section 2001 of Public Law 104-19 (109 Stat. 240; 16 U.S.C. 1611 note).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 19, 1996, the gentlewoman from Oregon [Ms. FURSE] and a Member opposed, the

gentleman from Ohio [Mr. REGULA], will each control 30 minutes.

The Chair recognizes the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I am here today to participate in a bipartisan amendment which will fix the biggest environmental mistake of the 104th Congress. That mistake is the so-called emergency salvage timber program, passed as a rider last July, which suspended all environmental laws in every national forest in the country.

Now, America is a nation of laws. Americans are law-abiding citizens. But the salvage rider has put logging outside the law. No other industry in this country is allowed to operate outside the law. By circumventing the normal avenues of public input, the rider has reignited a war in the woods.

I do not oppose logging, no one who has cosponsored this amendment opposes logging, as long as it is done in compliance with our environmental laws.

Let me be very clear. State and private citizens must comply with State forest lands on their property. Why should the Federal Government not do the same on Federal lands?

This amendment is a modest amendment. It just asks that we not spend money outside the law.

The salvage rider was not what it seemed. Although touted as an emergency measure to cut dead and dying timber, the rider has been used to clearcut healthy forests, including some hundreds of years old. For example, less than 40 percent of the trees in the Shanty salvage sale in California had any signs of mortality.

I have with me a picture, and my colleagues can see that there is a blue X on this very large, very old tree. This is going to be cut under salvage, not these skimpy little ones on the side. The big one.

Cutting without consideration for environmental law also harms wildlife and fish populations. That is why this rider was opposed by commercial and sports fishing organizations nationwide. This includes the Pacific Coast Federation of Fishermen, the largest commercial fishery organization in the west.

Now, as I say, this is a picture of what these so-called salvage riders are. This is a healthy, 350-year-old ponderosa pine. It is not dead, it is not dying, and yet it would be cut without compliance to environmental laws.

The salvage rider has also been costly to the American taxpayer. It will end up costing the American taxpayer millions of dollars by requiring it to subsidize bargain-basement logging in our national forests.

What our amendment does is fairly modest. It just says that no money can be used by the Forest Service from this appropriation outside of the law. In other words, the Forest Service must log under the environmental laws which were put in by this Congress and other Congresses to say we need some oversight.

One of the problems about giving enormous power to a Federal bureaucracy, which is what the rider did, is that can we really trust that they can do this without some oversight? Our amendment says that there will be oversight, there will be environmental protection, but there will still be logging. We do not oppose logging; we just oppose lawless logging.

Mr. Chairman, I should say right now that hundreds and thousands of Americans support that. In fact, a nationwide poll found that three-quarters of all Americans asked opposed lawless logging, and I urge a "yes" vote on the Porter-Yates-Furse-Morella amendment.

Mr. DICKS. Mr. Chairman, will the gentlewoman yield to me?

Ms. FURSE. I yield to the gentleman from Washington.

Mr. DICKS. I just want to clarify a couple things about the amendment.

Is it the intent of the sponsors of this amendment that it would affect only timber salvage sales that would be offered after October 1, 1996? In other words, it is not going back retroactively?

Ms. FURSE. That is absolutely correct, I say to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Is it the sponsor's understanding that the so-called section 318 sales authority would expire on September 30, 1996?

Ms. FURSE. Yes, they unfortunately would not be affected by this amendment.

Mr. DICKS. Is it also true that the salvage provision enacted last year would expire on December 31, 1996, but for your amendment?

Ms. FURSE. That is correct. That is correct, Mr. DICKS.

Mr. DICKS. Is it the sponsor's understanding that salvage sales offered under her amendment after October 1, 1996, would be conducted under all existing environmental law?

Ms. FURSE. All existing environmental law.

Mr. DICKS. I appreciate the gentlewoman yielding to me on this issue.

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

Mr. REGULA. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong opposition to this amendment. First, let us understand it is being offered primarily for window dressing for the President of the United States because this was objected to by the environmental community saying this was an awful rip-off to the taxpayers. Let us just think for a moment what this does.

This amendment would halt all of President Clinton option 9 sales relief by the rescission law. Now keep this in mind: Even President Clinton sales

would be halted. This is what he signed off in the Northwest. He agreed to this. I believe the author of the amendment agreed to it. It would halt all salvage sales and force expensive, time-consuming reprocessing of dead tree sales.

This means sales that should have happened, that timber will rot and burn, rot and burn, and some would say this is natural. Well, I just want to ask my colleagues how many of them have ever gone to a forest fire or fought a forest fire. Alaska has just gone through two big ones, primarily because most of the timber burned that should have been harvested because it was dead. And that is going to happen all over the United States of America wherever there is national forest.

The forest health is in jeopardy because we have a philosophy today that trees will live forever. The idea that 350-year-old ponderosa pine would be healthy is ridiculous. If we cut that tree down, we find it is rotten at least 85 feet into the tree, at least 3 feet across. It is a dying, dead tree. But there will be a new tree if that tree is to be removed in a sound, environmental way. If we let it burn, it will not. Let it burn twice, which it can, there will be no growth for a period of 40 to 50 percent, if this amendment is adopted, of what remaining sales we have left in national forests will be lost.

On top of that, this probably will be litigated, costing the taxpayer money and actually eliminating what chance these small communities have to survive.

Now, we heard a lot about the gentleman from California [Mr. RIGGS] yesterday and his small farmers, his small ranchers because of the murelette. Small mills in the northwest, mills that have been harvesting these timber trees, these salvage trees, will be stopped dead in their tracks. No timber means more mills will be closed in Washington, Oregon, and California.

Jobs. American people will be put out of work. Already now, and think about this, 239 mills employing thousands of Americans have been closed in Washington, Oregon, and California since 1989, a period of 7 years. We have lost an industry. We are importing our fiber today. We have lost an industry, and the jobs are important to this Nation.

But more than that, the taxpayer will pay. We talked yesterday about subsidized roads. We talked the other day about subsidized timber harvesting. We talked about the taxpayer paying. Well, think about it a moment. Already we put thousands, approximately over 100,000, jobs, related taxpaying jobs, out of business because of actions of this Congress, this administration, and those interest groups that decide logging is not part of our society. A renewable resource is no longer to be utilized as it is used around the world. It will also expose this government to millions of dollars in contract breach claims for timber harvested during the last 3 months of the period during the salvage law in effect.

This salvage law will expire December 1996. That is only 6 months away. All we are asking in reality is to implement the act as it was placed in the last session, let it be fulfilled, review it as that time, and if we can show that the salvage act itself has provided jobs, it has increased the health of the forests, we can then address it. But now to politically offer an amendment to make the President look well and good in the environmental community I think is uncalled for.

What has happened with the concept of sound scientific information about the timber? And I have talked to the forest industry scientists and will tell my colleagues today that right now the private timberland, not the Federal timberland, one-third of the land mass is producing two-thirds of our fiber today because it is managed appropriately. The national forest is not being managed. We are allowing that forest to decay, to rot, to fall and, in fact, to burn, and that is not called for.

Ms. FURSE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I thank the gentlewoman for yielding me time, and I compliment her on the great leadership she has shown on this and other important environmental issues.

With the greatest respect for the gentleman from Alaska [Mr. YOUNG], I think he is got it exactly backwards. Last year in the rescission package in the full Committee on Appropriations, the amendment on salvaged timber was offered. No one, to my knowledge, had any notice that it was going to be offered. It was 7 or 8 or 10 pages long; 13 pages long, I am told. It had never had a hearing anywhere in the Congress, and suddenly it was offered as an amendment to an appropriation bill without anybody realizing the implications of what was involved.

□ 1330

There have been tremendous problems ever since, Mr. Chairman. The salvage timber rider, so-called, has caused a much greater problem than was originally envisioned, and that was a great problem, indeed. As I have learned from my constituents, local and national environmental groups, and local and national news reports, the provision has been interpreted by the logging companies and enforced by the courts much differently than was apparently originally intended. This is a flawed provision that we approved before knowing its full consequences, before any hearings, as I say, before understanding what was being done.

When these problems were realized, we should have addressed them. Now we have waited almost 1 year, and it is certainly time to fix the mistakes that have been caused. As Members will recall, the provision attached to the emergency rescission bill which provides aid to victims of the California earthquake and the Oklahoma City bombing, was to provide for the re-

moval of dead and dying trees for the overall improvement of forest health on Federal lands.

As indicated by the national news, much more is being cut than salvage timber. In fact, I have learned from many sources, including local loggers in the Pacific Northwest, that dead and dying trees are in some cases not being touched, it is the old growth forest that is being harvested under this law. The salvage timber provision is superseding the carefully crafted environmental and natural resource laws that previously regulated logging in the Pacific Northwest.

One of the greatest problems with this provision is the broad-range definition of salvage timber. The definition includes dead, dying, diseased or associated trees. Basically, this definition allows loggers to use their own judgment in determining which timber stands to cut.

I support, Mr. Chairman, the need to keep our great forests healthy, but the salvage timber rider is not attaining this goal. We are misleading ourselves to think otherwise, and it is time to correct this serious problem. I hope Members will support this amendment so we can move into constructing good legislation that will promote the original intention of healthy forest management.

Ms. FURSE. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BOEHLERT].

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, I rise in strong support of this amendment, which would prohibit the expenditure of funds to implement the so-called salvage rider.

I use the term "so-called" advisedly because the salvage rider has turned out to have very little to do with salvage logging—that is, with taking dead trees out of forests. In fact, true salvage logging was already permitted before passage of the rider, which was sold to this body under what can most generously be considered false pretenses.

We were told the salvage rider would apply only to dead trees. In reality, healthy, green trees, account for up to 50 percent of some salvage sales.

We were told the salvage rider would increase Federal revenues. In reality, the rider has cost taxpayers millions of dollars by mandating subsidized timber sales.

We were told the salvage rider would have a minimal impact on the environment. In reality, the rider has damaged our Nation's forests while preventing any citizen suits to redress the situation.

In passing this rider, the House was sold a bill of goods. The public interest demands that the salvage rider be reversed so that we stop damaging our forests, sapping our treasury, and silencing public input.

Mr. REGULA. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. BUNN], an excellent member of our subcommittee.

Mr. BUNN of Oregon. Mr. Chairman, I rise in opposition to the Furst amendment. I would like to correct a few things that I believe were inaccurate when they were stated before. I heard it mentioned that there had not been a single hearing. In fact, on February 28, 1995, before this was taken up, there was a hearing. There have been seven oversight hearings since then, four in the field, two in Washington, DC, and one with the Senate.

Also, I think there needs to be a clear understanding that this does not exclude environmental concerns. An environmental assessment is required, a biological evaluation is required, and it is solely at the discretion of the Secretary of Agriculture or the Secretary of the Interior, as appropriate, to decide whether or not to allow these sales to go forward.

So, Mr. Chairman, there may be some concern about whether or not the administration is adequately following the concerns; but it is interesting to me, this is something that we had a hearing on, we have had a series of hearings on. We debated this in the House. We have debated in the Senate. The administration initially vetoed it, came back, worked through the process again. Then the administration went to court to try to block what they signed, apparently saying they did not understand what they signed. Maybe they should pay a little more attention to it.

In fact, it is a good law that is working. Never have we claimed that there would only be dead trees. The idea of dead and dying trees, when there are diseased and dying trees, the needles may not be off, but that tree may be dying and may infest other trees. You may see a green tree or a number of green trees that are, in fact, diseased and need to be harvested to protect others. It is a good bill. This amendment is opposed by the United Paperworkers International Union, the Western Council of Industrial Workers, and the American Forest and Paper Association, among others, because we need the ability to get in and harvest these trees.

The Clinton administration has absolutely dismally failed to deliver on the Northwest forest plan. This has given us some hope that there would be timber in the supply line until we can get that straightened out. It is important to understand that the appeals have been abused in the past, to simply endlessly appeal the salvage logging until those logs have rotted and it becomes a moot point.

We can no longer allow that. We have to expedite those sales, because these are not healthy standing trees that we can debate for the next 5 years and harvest or not harvest. These are trees that are dead or dying, and will rot without this expedited appeal, so I urge

Members' opposition to the Furse amendment.

Ms. FURSE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. YATES], the ranking member of the subcommittee.

Mr. YATES. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from Oregon [Ms. FURSE] and the gentleman from Illinois [Mr. PORTER]. I had intended to offer a similar amendment, but I defer to my distinguished colleagues.

Mr. Chairman, this amendment would finally end the disaster of the salvage timber rider that was attached to last year's rescissions bill. With respect to what my good friend and colleague on my subcommittee said about having held hearings, there were no hearings by the Committee on Appropriations before this amendment was presented to the Committee on Appropriations as an amendment to the rescissions bill. There may have been hearings later, but none were held, to my knowledge, by the Committee on Appropriations.

Mr. Chairman, the rider contains so-called sufficiently language which shuts out the general public by barring legal challenges and preventing public comment periods. The salvage rider has caused enormous damage to rivers and streams in the Northwest, leading to the death of thousands of trout and salmon.

It is now painfully clear that in short-circuiting the process and exempting timber sales from the environmental laws, which is what the amendment does, which is what the Taylor amendment did, irreparable harm to the fragile ecosystems was caused to our national forests.

This is what some of the newspapers in the area have said. Salem, OR:

The streams that supply Salem's water run brown with silt and mud—much of it from logging roads and clear cuts. We're drinking, or trying to drink, the mucky runoff from sloppily built logging roads that crisscross our mountains and from forest clear cuts.

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

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

Mr. BUNN of Oregon. What is the date of that newspaper article, if I may ask the gentleman, Mr. Chairman?

Mr. YATES. It is February 21, 1996.

Mr. BUNN of Oregon. Was that article talking about the floods in the Northwest that had nothing to do with the salvage logging, or was it in fact speaking directly about the salvage logging?

Mr. REGULA. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. TAYLOR], a distinguished member of the subcommittee.

Mr. TAYLOR of North Carolina. Mr. Chairman, my good friend, the gentleman from Illinois, SID YATES, and I have served together on the committee and gone back and forth on questions of forestry. There is enormous pressure in this country from organizations that

take in hundreds of millions of dollars, scaring people, and they want to continue to do that. That is why a lot of misinformation has been put out. I am afraid some of my colleagues have gotten hold of it and believed it.

Mr. Chairman, my colleague who got up a moment ago and said that we had cut green trees in salvage, it is absolutely misinformed. I will pay \$1,000 cash today if anyone can bring me evidence of any green tree that has been cut under the salvage bill. We are not talking about the 3-18 amendment that was made taking older sales that were set aside long ago and had been under appeal, we are talking about the salvage bill.

For instance, I have seen a piece of information here showing pictures put out by folks who said, "The tree below is more than 700 years ago. It was cut down because Congress passed a salvage rider which has allowed large-scale harvesting of America's oldest and most valuable trees."

I presume that is talking about the 3-18 sales which Mr. Clinton endorsed under his option 9. It has to be, because the picture was made in March of 1995, about 4 months before the salvage legislation passed. So it would be impossible for salvage and difficult for that to be involved in 3-18.

Mr. Chairman, the situation that we find with other pictures, last night we were shown a picture on the floor that purportedly was damaged by logging roads. In the Senate, that picture was used months ago, and it was supposed to be salvage damage. It looks like something out of the 1890's, with tailings from a mine. Soon it will be used in the debate for the Johnstown flood.

I do not know what we are proving by bringing up photographs that purport to show damage in forests that were taken months and sometimes years before the bills were even passed. But clearly this is misrepresentation. The timber salvage legislation that was passed is doing its job. It is doing it slowly, because there is much resistance from the administration; not inside the Forest Service, but from the administration.

We are finding in the South as to disease-infected timber, it is already being put on for sale, and it is important that that be done, because if we have 100 acres of insect-infested timber inside the Forest Service, if you do not take out the host trees, and that includes some green trees, because trees that are dead or the insect has already left, they are hosting in the periphery green trees around it.

So when the forest silviculturist goes in, he has to determine those trees where the host is. Some of those trees are still green, but they will be dead in a matter of weeks or months, so he cuts out the area where the disease, where the insect is, and he harvests that.

The Forest Service has been very careful, being under the watchful spot-

light of Congress, it has been very careful to see that nowhere has it abused it, and we cannot find a single example of that abuse that has been presented to Congress, either in our hearings on salvage or in any other area.

We are beginning to remove diseased, dead, and dying timber from the forest. It is being done profitably at the individual sales, and it is being done in a way that is good for the environment. Nowhere can I find these people who rave and rant because of the pressure from environmental organizations that they are saving the forest, can they say what are they going to do when they destroy the use of wood.

The Sierra Club voted 2 to 1, no cutting in the national forests. When we kill the jobs, kill the harvesting of our forests, when we no longer have wood for the tables and the multitude of chemicals and other things we use it for, they do not tell you that we have to replace it with finite, finite materials such as plastic, where the oil has to be imported, where the toxicity and spills in manufacturing as much greater than it is in wood processing, and that is harmful to the environment.

No. The information being put out that I just mentioned, that is false information and misleading information, is what is being used, and serves as environmentalism today. We need honest debate on this question, and we need to keep the timber salvage bill.

Ms. FURSE. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the photo that was referred to has no affiliation to this amendment and no relevance to the debate. I am holding in my hand a list of salvage rider sales—107 of these have substantial green tree components. I am not going to hold the gentleman to his \$1,000, but there are many, many sales that have a significant amount of green timber.

Mr. Chairman, I yield 5 minutes to my distinguished colleague, the gentleman from Maryland. [Mr. GILCHREST].

□ 1345

Mr. GILCHREST. I thank the gentlewoman for yielding time.

Mr. Chairman, I would like to make sure that I am not here defending any special interest environmental group who may or may not be against all logging or against salvage logging. But I am here as a result of trying to make some sense out of a very complicated issue, logging on our Nation's forests.

It is my understanding that in 1987 there were 11.3 billion board feet harvested off of America's national forests. In 1994 that dropped to 3.4 billion board feet. Perhaps in 1987, 11.3 billion board feet was too much. In 1994, as a result of the forest health problems that we are seeing, the 3.4 billion was not enough. As a result of that, we see some pretty severe problems in our Nation's forests.

What I would like to say, though, which is my problem with the timber

salvage sale, is that I realize we have to get the dead and dying trees out, we have to get the insect-ridden trees out, and we have to create a management scheme that is going to make sure that we manage our national forests so that they can recycle themselves and we can get the wood for America, people can have jobs, and we can still have a suitable environmental condition so that our forests will be sustainable for the future.

But the crux of this legislation, the timber salvage legislation, included in it a requirement from Congress that you can virtually eliminate some of those safeguards and best management practices for a healthy forest as far as environmental conditions are concerned.

It was said earlier by the gentleman that the Secretary of Agriculture and the Secretary of Interior have some discretion about how to manage these things, but let me read from a directive. Here is what a Federal court said about the amount of discretion that both of those Secretaries have:

The Kentucky court noted that sales were exempt from all Federal environmental and natural resource laws, something Congress unquestionably has the power to do.

And then the court went on to say:

As Congress is the fountainhead for all environmental and natural resource laws, it clearly has the power to create blanket exemptions from those same laws. Although the wisdom of such exemptions might be debated, the authority to exempt is incontrovertible.

That sends a powerful message to the Secretaries of both of those departments to pull back from more suitable, manageable environmental procedures.

I know we have to take those logs out of those forests and we better do it as fast as we possibly can, but we do not want to do it at the damage of other habitat concerns, other environmental concerns, stream concerns, spawning areas for fish. What about other people in those areas and the way they make their living?

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

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

Mr. REGULA. I thank the gentleman for yielding.

Mr. Chairman, the act said, and I quote:

The scope and content of the documentation and information prepared, considered and relied on under this paragraph is at the sole discretion of the Secretary concerned.

If I read that correctly, the Secretary has sole discretion to approve or disapprove a sale.

Mr. GILCHREST. If I could reclaim my time, when this is evaluated that statement sounds pretty promising, but when it is evaluated as far as the interpretation of the courts is concerned, the ramifications of that are not the same from your interpretation of the language to the court's interpretation of the language.

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

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

Mr. VENTO. I appreciate the gentleman from Maryland yielding.

Mr. Chairman, the fact is when this was taken to court, the Secretary was forbidden to use his discretion. He said that this waiver, he could not apply any of these standards, and his attorneys, the attorneys for both the Secretary of Interior and Agriculture, advised them, unless they wanted to go to jail, that they had better meet the volume numbers and the prescriptions of these salvage sales.

The fact is that they tried. That is, Secretary Babbitt and Secretary Glickman both made extraordinary efforts to the point that they were being criticized in some of those hearings as not complying with the timber rider.

Mr. GILCHREST. Mr. Chairman, reclaiming my time, I think, just from my judgment, we have managed the National Forest Service over the years in a way that certainly needs improvement. We all know that there are extreme environmentalists out there certainly that do not want any logging in any national forest. I certainly am not for that. What we need is some commonsense, reasonable management practices injected into the whole process.

I urge support for the gentlewoman's amendment.

Mr. KOLBE. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. I thank the vice chairman for yielding me the time.

Mr. Chairman, first of all the gentleman from Illinois [Mr. PORTER], who I guess had to leave, claimed that the timber salvage legislation was some sort of clandestine measure forced upon the Congress in the dead of the night.

I would like him to note that the legislation was the result of 5 months of open legislative debate, lots of give and take, because some of us were involved in those meetings between the administration and the Congress. It expedites the procedures by which agencies, the Bureau of Land Management and the Forest Service, salvage dead and dying trees nationwide and it insulates from judicial challenge green timber sales prepared under the President's own forest plan, the Northwest Forest Plan, which has already been found by the courts to comply with environmental laws.

So what is going on here? The most liberal allies of the administration, those who pander to the extreme fringe of the environmental movement, are applying pressure on the President to reconsider the legislation he signed into law and renege on the commitment he has made to the people of the Northwest in our timber-reliant towns and our timber-reliant counties. That is what is going on here.

So we are talking about now potentially, just as we begin to get salvage sales into the pipeline, shutting down the program altogether, stopping a program that helps with fire suppression, promotes good forest health by removing diseased trees and most importantly puts our people back to work.

I want to go back to that give-and-take, those negotiations between the administration and the Congress, and I want to introduce for the record a letter on White House stationery dated June 29, signed by the President of the United States. It is to the Speaker of the House, NEWT GINGRICH, and it says: "I want to make it clear that my administration will carry out this program," referring to the timber salvage program, "with its full resources and a strong commitment to achieving the goals of the program. I do appreciate the changes" I am speaking directly now to the people who are arguing for this limitation amendment or to repeal the program altogether "that the Congress has made to provide the administration with the flexibility and authority to carry this program out in a manner that conforms to our existing environmental laws and standards. These changes are also important to preserve our ability to implement the current forest plans and their standards and to protect other natural resources."

"The agencies responsible for this program" again BLM and the Forest Service "will, under my direction," says the President of the United States, "carry the program out to achieve the timber sales volume goals in the legislation to the fullest possible extent. The financial resources to do that are already available through the timber salvage sale fund."

That is June 29 of last year.

Less than two months later, August 11, again on White House stationery signed by the President of the United States:

As you know, I signed the rescissions bill because it helps to reduce the deficit further. However, I opposed the salvage logging provision as it threatens to impair, rather than promote, sustainable economic activity.

In other words, the devil made me do it. It is a little bit like going to Houston and telling an audience of prominent Democratic fund raisers that House Republicans forced the President of the United States to impose the largest tax increase in the history of this country. It is a little bit like the same thing.

Mr. Chairman, I just want to speak for a moment on this amendment because it is absolutely unnecessary. The administration has enough flexibility to address environmental concerns under the legislation as the President pointed out in his June 29 letter.

So while we have timber-dependent communities throughout the West that remain one step from the unemployment line and while the health of our forests in California and across the West continue to decline because they are not managed properly, and that is what this is, it is a forest management program that is good for fire suppression purposes and good for the health of the forest, we now have those out here on the floor calling irrationally for the termination or the repeal of this new program.

Here is why this call is irrelevant. First of all, regarding salvage sales. The administration has the sole discretion to offer salvage sales. Salvage sales are composed by doing an internal administrative environmental review under NEPA and under the Endangered Species Act.

To illustrate this point for the gentlewoman from Oregon [Ms. FURSE], on April 3, a few months ago, the region 5 forester, Lynn Sprague, whom the gentlewoman probably knows and has dealt with, canceled a large salvage sale in northeast California of 2.5 million board feet in the Lassen National Forest.

I have spoken to Mr. Sprague and Mr. Sprague has publicly commented that he cancelled this sale because of, quote, "escalating public concerns in an area that was scorched by a 1994 fire."

There is no reason to terminate this funding or repeal the program that is in fact working. It is environmentally responsible. For 9 months this administration has claimed it is without flexibility when addressing areas affected by the timber salvage law and have demanded that Congress rectify the damaging effect of this legislation, and now it seems the administration does have the flexibility it has so long demanded to enforce this program.

Ms. FURSE. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. MCDERMOTT].

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

(Mr. MCDERMOTT. Mr. Chairman, this is truly an interesting day because we had the last speaker saying trust the bureaucrats. That is the first time I have ever heard anything like that come from that distinguished gentleman. But the issue here is very simple. The Forest Service has two kinds of sales. One are green sales, one are salvage sales. They have a salvage program that in 1994 amounted to one-third of the sales done, was almost 1.5 billion board feet under that salvage sale. What this rider did, which was without hearings, was to take away any environmental legislation concerns about those salvage sales. It simply said, do whatever you want, disregard every other law on the books with respect to the forest.

The gentleman from Oregon [Mr. BUNN] says there was a hearing. Yes, there was a hearing, I say to the gentleman. It was in the Committee on Agriculture, it was on the health of the forests. This language that was adopted on the floor of the House was never heard in any committee, was never discussed, it was brought out here, dropped on us and it passed.

So the gentleman must not mislead the people in that respect. This language was never before a committee.

The President said that this language that was passed out here, at first he thought he had the capacity to deal with the problems. But the fact was it

went to court and he lost that kind of flexibility.

The most recent letter from the White House, March 13, 1996, and this is to one of the Members of the other body, says:

I write to convey my strong support for your amendment to repeal the timber rider attached to the 1995 Rescissions Act.

Judicial interpretation of the timber rider, as it has been applied to old growth forests, has broadened the Act's requirements to the point that it undermines our balanced approach to ensuring continued economic growth and reliable timber supply in concert with responsible management and protection of our natural resources for future generations. The timber rider must be repealed as soon as possible.

It was done because when it went to court, he lost the capacity to say, this sale cannot happen. What it allowed was the bureaucrats in the Forest Service to take an old green sale, redraw the lines and make it a salvage sale and, therefore, it has no environmental protection. The green sales still have environmental protection but salvage sales do not. So if you draw the lines on the map, add a few trees with a few worm holes in them, you can take away any environmental protection for the forest. This is the essence of this and that is why it should be repealed.

□ 1400

Mr. KOLBE. Mr. Chairman, I yield myself 30 seconds, before yielding to the next speaker, to correct a statement of the last speaker when he said that there was no requirement to follow the law. The law is fairly clear here that the Secretary has to prepare a document for each salvage sale that combines an environmental assessment under the NEPA, the National Environmental Policy Act, and a biological evaluation under the Endangered Species Act. The Secretary must follow the law.

Mr. Chairman, may I inquire how much time there is on both sides here?

The CHAIRMAN pro tempore (Mr. BUNNING of Kentucky). The gentleman from Arizona [Mr. KOLBE] has 12 minutes remaining, and the gentlewoman from Oregon [Ms. FURSE] has 9½ minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. NETHERCUTT], a distinguished member of the subcommittee.

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

Mr. Chairman, I want to put this into perspective. This amendment as it relates to Oregon and Washington, I am a member of the Subcommittee on Interior of the Committee on Appropriations. We had a hearing earlier this year with Jack Thomas, the head of the Forest Service testifying. I raised an issue with Mr. Thomas about the Loomis State Forest in Washington State. It has gone from an infestation of mountain pine beetle starting at 50 acres; it is now about 55,000 acres. It is spreading rapidly east toward the Okanogan National Forest.

I said: Mr. Thomas, how do we solve this problem? How do we stop this infestation and the spread of this infestation that is ruining our State forests and is going to threaten our national forests?

This is what he said. He said: This infestation has swept across eastern Oregon, I say to my friend from Oregon, from one end to the other, and stopped when it got to the Cascades and ran out of lodge pole pine.

Basically, I want to draw the attention of this quote to the gentlewoman from Oregon, Ms. FURSE, and the gentleman from Washington, my friend, Mr. MCDERMOTT. Basically it is a salvage operation in silviculture. And then he says for the people that are into this, and this is a little hard, a little bit hard to sell publicly, once you have an infestation moving at epidemic proportions and start to see the beetle hits, you will see the pinch tubes on the trees a year or 2 years before a stand starts to go in total. Salvage is the answer, or move ahead of the infestation with green sales.

It is a little hard to sell to the public that we really know that this is going to happen. They do not believe it until they see the dead trees.

Now, let us put this into perspective. This debate that has taken on a flavor of, if you are in favor of salvage timber, saving forests, then you are antienvironmental; and I am offended by that. I think that is incredible for the other side to argue this because that is not fair.

The point is you have got the Loomis State Forest heading east infesting possibly the Okanogan National Forest, the Colville National Forest in my district, and we are now making the lumber and timber communities powerless to do anything about it. This salvage amendment again, it is either green sales to get ahead of the disease or it is salvage timber operations. This is a bad amendment.

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

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

Mr. DICKS. This is one thing I think that is widely misunderstood. People talk about the fact when you do a salvage sale and you have these dead trees laying there, well, they took some green trees. What they forget is that the bug infestation has gone from the dead trees into the surrounding green trees. So, some of those have to be taken in order to stop the infestation from spreading further.

It is not because they are trying to undermine the environmental laws or doing something awful. It is because of honorable silvicultural practices.

Mr. NETHERCUTT. The gentleman is correct. We are trying to save the system.

Ms. FURSE. Mr. Chairman, I yield myself 30 seconds.

We still have laws that can do salvage. I am sure the gentleman from Washington [Mr. NETHERCUTT] knows

that. What the salvage rider does is it lifts the laws.

I am all for doing salvage. I think that is a good idea with dead and dying. However, let us not forget that there are laws in the forest to do that salvage environmentally. The salvage rider lifts those laws.

Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the gentlewoman for yielding me the time.

As my colleagues know, I represent Montana. One of our great industries out there is logging. So, let me be clear, I am for salvage sale logging. I am for it done appropriately. It means a lot to the health of our forests and to our economy. So, I was intrigued when this Congress passed this fast track salvage sale bill, and I have watched it plan by plan, tree by tree. I am here to tell Members we made a mistake and we ought to change it.

Now, let me give a couple of examples on the ground in Montana, in the Northern Rockies, in some of the wildest forest land left in this country.

This House, just 2 years ago, voted to put 1.7 million acres of that land in wilderness. This salvage sale logging bill proposed to harvest trees in that very area, and it was so egregious that for the first time in history, a President of the United States and the Secretary of Agriculture had to reach in and lift this 1.7 million acres of Federal wildland so that it would not be under the chain saw of the salvage sale bill. Both green and salvage, dead, dying, diseased timber was to be harvested in the 1.7 million acres that many Members on both sides voted to put in wilderness.

Let me give another example. There is an area in the Gallatin called the Hyalite. Montanans know the name, H-y-a-l-i-t-e. For years the Forest Service ran through the process in their plans, getting public reaction as to whether or not harvests should go forward in that place, and the Forest Service decided not to do it. Now, with this salvage sale bill, the Forest Service has put the Hyalite back up for harvest. If the Hyalite is harvested, more than 50 percent of the timber will be healthy, green timber that is not about to be diseased, because the diseased and dying trees have stopped being diseased. That disease is over.

In the Flathead Forest up near Glacier National Park is some of the great wildland left in this country. During this planning process, the Forest Service has brought harvest plans. I do not mean under the salvage sale bill. But, during the last 10 years of the cycle, the Forest Service has brought harvest plans, tree-cutting plans through the process and at the highest level of the Forest Service in past years rejected those harvests in certain areas. Now, under the salvage sale bill, that green lumber is going back up for harvest.

Does the Forest Service think it ought to be harvested? Of course not.

They rejected those plans over the last 10 years. Now under this bill, because the Forest Service is required, particularly by action in the Senate, to meet a certain volume of timber, they are cutting in places in the wildest land left in this country in an egregious manner.

Let me say it again. I am for salvage sales, but enough is enough. The gentlewoman is right about her amendment. We should stop this while we have the chance.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the gentleman from North Carolina [Mr. TAYLOR] for a quick response.

Mr. TAYLOR of North Carolina. Mr. Chairman, I hear time and time again from the other side they are for salvage sales. We had salvage sales. Then we had an appeals process that rendered salvage sales useless because the appeals would go on for years. Most of us know this timber has to be cut within 6 to 24 months. So it rendered the whole question of salvage moot, and they know that, because they want no lumber cut, no timber cut in forests.

Today in the Committee on Resources there was a host of people from Montana. The gentleman says he watches tree by tree. Commissioners and foresters were there testifying saying salvage is the greatest thing that has happened to Montana. I would suggest the gentleman talk to those people. They are probably still in town.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman, I rise in strong support to the Furse amendment.

Mr. Chairman, let me remind my colleagues that currently over 21 billion board feet of dead and dying timber litter our national forests—enough to build 2 million homes. In some areas 70 to 80 percent of the forests are dead or dying. These deplorable conditions exploded in 1994, as wildfires destroyed 4 million acres of national forest throughout the country including over a half million acres in my own State of California. Common sense demanded enactment of the salvage law to stop this massive destruction of our forests. The salvage law was an emergency, short-term measure intended to jumpstart efforts to restore long-term forest health by expediting the removal of dead and dying trees from our forests.

It is the extreme environmentalists, led by the Sierra Club—the richest environmental litigation machine in the world—who are leading the charge to repeal this law and ultimately stop all timber harvests on Federal land—even the harvesting of dead trees.

Mr. Chairman, it is not responsible forest management to let millions of acres of forest rot and die on the stump. I urge my colleagues to act responsibly, to reject the extremism that would rather see a forest burn to the ground than manage it wisely, and help preserve our forests as a healthy, natural legacy for generations to come.

Vote “no” on the Furse amendment.

Ms. FURSE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. MORELLA], a cosponsor of this amendment.

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, just a little bit of history as a backdrop. It has been over 6 months that my colleague, the gentlewoman from Oregon [Ms. FURSE], launched a campaign and I joined with her, as did many others on both sides of the aisle, to cancel the emergency salvage timber sale rider, aptly named Logging Without Laws. It was signed into law last summer, attached to the fiscal year 1995 supplemental appropriations bill providing emergency relief to Oklahoma City bombing victims.

The rider never received a hearing or a separate vote. It suspends environmental laws pertaining to the cutting of timber on public lands and the results have been expensive to both the taxpayer and the environment. So why do we need to continue it? The Forest Service already has ample authority to do salvage logging without the rider. In 1994, the year before the rider, the age and deceased salvage, 1.5 billion board feet, which is one-third of all Federal timber logged. Then, too, a judicial decision escalated the sales by requiring immediate logging of all previous uncompleted timber sales in the Northwest since 1990.

I certainly have received many letters from people not only in that part of the country but right in Montgomery County, MD. I have one constituent who said he moved to Oregon, could look out his window and he could see these ancient forests being cut. There is a bill that was introduced with 147-plus colleagues to repeal this law gone amok. Passage of the bill would allow forestry issues to be brought up in the proper way before the authorizing House and Senate committees.

I urge my colleagues to allow the Forest Service and Congress to deal with the many important issues involving salvage timber and Forest Service sales, address them with the best science available, with consideration of the environmental economic issues.

Mr. Chairman, I want to respond to something I heard earlier, the so-called forest health justification for suspending laws.

The so-called forest health justification for suspending laws is a sham. Some of these sales are completely green sales in healthy forests; in several other cases, sales which had been regular sales were redesigned—retaining their green component—to be salvage sales. In no case among these sales is there a legitimate rationale based on improving forest health. On the contrary, scientists—including government scientists—repeatedly criticize these sales for their adverse impacts on fisheries, wildlife habitat, soils, and other true measures of forest and aquatic ecosystem integrity. Salvage operations have gone on in our national forests for years and do not depend on suspending the laws.

These sales are money-losers. Except for the sales in the rainforests west of the Cascades, timber sales from very few national forests cover their costs. A recent report by the Government Accounting Office revealed that the National Forest timber sales program lost over \$1.0 billion over the period 1992–94. Economics are disregarded with these forest health sales, so as a group they are worse money-losers than normal. Forest Service Chief Jack Ward Thomas has made it clear that there is no way the agency can produce the volume of timber that the forest health rider requires without major sales in roadless areas. But there is a reason roadless areas have not been logged in the past: they are remote, steep, inaccessible, often high elevation, and usually with poor growing conditions. And by definition, they either require the major expense of constructing a road, or helicopter logging which is also costly. It would be hard to design a plan which would more predictably lose money.

ECONOMIC IMPACTS

While a potential boon doggle for large timber companies, PL 104–19 poses a significant threat to local businesses.

Private timber owners are seeing their revenue decline because the new lumber glut stemming from increased subsidized logging on Federal lands.

Commercial and sport fishermen are threatened by impacts unregulated logging will have on fisheries.

Tourism and recreationist businesses which depend on access to national forests people want to see and visit.

Shakespeare said, "To nature none more bound," and Theodore Roosevelt said, "A real conservative will conserve the environment."

Mr. KOLBE. Mr. Chairman, may I inquire again about the time?

The CHAIRMAN. The gentleman from Arizona [Mr. KOLBE] has 6½ minutes remaining, and the gentlewoman from Oregon [Ms. FURSE] has 3 minutes remaining. The gentleman from Arizona has the right to close.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from Arizona for yielding me the time.

Mr. Chairman, I just want to correct some misinformation that I believe was just delivered. The fact is that if there is a lumber glut in the market in America, it is because we are experiencing so much dumping by Canada of lumber.

□ 1415

Canada is matching 29 percent of the entire market demand in this country, while our forests are subject to fire and disease and insect infestation.

I also want to clear up the fact that this has been brought up for a separate vote. Last September, the Yates amendment was defeated by a vote of 275 to 150. There was a clear vote on this, and indeed just a few weeks ago the Senate voted on the salvage bill to protect the salvage bill.

We sometimes lose common sense in this debate. We talk about ancient for-

ests, but do people not realize that trees have a life cycle just like human beings? They start from a seed. They mature, they grow and breathe, and then they mature and die and fall to the forest floor, and we have what is so aptly called now fuel load. Fuel load means fuel for a lot of fires. Just last year in the Northwest alone, the year before last in the Northwest alone, we experienced 67,000 fires.

Mr. Chairman, if we are not able to treat our forests with the kind of loving care that we treat our gardens and that we prune that which is unhealthy and remove that which does not contribute to the health of the ecosystem, then we are sincerely being negligent of the gem of the Nation, which I believe are our national forests.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. COOLEY].

Mr. COOLEY of Oregon. Mr. Chairman, I rise today in opposition to the Furse amendment.

As chairman of the Timber Salvage Task Force, we had 7 public hearings on this particular bill. I continue to be amazed by the rhetoric surrounding last year's timber salvage amendment. So, for a balanced perspective on this issue, let me quote President Clinton from a letter dated June 29, 1995:

I do appreciate the changes that the Congress has made to provide the Administration with the flexibility and authority to carry this program out in a manner that conforms to our existing environmental laws and standards.

Mr. Chairman, the President could not have said it better, nor myself. There has been a lot of talk about logging without laws, which is absolutely not true. Let us set the record straight.

First, the timber salvage amendment created an expeditious salvage sale procedure for harvesting dead and dying trees. All dead tree sales still must receive an environmental assessment and a biological evaluation.

Second, the amendment requires the release of about 750,000 board feet of section 318 timber sales in Oregon and Washington. The 750 million board feet is well within the 1.1 billion board feet level of President Clinton's own option 9 in the Northwest for the plan laid out. Most of these 318 sales were the product of negotiation between Government, professional environmentalists, and timber salvage during the 1990 appropriation process and were again approved through biological review in the President's own Northwest forest plan.

These 318 sales have already met the appropriate environmental standards. So let us not talk about this. They have already met those.

Finally, the salvage program insulates the President's option 9 forest plan from further judicial challenges. This plan has already been upheld by the courts and meets existing environmental standards.

Ms. FURSE. Mr. Chairman, I would just like to remark, I am amazed at the

trust that the former speaker has put into a huge Federal bureaucracy with no oversight.

Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I rise to support the Furse amendment and to say we should find ways to sustain our forests. We should not find ways to rapidly disregard our environmental standards. This does not mean there are not opportunities to salvage dead and dying timber. But it does suggest that we should not have a salvage program that ignores ecological standards that will sustain our forests.

Ms. FURSE. Mr. Chairman, before I yield to the gentleman from California, I would like to yield 30 seconds to the gentleman from Oregon [Mr. BLUMENAUER].

Mr. BLUMENAUER. Mr. Chairman, I am pleased to add my support for the efforts of my colleague, the gentlewoman from Oregon. One comment I want to make, it seems sort of bizarre for my colleague from Oregon, Mr. COOLEY, to suggest that there were hearings on this. Seven hearings, yes, after the rider was signed into law, after it was passed. That is not how the rest of us in Oregon regard participation.

Ms. FURSE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York [Mrs. LOWEY].

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment.

Mr. Chairman, I rise in very strong support of this bipartisan amendment to repeal one of the most far-reaching and environmentally destructive assaults on our national forests in decades.

Last year the Republican majority unleashed a concerted attack on a host of critical environmental protections: Over many objections, including my own, this body voted to allow oil and gas drilling in the Arctic National Wildlife Refuge in Alaska; to gut the Clean Water Act; to cut hundreds of millions of dollars from low-interest loans to local communities that help keep drinking water safe and beaches swimmable; to slash funding for the Environmental Protection Agency, hazardous waste cleanups, and land acquisition for national parks; and to impose a moratorium on programs that prevent the extinction of endangered species.

Included in this shameful list is the so-called timber salvage provision, which was misleadingly touted as being necessary to reduce forest fires by harvesting dead and dying timber. The sad truth is that it is now being used to clearcut healthy forests in the Pacific Northwest.

Hundreds of acres of irreplaceable old-growth forests have been logged in recent months in Oregon and Washington. Because the measure suspends several environmental laws that help minimize potential degradation of our natural resources, this logging is damaging wildlife habitat and fouling rivers and streams, including spawning grounds for endangered salmon.

And, as if the destruction of acre after acre of forests were not enough, the logging rider is going to cost American taxpayers millions of dollars because mandating subsidized timber sales cost the Federal Treasury more than the revenues they bring in. The Congressional Research Service has estimated that this logging will cost \$50 million this year alone.

This amendment simply will ensure that timber sales comply with environmental safeguards. It's hardly a radical idea, and it's good for the environment and good for the American taxpayer. I urge its adoption.

Ms. FURSE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, on this subject of timber salvage, I believe there is a unity of purpose. Those of us from the West and those of us who represent States where this is a serious issue have met time and again with the Forest Service about having a robust and necessary salvage program. But this rider took us far beyond that purpose.

This rider took us far beyond a program that was designed around forest health, because this rider went from forest salvage, to timber health, to logging without laws. This is not about expediting the procedures. This is not about the appeals process. In fact, we heard in the hearing this morning that as timber salvage has gone up to 1.5 billion feet over the last couple years, appeals have been coming down. So it was going in the right direction. But impatience and the ingenuity of the Forest Service working together designed these riders so it would eviscerate all of the environmental laws that you have to deal with in providing for the protections of our forest. It did away with the Endangered Species Act, the National Forest Management Act, the Multiple Use Sustained Use Act, the Federal Land Policy and Management Act, the Forest and Range Wood Renewable Resources Act. Those were wiped out with respect to those sales.

And what happened? The foresters got in there, they found a few trees that needed salvage, they found a few acres in trouble, and they started reconfiguring the sales. As the gentleman from Montana pointed out, pretty soon what we had were green sales that were not previously allowed now being allowed under the rubric of salvage, because no environmental laws were provided. So communities lost control over the forest, communities lost control over the scenic areas, communities lost control over mountainsides important to them for tourism, commerce, and for all of those reasons. Why? Because the laws did not have to be applied, because you could identify some salvage.

Salvage is important and salvage is something that we have generally worked on on a bipartisan basis. The purpose of that was for forest health. This is about doing away with logging without laws.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank my colleagues from Arizona for yielding me time.

Mr. Chairman, I listened with great astonishment as once again rhetoric replaces reality. We should strive for a genuine balance of the environment and legitimate economic enterprises. It is well documented that a fire corridor exists from Idaho to Mexico, and yes, even beyond. But there will be new fires prompted by these new prohibitions, by not allowing the salvage of dead and decaying timber. It is as if the new prohibitionists were lighting entire small communities ablaze. It is an outrage. No on this. Yes to economic vitality, yes to a true economic balance. We can coexist, and we need to eliminate the fire hazard.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. OBEY moves that the Committees rise and reported the bill back to the House with a recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I do not intend to take the 5 minutes, but I do simply want to express my frustration about the fact that this amendment need be here at all. I supported the proposal last year which allowed timber companies to get at what we were told was salvage, and I think it was a rational thing to try to do.

My problem is that, as has been indicated by a number of speakers today, that proposal wound up allowing a lot more than was advertised, and a lot more than it was explained as doing, because in addition to allowing legitimate salvage, it also would up allowing about 50 percent of the timber that was taken from those areas to in fact be green timber. That creates a dilemma for people like me who want to see to it that we do not simply allow timber to rot on the ground, and yet we also do not want to see every environmental law in the country waived in order to enable people to get at live trees.

So I would simply use this motion to say to anyone interested in the issue on the floor, that in the future when issues like this arise, it would be very good for both sides if legislation which is proposed actually does what it is advertised as doing, because I am confident if that proposition in fact had been limited simply to straight salvage, as the House was told it was, we would not have had much of the controversy that has surrounded this ever since.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the motion.

The CHAIRMAN. The gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes.

Mr. KOLBE. Mr. Chairman, we certainly would not have done this. We did have a time agreement. Since we added

some time on this, there have been some requests for statements to be made on this.

Mr. Chairman, I yield to the gentleman from North Carolina [Mr. TAYLOR], the gentleman in the subcommittee who is responsible for much of this last year.

Mr. TAYLOR of North Carolina. Mr. Chairman, I appreciated the support of the gentleman from Wisconsin [Mr. OBEY] for this bill, and I would tell him today that he has been misinformed about green timber being cut in the salvage area. The Senate included 318 language for the Pacific Northwest. The President endorsed 318 in his option 9,318, by the way, will expire September 30. Therefore, it is really moot, because this bill probably will not be passed much before September 30. So 318, whether it was good, bad or indifferent, will be moot in a few weeks.

The salvage bill has not had green healthy timber cut. As has been explained by the gentleman from Washington [Mr. DICKS], and I explain also, when you have disease, you cut a periphery area where the insects are in a given tree. I would say to the gentleman from Wisconsin [Mr. OBEY], when you were not on the floor I laid out a challenge offering \$1,000 if someone could show us a green tree that had been cut in the salvage areas that was not infected or was not part of that proposal.

The thought that we have had 50 percent of the timber that has been cut so far in the salvage areas has been healthy green timber, unfortunately, has not been the case. The Forest Service is under such pressure, they are watching this stick by stick. Nothing came out in the hearings we had across the country. No accusation was made that a single stem of green timber had been cut in the salvage operation. Much of that has been confused with the trees that were cut in the 318 program in Oregon, which had nothing to do with the timber salvage.

□ 1430

So, Mr. Chairman, I would urge that this amendment be defeated.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for his comments.

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

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

Mr. BUNN of Oregon. Mr. Chairman, we hear a lot of talk about logging without laws. I want to show an example of two sales in my district that took place as a result of this law. There are a lot of laws. Here are contracts with the studies that went into these sales.

We are not logging without laws. We are logging before the logs rot.

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

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

Mr. RIGGS. Mr. Chairman, I want to thank the vice chairman for yielding to

me, and I want to reiterate again that the President wrote the Speaker on June 29 saying that the changes the Congress had made during the course of negotiations on this legislation would allow his administration to, quote, "carry the program out in a manner that conforms to our existing environmental laws and standards."

Another letter signed by the President, August 11:

The House and the Senate were unwilling to abandon the salvage timber rider, but Congress did accept important changes that will preserve my administration's ability to adhere to the standards and guidelines in our current forest plans.

A letter from Secretary Glickman, dated June 29:

I want to make clear that the Forest Service will not offer any timber sales under this authority that violate existing environmental standards or the spirit or intent of any environmental laws.

And lastly, March 29 of this year, Secretary Glickman announced an interim rule that provides the Forest Service with the flexibility to offer substitute timber located outside an original sale area on the so-called controversial northwest forest green sales.

This legislation has the necessary flexibility. The Furse amendment is absolutely unnecessary.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I would like to thank the gentleman for his comments, and I want to state under this motion that there have been comments made that there were no hearings on this salvage timber legislation. There were hearings in the authorizing committee. While there may not have been other hearings in the Committee on Appropriations, we debated this extensively in the subcommittee, we debated it extensively in the committee, we debated it extensively on the floor, and we debated it extensively in the conference. This issue has been thoroughly considered.

I would also like to point out this does not affect green timber. This affects only 3 months; 3 months is the only thing affected here, from September to October, of the salvage timber. We have made plans and it is working the way it is supposed to work.

It seems to me to be absolutely the wrong thing to do to try to take it away at this late stage for those final 3 months.

The CHAIRMAN pro tempore (Mr. BUNNING of Kentucky). Without objection, the preferential motion is withdrawn.

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Arizona [Mr. KOLBE] has 2 minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio [Mr. REGULA], the distinguished chairman of the subcommittee.

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

Mr. Chairman, first of all, for the Members, I would advise we plan to roll this vote and the next three for a total of four votes. We are doing this to expedite the bill and the time, so we can get finished in a timely manner. So there will not be any more votes until we have had three more amendments in addition to this one.

Quickly, I want to emphasize that the language in the bill says:

The scope and content of the documentation and information prepared, considered and relied on under this paragraph is at the sole discretion of the Secretary concerned.

This was a compromise when this legislation was passed to give the Secretary sole discretion to determine what sales would move ahead under the salvage provisions. I think that is a great safeguard that should allay fears that some have and that precipitate this amendment.

Second, here is a 2 by 4 that was sent to me. In 1989, this 2 by 4, per foot, cost 22 cents; 1995, 38 cents. Today, it is probably 45 cents. Now, what does that mean? That means that young people that want to build a home are paying double, almost double for a 2 by 4. It drives up the cost of housing and housing is vital to Americans. That is why it is important that we salvage this timber.

Let me lastly say, I went out, I took a trip and went into a forest in the district of the gentleman from California [Mr. HERGER], and actually went up and looked at salvage operations, and they were working exactly as we anticipated in the legislation. They had devices to stake out the dead trees, which I was advised were worth about \$1,000 to the taxpayers because that is the sale price of a Douglas fir, and that means that that will help to hold down the prices of these 2 by 4's, although this is pine, for the homebuyers and, particularly, young people that want to get into a new home.

So I urge Members to defeat this amendment. I think that it flies in the face of what we have tried to do to help people and to salvage something of great value to the American public.

Mrs. MALONEY. Mr. Chairman, as we speak, gigantic environmentally devastating salvage timber sales are planned or are now taking place in virtually every national forest in the country from Virginia to California, New Hampshire to New Mexico, Alabama to Alaska.

This is not only a Pacific Northwest issue. In fact, 90 percent of the logging through the salvage rider is occurring outside the Northwest.

Mr. Chairman, we are faced with one of the biggest environmental disasters in decades. Under the salvage program, loggers have cut down healthy green trees in old growth forests. To make matters worse, illegal timber theft has compounded this problem.

A March 1996, Los Angeles Times investigation exposed rampant timber theft throughout the salvage logging program.

We must stop this lawless logging now and save our national forests. Support the Porter amendment. We must stop this environmental catastrophe.

Mr. McDERMOTT. Mr. Chairman, I rise in support of the Furse amendment to prohibit the Forest Service from spending any fiscal year 1997 funds on the implementation of the timber salvage rider. If passed, Representative FURSE's amendment would not limit the amount of green tree or salvage logging on our national forests. The Furse amendment simply would ensure that timber sales in our Nation's forests comply with the Nation's environmental laws.

As many of you are well aware, the timber salvage rider passed the House in 1995 under the guise of improving the health of the Nation's forests by harvesting dead and dying trees. Unfortunately, the rider was purposely engineered to circumvent existing environmental standards so as to allow the clearcutting of old-growth trees.

By circumventing existing environmental, health, and safety standards, the timber salvage rider jeopardizes the critical habitat areas of endangered wildlife. Other negative impacts resulting from the environmentally negligent rider include the harming of already ailing fisheries and the threatening of the water quality of our Nation's streams and rivers.

The timber salvage rider has economic consequences as well. By threatening the health of the forests and the fisheries, the rider is in turn threatening the sports, commercial fishing, and the tourism industries, all of which are economically important to the Pacific Northwest.

Since January 1995, this Congress repeatedly has attempted to roll back the Nation's environmental, health, and safety standards. Passage of the Furse amendment will help reverse this destructive trend.

Ms. PELOSI. Mr. Chairman, I rise in support of the Furse amendment to prohibit the use of funds for the Forest Service Salvage Timber Sale Program that was enacted in the rescissions bill.

The timber rider has placed a for sale sign in front of our forest resources.

The rider was an ill-conceived, destructive logging plan that has caused devastation to healthy timber and, in some cases, entire forests. The rider was not about selective logging, but logging that often affects a wide landscape of rivers, fish, and wildlife dependent on a forest for survival.

Representative FURSE is to be commended for her fight against this controversial, anti-environment rider. She has been steadfast in the battle and has successfully engaged the attention of over 100 Members in the House to cosponsor her rider-repeal bill.

The indiscriminate scarring of our Nation's forests, some of them old growth, in the Northwest cannot be sustained. This is the same short-term thinking that brought us the clear-cutting solution years ago where entire mountains of forests were obliterated.

We must approach forest management with a view of sustainability and longevity. Anything less than this will only result in further destruction of lands and habitats that, once lost, cannot be restored.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Oregon [Ms. FURSE].

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

Ms. FURSE. Mr. Chairman, I demand a recorded vote, and pending that, I

make a point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 455, further proceedings on the amendment offered by the gentlewoman from Oregon [Ms. FURSE] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. ISTOOK

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

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

The text of the amendment is as follows:

Amendment offered by Mr. ISTOOK: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used by the Bureau of Indian Affairs to transfer any land into trust under section 5 of the Indian Reorganization Act (25 U.S.C. 465), or any other Federal statute that does not explicitly denominate and identify a specific tribe or specific property, except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) a binding agreement is in place between the tribe that will have jurisdiction over the land to the taken into trust and the appropriate State and local officials; and

(2) such agreement provides, for as long as the land is held in trust, for the collection and payment, by any retail establishment located on the land to be taken into trust, of State and local sales and excise taxes, including any special tax on motor fuel, tobacco, or alcohol, on any retail item sold to any nonmember of the tribe for which the land is held in trust, or an agreed upon payment in lieu of such taxes.

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. ISTOOK] and a Member opposed, each will control 10 minutes.

Is there a Member who wishes to be recognized in opposition to the amendment?

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment and would ask unanimous consent that I might yield 5 of the 10 minutes to the distinguished gentleman from Illinois [Mr. YATES], and that he may control that time.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. ISTOOK] will be recognized for 10 minutes, the gentleman from Arizona [Mr. KOLBE] and the gentleman from Illinois [Mr. YATES] will each be recognized for 5 minutes.

The Chair recognizes the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, this is an extremely important amendment that has broad support all across the Nation, especially from communities that have found just how direly they are being affected. It is based upon the principle that the Federal Government should not subsidize tax evasion, and certainly should not help some people

to make megamillions of dollars by offering a way to others to avoid paying State and local taxes.

Specifically, what is happening, through the Secretary of the Interior and the Bureau of Indian Affairs and their ability, with no restrictions, to transfer land to Indian tribes in trust at prime locations along interstate highways and busy intersections, is establishing a way that the Indian tribes are enriching themselves totally at the expense of the State and local governments, which lose the tax revenue by selling goods to non-Indians, who thereby escape having to pay their sales tax, their gasoline and diesel taxes, and their excise taxes, such as cigarette taxes.

Mr. Chairman, especially because of a U.S. Supreme Court decision last year, the problem is accelerating and soon it will reach beyond the point of no return. The Supreme Court rules that although State and local governments have the authority to tax these sales to nontribal members on the tribal lands, they do not have the authority to enforce it through the usual method of having the seller, the retailer, collect and remit to the local tax collector the taxes that were due.

Because they cannot require this, the tribes are able to freely sell with huge margins between themselves and all competitors. Since the Bureau of Indian Affairs is giving them the way to relocate to prime locations, they can thereby drive competitors out of business and the State and local government lose the tax base.

Here is an example, Mr. Chairman. Across this country, on motor fuel sales, the average tax is 20 cents per gallon. A regular dealer would have to sell it for about \$1.14 a gallon. The tribe can sell it for 94 cents. If people had the chance to go to one station or the other, and one is 20 cents less a gallon, where would they go?

On cigarettes, for example, the national average tax, or the State tax, is 32 cents a pack. If people had to pay the State taxes, it is \$1.91; if they did not, it is \$1.59. If people are out to buy a few cartons, where will they go if they have a clear choice?

In addition to that, there is the sales tax gap, on average, about 5 cents a dollar for all purchases. It does not take many sales like this to add up, and that is what is happening. That is why governors across the country have been urging their Members to support this amendment.

New York State calculates it is losing about \$100 million a year. My State of Oklahoma, from only 18 tribal gasoline stations, already is losing \$13 million a year, and they have not even begun to put in the new locations because of the transfer of the trust lands.

The amendment is very simple. It says the Bureau of Indian Affairs will not make further discretionary grants to tribes unless they show they have an agreement with the State and local government regarding the collection

and payment of taxes or in-lieu payments for what their customers owe in those taxes.

Mr. Chairman, I ask adoption of the amendment and I reserve the balance of my time.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

(Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. Mr. Chairman, first of all, I want to say I oppose the Istook amendment for a number of reasons: No hearings on this sweeping change in Indian policy, and for that matter, it has not been referred to the Committee on Resources for consideration or review. No tribes have had the opportunity to comment on this major change in Federal Indian policy. Finally, and perhaps most importantly, this language is legislating on an appropriations bill.

Once again, we are setting ourselves up for the problems we experienced last year with legislative-type riders. This may technically be a limitation, but it certainly has policy implications to go far beyond what we in the Committee on Appropriations have considered this year, and that got the bill in trouble last year.

Indian tribes have always been recognized as sovereign nations. The U.S. Government recognizes Indian tribes as independent nations and has encouraged self-determination. This legislation is not only a breach of our trust responsibility to the Indians but a violation of the right of self-governance.

Indian tribes, under treaties and agreements with the United States, were guaranteed the right of self-government within their own territory. This includes the right to regulate and tax or not to tax commercial activity which takes place on Indian land. At the same time, the Congress is reducing Federal spending for Indian programs and encouraging tribes to become more economically self-sufficient. We should not be enacting legislation that clearly would discourage such economic development.

The Istook amendment prohibits BIA from transferring any land into trust for a tribe unless the Secretary of the Interior has been informed that a binding agreement is in place between the tribe and the State that the tribe will collect and pay sales and excise taxes on purchases made by nonreservation members for as long as the land is held in trust. The language would apply to lands already in trust status. As independent nations, tribes are exempt from State laws, including payment of State sales and excise taxes.

Mr. Chairman, I urge Members to vote against this amendment. This is a major civil rights act and should be done much more carefully.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume, and I would just note briefly that the home State of the gentleman who just

spoke, Washington State, has advised us they are already losing \$55 million a year in State taxes because of cigarette sales alone on tribal lands.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKY], the cosponsor of the amendment.

(Mr. VISCLOSKY asked and was given permission to revise and extend his remarks.)

□ 1445

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of the Istook-Visclosky amendment. The amendment is a bipartisan solution to a growing national problem which is the inability of our States to collect sales taxes from individuals who purchase retail items on Indian trust property. This amendment will protect State revenue by ending a Federal policy which erodes a number of States tax bases. Rather than contributing to the current problem by granting new lands to tribes that refuse to collect State taxes on sales of non-Indians, our amendment will guarantee that the Federal Government does not take any action to further erode a tax base in a State.

As this Congress continues to shift additional responsibilities onto the States, I feel it is imperative that the Federal Government not actively work to reduce the tax base of individual States.

This amendment will also promote fair competition and a level playing field, as the gentleman from Oklahoma [Mr. ISTOOK] has also pointed out in his remarks. Because these taxes comprise such a large percentage of the product's cost, it is absolutely unfair to ask non-Indian retailers to compete against an Indian retailer that does not collect the sales tax.

I also think it is very important to emphasize, as my colleague on the other side has just done, what we do not do. This amendment does not impose any State or local tax on Indians. This amendment would not impact on the sovereignty of Indian tribes. This amendment would not affect the ability of tribes to operate businesses on any Indian reservation lands, nor any lands currently held in trust status.

In closing, I would urge my colleagues on both sides of the aisle to support this well-defined limitation amendment.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska [Mr. YOUNG].

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from Alaska.

The CHAIRMAN. The gentleman from Alaska [Mr. YOUNG] is recognized for 3 minutes.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong opposition to this Istook amendment.

Since I have been chairman of the Committee on Resources, not a single

Member of Congress has introduced a single bill on this subject. What is more, I cannot remember a single bill that has ever been introduced on this subject in the years I have served in the body. That is 24 years.

Since I have been chairman, we have never had a single hearing on this subject. No witnesses have offered any testimony on this subject. No Indian tribe has been given the opportunity to testify. No State has been given the opportunity to testify. In fact, Indian law experts, and I know a lot of them, have raised constitutional questions about this amendment, yet none of them had an opportunity to testify. This is not the way to do legislation.

In short, the Members of this House are being asked to vote on an extremely important change in Federal policy without any advice from anybody. The change in Federal policy is just about as big as you can get. We are talking about granting a taxation jurisdiction over dependent sovereign nations to the States and even to counties. That is something this Congress, we argued this a few weeks ago in the adoption process, this is a congressional responsibility. We have never done this in 250 years.

Indian tribes are now and always have been a creation of this Nation, dependent sovereign nations. May I suggest, our Founding Fathers recognized these tribes as separate and distinct nations. They entered into treaties with them pursuant to that recognition and created our Constitution so as to continue that recognition throughout the life of our Nation.

States have never specifically been granted taxing jurisdiction over Indian tribes. For Congress to take this gigantic step would be a significant and extreme change in the government-to-government relationship which currently exists, through treaties, in many instances, between the Federal Government and each federally recognized Indian tribe.

The surprise enactment of the Istook language, as far as I am concerned, is a direct violation of this Nation's trust responsibility, I want to stress that, constitutional responsibility to the Indian tribes of this Nation.

It is a violation of the right of self-government of these tribes. Most Indian tribes exist because of treaties entered into between the United States Government and each tribe. These treaties guarantee the rights of the tribes of self-government which, according to numerous judicial decisions rendered over the years, includes the right of each tribe to regulate and tax or not tax commercial activity on Indian lands. The Istook language represents a major change in this longstanding Federal position.

Very frankly, Mr. Chairman, I believe that we ought to uphold our obligation, our commitment. Let us not have any more broken promises. No more trail of tears. No more going back on our word. No more use of the forked tongue.

Mr. YATES. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I want to join in my chairman's statement about the nature of this agreement between the United States and the sovereign nations of the Indian nations of this country. To understand what this amendment does, this is not about negotiating with these tribes, as we do under the Indian Gaming Act or other such. This is to give the States a veto over the operation and the bringing in of after-acquired lands.

What we now have is the ability to negotiate the terms and conditions, should the secretary end up deciding to bring those lands into trust. This completely upsets the balance.

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

Mr. YATES. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. KILDEE].

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

On this amendment, we are entering the thicket of Indian sovereignty, a very delicate issue. I have read the treaties. I would ask other Members of this body to read those treaties. We are in negotiations. We are trying to work things out. This is in the purview of the Committee on Resources. I would certainly hope that this floor not act precipitously today to enter into an intrusion upon that sovereignty. Let the Committee on Resources study this issue.

Mr. ISTOOK. Mr. Chairman, I would respond to the gentleman from Alaska, I would certainly say that the U.S. Supreme Court, in a decision 1 year and 1 week ago, specified that they do, the States and communities do have the authority to tax sales on tribal lands to non-Indians. It is just the enforcement problem. We are not interfering with tribal sovereignty. Certainly, if the gentleman would like to have hearings, it takes a few months for this bill to work its way through and hearings would be welcomed during that time.

Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I would remind my colleagues that this amendment is new. It applies only to new lands. What do you tell a small community that may have an Indian tribe reserve land in their community and tell those folks, the small business folks and others, whether they will sell gasoline or cigarettes, that I am sorry, they are exempt. You are not. That is not right.

What this amendment tries to do is to level the playing field between legitimate small businesses and businesses that Indians establish and, by the way, it applies only to the sales of non-Indians. It does not apply to within the reservation to their own people.

So I would ask my colleagues to support this. It is a step in the right direction to try and level the playing field for new lands that are so designated so

that those businesses, whether they sell cigarettes or gasoline or any other State and local taxes that they may have to comply with, they are on an equal footing with their new competitors. That is why I think that this amendment is a good one. I urge my colleagues to vote "yes."

Mr. ISTOOK. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, the chairman of the Committee on Resources and the ranking member are complaining that this amendment never went through their committee. The problem is, when it comes to Indian affairs, we cannot move gambling legislation, which is ruining America with these Indian reservations. We cannot move adoption legislation because of it. We cannot move this one.

In my home State of New York alone, we are losing over \$100 million in revenue. Small businessmen are being discriminated against who own gas stations right next to these Indian reservations. That is wrong, wrong, wrong. We ought to pass this amendment and deal with it. It will never get out of committee anyway. So come over here and vote for it, especially all of you New Yorkers, all 31 of you.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, I came to the floor to oppose this amendment. I always do that when I feel there is a hint of discrimination or lack of trust, a lack of fairness in an amendment. I saw it as I came in the door.

I think that we do not want to keep the pattern that America has established before where we take the rights away from the Indians that we promised them. I do not care what kind of rights you are taking away or established, you made treaties with them. Leave it there so there will not be this mistrust which they have already had of the white man. Do something right for the Indians.

Mr. YATES. Mr. Chairman, I yield 30 seconds to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, this process is unfair.

First of all, this legislation is authorizing legislation, and it is not going through the committee that authorizes this legislation.

Second, what we are talking about here is a balanced approach between States rights and respect for the sovereignty of Indian nations. This legislation disrespects Indian nations with sovereign rights and you are setting up an unfair system that violates the whole nature of the U.S. Government with native American nations. So I ask Members to vote against the Istook amendment.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the very distinguished gen-

tleman from Ohio [Mr. REGULA], chairman of the subcommittee.

Mr. REGULA. Mr. Chairman, as chairman of the committee, I rise in opposition to this amendment. We have to deal with the Bureau of Indian Affairs and the native American problems. Let me read to you from the law of the United States.

Title to any lands or rights acquired pursuant to this act shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.

The point is, we should deal with this in the authorizing process. There should be hearings. There have been no hearings. The 557 recognized tribes have had no opportunity to present their case. They should. I think it is a serious problem. The problem of gaming, the problem of taxation in these places of business are serious problems for a lot of States. I would urge the authorizing committee to hold hearings, let everybody have their say, and then decide what the policy of the United States should be.

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

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

Mr. DICKS. Mr. Chairman, there is a way to work this out by a compact between the tribe and the States. That is what should be done.

Mr. REGULA. Mr. Chairman, that is correct.

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

Let us not talk about level playing fields. There is no more discriminated people in this country than the Indian people have been and still remain discriminated against.

They talk about, some of the speakers who have spoken before talked about fair competition. This is fair competition. The Indians are a sovereign nation. They are entitled to their businesses. They are entitled to make their livings as they can. They should continue to do anything they can to make their businesses good.

I urge defeat of this amendment.

Mr. ISTOOK. Mr. Chairman, I yield 45 seconds to the gentleman from Washington [Mr. NETHERCUTT].

Mr. NETHERCUTT. Mr. Chairman, I have native Americans in my district. I say this respectfully to them and the opponents of this amendment: I really think this is a question of fairness.

We have a 23-cent gas tax in my State. And to allow a native American gas station to collect gas sales from non-native Americans and not pay the tax right next to a gas station that is non-native American that has to collect that tax does not seem fair.

Mr. DICKS mentioned an agreement between the States and the tribes. That is a good thing. We have that in my State. The Yakimas and the Colvilles both have agreements with the State of Washington to collect those taxes and pay them to the State.

It is not fair to do otherwise. I urge support of this amendment.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that each side be granted an additional minute of debate time.

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

Mr. DICKS. Reserving the right to object, Mr. Chairman, what about this side over here?

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

Mr. DICKS. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, that is what I said.

Mr. DICKS. Mr. Chairman, it looked like the gentleman was going to add to his over there.

Mr. KOLBE. Mr. Chairman, reserving the right to object, may I say to the gentleman from Oklahoma, we are really under a tight timetable. We have to get this bill done.

I could certainly use an additional minute, but I feel constrained to object.

□ 1500

The CHAIRMAN pro tempore (Mr. BUNNING of Kentucky). Objection is heard.

The gentleman from Oklahoma [Mr. ISTOOK] has 45 seconds remaining.

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

Mr. Chairman, the objection consumed probably a minute in and of itself.

Mr. Chairman, the U.S. Supreme Court has said that the statute which the gentleman read before applies to property taxes. We are not touching property taxes. We are not touching the rights of the tribes on the lands that they already have. We are only saying,

If you want the U.S. Government to take new land that you buy and give it this protected status, then you just don't talk, you make an agreement with the State and local governments about their rights.

What happens when all these businesses go under?

I have got a letter from a supplier in Oklahoma that has 40 stations. They have talked with the tribal attorney. They say, "We can exempt you from so many taxes you'll make an extra \$3 million a year." The business can defend itself that way; but when the tax base is gone, funds for schools, for education, for public safety, for highways, they evaporate. It is happening all over the country.

I urge adoption of this simple moratorium amendment to keep the problem under control.

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

The CHAIRMAN pro tempore. The gentleman from Arizona is recognized for 1½ minutes.

Mr. KOLBE. Mr. Chairman, the gentleman from Oklahoma [Mr. ISTOOK] has raised an important issue, and I

think we have had a good discussion on the floor today.

The Indian tribes, under the treaties and agreements that they have with the United States, have been given the right of self-government within their own territory. Each tribe has a somewhat different arrangement, but in a very significant way the Istook amendment turns this on its head. Under the guise of tax fairness, the Istook amendment would give State and local governments the ability to restrict placement of land in trust status for tribes, but the reality of this provision is that it precludes any economic development Indian tribes would want to pursue on these lands unless it is approved by State and local governments. This flies in the face of every agreement, every commitment we have made with tribal leaders.

Each of these treaties is a little bit like the enabling acts that brought our States into the union. They are the basic governing law, and we should not with this amendment on an appropriation bill make such a fundamental change to those enabling acts or to those treaties.

Another point that needs to be made is that under the Istook amendment there is no requirement or assumption that States and local governments have to negotiate in good faith. In other words, simply stated, the States have a veto power over the Indian tribes' future. Subjecting sovereign Indian tribes to the whims of State and local government officials is not in accord with prevailing Federal Indian law and policy. It violates the principles of fairness, it violates the principles of the United States Government.

This amendment stands 200 years of Indian law on its head. It does so without hearing, without consultation or input from the tribes, without tax law experts, without understanding the possible ramifications of this major change to Indian law.

My colleagues, the Istook amendment is an unfortunate attempt to undermine Indian ability to govern themselves and achieve economic self-sufficiency. We should defeat this amendment.

Mr. RICHARDSON. Mr. Chairman, I also rise to speak out against this ill-advised amendment. One of the things that we have to keep in mind is that not only is this bad law, from a legal perspective, but it is bad law from a commonsense perspective as well.

First, for all the talk that I have heard this Congress about the needs and the desperate living conditions of the Indians, we have not done anything of any real consequence this Congress to help them out. And, the one tool for economic survival that they do have—casino gambling—we want to take away from them. But, perhaps even more incredible is the fact that I have heard time and time again from other Members that Indians have to start looking for other avenues of economic growth other than gaming. But what happens when they find one? What do we do? We try and close that down too. At some point this simply becomes a matter of fairness. We cannot close off all of their options.

Second, the point is made that these tax moneys are being taken out of the State coffers and that eventually the States are going to have to come to the Federal Government for assistance and that this will cost the U.S. taxpayers. Well guess what? If we do not help out the Indian tribes grow financially, whom do you think pays for it? The same Federal Government. The point is that by cutting off the tribe's economic avenues, we are not saving any money at all.

Third, this is not an issue that I am not familiar with. This is a big issue in my State. But let me be clear, this is something that had been blown out of proportion in terms of revenues lost to the State. My biggest concern is that we do what we can here to help people help themselves—Indians included. If it was the case that Indian tribes were taking the money and spending it on powerboats, trips to the south of France then we would have cause for alarm. But the Indian tribes are smarter than that. They spend this money on the same things that the State spends it on—roads, water, sewer, and schools.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 455, further proceedings on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK] will be postponed.

AMENDMENT OFFERED BY MR. DEFAZIO

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

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

The text of the amendment is as follows:

Amendment offered by Mr. DEFAZIO: In section 319 (relating to timber), strike the first, second, and third sentences.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Wednesday, June 19, 1996, the gentleman from Oregon [Mr. DEFAZIO] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Oregon for 5 minutes.

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

Mr. Chairman, this is on the issue of log exports. Log exports are the timber industry's best kept secret. While the industry stands united in its attempt to pass riders to appropriation bills that will accelerate Federal timber harvests, they have maintained an informal truce within their ranks on the continued practice of raw log exports from the Pacific Northwest even though the export of raw logs clearly hurts the nonexporting lumber and timber manufacturing companies in the Northwest.

Last year, 1.6 billion board feet of logs were exported from Oregon and Washington to mills in Japan and the Far East. That is more than twice the amount of timber sold on Federal forests during this time. Most of those

logs went to supply some of Japan's 16,000 lumber mills, mills that are protected from competition by a dense fabric of trade barriers and subsidies.

In 1990 Congress overwhelmingly approved a permanent ban on the export of unprocessed timber from national forests, BLM and State-owned lands. I was one of the primary authors of that legislation. An important part of that law prohibited a law against an exporting company from purchasing Federal timber for its mills as a replacement for private timber the company is exporting.

Let me repeat that. The law says a company that exports logs and owns domestic timber mills cannot purchase Federal timber as a replacement for private timber it exports. The practice is known as substitution; it is nothing more than a back-door export of Federal timber.

There is one exception, which is called a sourcing area. The Department of Agriculture, the Forest Service, was supposed to upgrade and determine new sourcing areas for the Pacific Northwest with the changes in the forest economy and the prices bid on logs. Unfortunately, last year in the appropriation bill and this year in the appropriation bill is a prohibition on new regulations to implement changes in the sourcing areas.

Now, I will admit, I will be one of the first to admit, the Forest Service is not perfect. I think there are some problems with their proposed regulations, but we have seen no progress since last year, and I am afraid that this year, if another prohibition is adopted, the Forest Service will take it as another opportunity to not act and to further promulgate regulations or improve the regulations that they have proposed.

So it is my hope, in standing to offer this amendment today, that we can begin to get some movement downtown, and hopefully they are listening at the Department of Agriculture and the Forest Service, on reasonable new sourcing regulations to prevent the back-door export of logs from the Pacific Northwest, where it is prohibited under existing law.

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

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

Mr. DICKS. Mr. Chairman, I am pleased to engage my colleague from Oregon. The provision in the bill he seeks to address stems from the Forest Resource Conservation and Shortage Relief Act of 1990. The gentleman and I both had extensive involvement in the development and passage of that legislation, which had bipartisan support in both the Oregon and Washington delegations.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman from Washington for entering into this colloquy.

Would the gentleman agree to work with me and other members of the Northwest congressional delegation to seek an agreement that will allow the

Forest Service to move ahead within the next year on regulations that fully implement the ban and deal with the issue of sourcing areas in a reasonable manner?

Mr. DICKS. I would be happy to work with the gentleman and other members of the Northwest delegation toward that end.

One of the objectives of this provision of the bill is to prompt the administration to make a serious effort to address the concern of the exporting segment of the industry.

I would also ask the gentleman to help me to engage the administration in this discussion and hopefully find a solution that satisfies congressional intent and the legitimate concerns of the industry.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman, and I am hopeful that we will not be back a year from today with the committee attempting to prevent promulgation of regulation, and at that point I will have to go forward with a vote and would have to go ahead, if I succeed, and implement the problematic regulations now pending.

So I am happy to work with the gentleman and try and prod the administration into action on this.

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

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

There was no objection.

The CHAIRMAN pro tempore. The amendment of the gentleman from Oregon [Mr. DEFAZIO] is withdrawn.

Mr. DICKS. Mr. Chairman, I ask unanimous consent to be recognized for 1 minute.

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

There was no objection.

Mr. DICKS. Mr. Chairman, the only point I wanted to make that I could not make in the colloquy is that we have had kind of a tradition in the Pacific Northwest where we prohibit exporting off of our Federal lands and exporting off of our State lands, and one of the positive aspects of the amendment that is in this bill is that we have 100 percent ban on log exports from the State of Washington, and I would remind my good friend from Oregon that because of that ban companies in Oregon are able to buy timber sales in Washington State, which I sometimes regret, but that is the reality of this amendment.

Now, I would also point out that working out this issue is a very complicated one, but I am committed to trying to work it out. But the policy has been, let us not export off of public lands and let the private companies make a decision about exporting off of their private lands, and we will work out the substitution problem. We have always been able to work these things out in the past.

AMENDMENT OFFERED BY MR. GUTKNECHT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GUTKNECHT: At the end of the bill before the short title, insert the following new section:

SEC. . Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1.9 percent.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Wednesday, June 19, 1996, the gentleman from Minnesota [Mr. GUTKNECHT] will be recognized for 10 minutes and a Member opposed, the gentleman from Ohio [Mr. REGULA], will be recognized for 10 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. GUTKNECHT].

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

Mr. Chairman, I believe that in the last election cycle the people of the United States sent a pretty clear message. I think they wanted us to go to Washington to put the Federal Government on a diet, to balance their budget and to make the Federal Government live within its means, and I want to congratulate the Committee on Appropriations and the chairman of the Interior Subcommittee for all the work they have done in terms of trying to bring the Federal budget under balance, and I congratulate them, for example, in this bill, by reducing spending by \$482 million over last year.

Overall I think this is a good bill, but I think we have to refocus on the big picture, and what we did a few weeks ago when we passed the budget resolution conference report is we in fact said that we are going to increase spending by about \$4.1 billion over what we had agreed to spend in last year's budget resolution; \$4.1 billion.

What we are offering today is an amendment which will reduce spending 1.9 percent across the board, and I intend to offer this amendment on all of the appropriation bills from this point forward, not because they are bad bills, but if we can actually recover that 1.9 percent, we can get back to the budget targets that we set for ourselves a year ago.

We cannot, Mr. Chairman and Members, in good conscience increase the debt load on our children. That has to stop. If we reduce spending just 1.9 percent across the board on the remaining appropriation bills, we can reclaim that \$4.1 billion.

I think through shared sacrifice we can go a long way to create a better future for our children, and that is what this is all about. This is not a mean-spirited amendment. It is about keeping our faith with what we said last year, and, Mr. Chairman and Members, remember what some of the debate was about, the budget resolution. Some of our friends on the other side were saying, "You're increasing spending too much."

This is a chance for people on both sides of the aisle to say what we mean, mean what we say, to actually force the Federal Government to stay on that glide path toward a balanced budget. When we talk about putting the Federal Government on a diet, if we compare that to a belt, we are actually asking the Federal Government, through this 1.9-percent cut, to tighten its belt less than one notch.

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

Mr. Chairman, we have already done much better than this amendment proposes. We have cut the budget 4 percent from last year, and we have cut the budget 8 percent from the previous year. Just look at it. We are down \$500 million from 1996. In 1996 we were down \$1 billion from 1995. That is a total cut on very, very popular programs: parks, forests, grazing lands, fish and wildlife facilities, Smithsonian, National Gallery of Art, Kennedy Center, Bureau of Indian Affairs; all very important programs to people. And we have cut from the 1995 appropriation level \$1.5 billion. If every committee did that well, we would be well on our way to reducing the deficit. And a very important feature in what we have done is not only have we cut \$1.5 billion, but we have eliminated programs that would cost us money down the road because we want to put this country on a glidepath to a balanced budget.

□ 1515

We eliminated, totally eliminated the Bureau of Mines. We were spending about \$150 million a year on it. We have eliminated a lot of other popular programs because I recognize, and my colleagues on the subcommittee recognize that the way to get to the balanced budget is to do the things that will reduce costs in the future. That is why we went down \$1 billion. Now we are down another half a billion dollars.

The problem with this is it takes a slashing cut across the board. It means, of course, that for example in the native Americans' case, this would cut the ability to open Indian health services. These are treaty obligations that we would provide health services to the native Americans.

Mr. Chairman, these are coming on line. We have the hospitals built, and we would not have the money to staff them. That is not good management. It would eliminate funding in the Bureau of Indian Affairs for children in the school system; 50,000 Indian children would be cut off from their opportunities for education.

Mr. Chairman, all I am saying to my colleagues, this sounds good, and I know that what the gentlemen are trying to do is to replace the money that was lost in budget conference. As I understand it, they are going to offer this amendment to every appropriation bill henceforth. It just happens that we are the first one in which the opportunity has arisen. But it is a poor one to start on, because we have already done the

job. We took the 4 percent this year, we took about 8 percent last year. We have been trying to do exactly what the gentleman wants us to do. We have responded to the House budget numbers, not the Senate, but the House budget numbers.

Mr. Chairman, I would urge my colleagues to defeat this amendment. While I understand the intent is good, it has a devastating impact on people, on people programs, such as the native Americans, such as the ability of people to access the parks.

We have tried to do self-help. In our bill last year, in the bill this year, we have provided that the agencies, Fish and Wildlife, Forestry, Parks, that they can levy fees. We have worked toward partnerships on the HCP's in partnership. It is a partnership of State and local to deal with endangered species. We are pushing in the directions you want to go, believe me, as rapidly as we can, but we have treaty obligations. We have obligations to keep the parks open. We do not want people going out to Yosemite and have the sign hanging out, "Sorry, closed." So we are trying to do a responsible job.

I hope my colleagues would vote this amendment down, recognizing that we are making every attempt to address the concerns that the sponsors of this amendment have. We will continue to do so.

Mr. GUTKNECHT. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Chairman, first I want to congratulate the gentleman from Minnesota for his amendment. I want to reiterate what both he and the distinguished chairman of the committee said, in that this is not targeted in particular at the Committee on the Interior. I do not believe Yosemite will close with a 1.9 percent budget cut, but he has done one admirable job of trying to manage the reduction in the growth of the budget. He has done an admirable job in being fair in his process. I am sorry that we are starting on his bill.

The fact is, however, many of us felt there should not be a bump-up. We did not come here to increase the deficit in our second year. With a change of 1.9 percent in the remaining bills, and if we go back and recoup 1.9 percent in the bills we already passed, in effect we would not have a bump-up. This amendment is a start toward a meaningful reduction. Even if we do this is all the remaining, it does not get all of it back but it moves toward it.

My colleagues on the other side of the aisle, after the Republican budget passed, did a lot of whining and talking on the floor about the deficit going up. I would like to read a few quotes.

The gentlewoman from Colorado [Mrs. SCHROEDER] in the CONGRESSIONAL RECORD said:

Here we are considering a deficit that is going to be higher than the one we have next year. How can we have a higher one next year than the one we have this year, and then stand there and say it passes the

straight face test, to stand around and look at people and say we are really for balancing the budget? This does not work. The real issue is not whether or not you are for the amendment, it is whether or not you can get the deficit under control.

The gentleman from Missouri [Mr. VOLKMER] said:

Mr. Speaker, they are more interested in reducing taxes for the wealthy than they are in reducing the deficit. I may, let us reduce the deficit before we give any tax cuts for anybody. That is my position. Let's get a balanced budget first.

The gentlewoman from Georgia [Ms. MCKINNEY] said:

The Republican budget resolution passed last night actually increases the deficit. Republican leaders shut down the government twice just so they could increase the deficit by \$40 billion, leaving real deficit reduction to future Congresses.

The fact is, here is the amendment. Here is the way to do it. There would be no bump-up in the deficit; 1.9 percent from here on out, 1.9 percent, less than 2 percent gets rid of what all the talk has been on this floor in Congress about the bump-up. I say we should do it and not just talk about it.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, first of all I would like to tell my colleagues that many of us have had serious reservations about the cuts that have already been made. I think if we look at it, it has been something like \$1.5 billion and \$2 billion in a \$12 billion bill over the last 2 years. This year the committee has cut by 4 percent. We are talking about parks, we are talking about wildlife refuges, we are talking about the Endowment for the Arts and Humanities, we are talking about some of the most important programs.

I would say to my colleagues, I have a real problem knowing that the reason we are going to have to make these cuts is to finance a big tax cut, which nobody in my district wants. I do not think we should have to cut these sensitive programs further. I do not see any of these people coming here and saying, let us do something about entitlements. Why do we want to continue to go after discretionary spending to solve the entire problem of the deficit?

I am with the gentleman from Missouri, HAROLD VOLKMER, last night when he got up and said, you know, we would not have to do this if it was not for the big tax cut. That is what it is. We are going to have to cut into some of the most sensitive programs, Indian health, in order to finance a tax cut that nobody in my district wants. They want us to balance the budget. We are on the course to balancing the budget. I regret the fact, and I know others will mention defense and other things of that nature. But we have done zip on entitlements, and we continue to pound away on discretionary spending.

I wish some of the people who are always up here wanting to do across-the-board cuts, who do not come to the hearings, do not testify before the com-

mittee, want to take a meat-axe approach, would put a little of that effort into some of the areas of other Government spending. I think we have done our job here, as we have done every single year I have been on this committee. It is not discretionary spending that is the problem, it is the entitlements and the tax cut. That is what the gentleman is not focusing on.

Mr. GUTKNECHT. Mr. Chairman I yield 15 seconds to the gentleman from Wisconsin [Mr. NEUMANN] for the purpose of response.

Mr. NEUMANN. Mr. Chairman, I would like to point out to the gentleman that in fact we are \$15 billion over our discretionary targets this year, and in fact it is not the tax cuts that are causing the problems, but an increase in discretionary spending of \$15 billion.

Mr. GUTKNECHT. Mr. Chairman, I yield 2½ minutes to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, I, too, would congratulate our chairman for the job he has done. I agree that they have done great work. But I think his point proves the point by his very own testimony. Last year they cut \$1 billion. This year they cut another \$500 million. Where did the \$500 million come from? They cut \$1 billion last year and they can cut \$500 million more this year? Why not two pennies' worth? Why not 2 cents more?

It is the same thing in every Government agency: There is so much waste, there is so much to get, that we will find more next year. There will be more next year. There will be more than this \$500 million next year, because it is there.

The question comes, it is like the guy on TV in Oklahoma says, "What's the deal?" The deal is we promised to balance this budget. We promised to live within our means and quit sacrificing the future of our children and grandchildren. We have to have the discipline to do that. The true fact of the matter is, as the gentleman from Wisconsin stated, we are spending \$14 billion more than what we said we were going to spend a mere 9 months ago. It proves that there is not the discipline in this House to live up to its obligations in terms of the budget and in terms of spending.

All we are saying is cut every additional appropriations program a minimum of 1.9 percent, 2 cents. Everyone knows we have 2 cents worth of waste in the Federal Government. We can, we should, and most of all, we owe that obligation to the future generations whose money we are spending today. It is easy for us to spend it because we are not going to pay it back. It is not easy for them to spend it and it is not easy for them to pay it back. They are going to pay it back by not owning a home, not being able to buy a car, having hyperinflation, and not achieving the living standard anywhere close to what we have.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. BOEHLERT].

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

Mr. Chairman, I rise in opposition to the pending amendment. This reminds me of the last time I went to donate blood, and they were really short. I donated a pint, they wanted a pint, and then they wanted another pint, but I just could not give anymore. It would do great damage to my health. I think if we did this, it would do great damage to this bill. We have cut \$1.5 billion since 1995.

We are moving in the right direction. But look at what we are providing funding for. Is there anything more precious to our heritage than the national parks? I think not. Some great environmental initiatives in here we are treating in a very responsible way: the Everglades, dealing with the clean streams program, dealing with habitat and conservation areas. I think everyone in America who hunts, who bikes, who fishes, who loves this great land of ours, should be very supportive of this bill.

Mr. Chairman, I think the committee, under very difficult circumstances, has come up with a good package. We have made some adjustments on the floor, as I think we should, because the people's House is working its will. This is good legislation. We have cut. To cut further is counterproductive.

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

I would say to my friend, the gentleman from New York, we are not going asking for a pint, we are asking for a few more drops.

Mr. Chairman, I yield 2 minutes to my friend, the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, last week we passed a budget that allows the deficit to go back up again. I heard lots of people talk about why that is wrong and why we should not be doing that. Here is an opportunity to fix the problem. We are going to bring an amendment like this with each one of the remaining appropriation bills. Let us fix the problem. Here is our chance.

Why is the deficit going back up? Because we spent \$15 billion in discretionary spending that we were not supposed to spend. Let me put that in English. This Congress, the House of Representatives, literally controls about one-third of the budget. It is called discretionary spending. It is in that part of the budget that we have problems right now. It is in that part of the budget, that is why the deficit went up. That is why we need to correct it in this manner.

Mr. Chairman, this amendment is about 1.9 percent. Listen to the cries we are hearing here on the floor: It is going to hurt this or that or the next thing. Is there anyone outside the city of Washington, DC, that honestly be-

lieves there is not 1.9 percent of waste in every Government program? I guarantee Members, standing here today, that there is more than 1.9 cents out of every dollar in wasteful Government spending in this bill that could be cut out without hurting the national parks and without hurting the things that are so near and dear to this country.

I do not believe that a 1.9-percent cut, and this is not a 19-percent cut, this is not even a 2-percent cut, a 1.9-percent cut is actually going to do all of those detrimental things they are talking about. I do not buy it. We can find 1.9 percent of wasteful spending in this appropriation bill and in every one of the remaining appropriation bills. When we do, that is going to put us back on a glide path to a balanced budget.

Mr. Chairman, we owe it to our children and we owe it to our grandchildren to do what is right for the future of the country, and what is right for the future of the country has to be put ahead of our desire to spend more money here in Washington, DC. That is really what this is all about. Let us do what is right for the future, what is right for our children. Let us get ourselves back on a glide path to a balanced budget.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. YATES], the distinguished ranking member of the subcommittee.

Mr. YATES. Mr. Chairman, the gentleman from Wisconsin talked about a \$15 billion excess in discretionary spending. The Defense appropriations bill is \$13 billion over the President's budget. There is \$13 billion of the gentleman's \$15 billion, because defense is a part of discretionary spending. Why did the proponents of this amendment not offer their amendment to the Defense bill when the bill was on the floor? They could have achieved a much greater amount of money than they do with a bill of this kind.

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

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

Mr. COBURN. Mr. Chairman, the Defense appropriations bill was voted on at the time at which we voted on the budget resolution, the joint conference.

Mr. YATES. I would say to the gentleman, he still could have offered an amendment.

Mr. COBURN. We certainly would have been happy to, had it come to the floor beforehand.

Mr. YATES. I would say to the gentleman that that is the fault of his leadership, it is not anybody else's.

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

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

Mr. NEUMANN. Mr. Chairman, I would like to point out that we did bring an amendment to the floor that did bring defense spending back to last year's level.

Mr. YATES. I voted for the gentleman's amendment.

□ 1530

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

Mr. Chairman, I do not know if anybody read this morning's Washington Post, but there is a great story in there about a doctor who is paid \$117,000 a year to sit in an office and see no patients. He is paid by the Federal Government, by the Federal taxpayers.

It seems like every day if we study or look enough, we will find in newspapers, in the national magazines, the media and so forth are telling these stories about the waste of Federal spending. For people to come to this floor and say that we cannot find an additional 1.9 percent, well, I doubt if many people in this room really believe that. I know the people of America do not believe that.

I believe that the chairman has operated in good faith. This is a good faith amendment. It is about keeping faith with our kids. After we passed the budget resolution conference report just a few weeks ago, the Appropriations Committee added \$718 million to this bill. We are simply asking to reduce that expenditure by \$230 million. That money can be found, it must be found, if we are to keep faith with our kids, if we are to keep faith with our word, if we are to keep faith with the promise that we made last year.

Mr. Chairman, this is an important amendment. It is supported by the Citizens for a Sound Economy, and I suspect many other organizations out there will be studying this vote. I hope Members will keep faith with what they said last year. Please support this amendment.

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

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. KOLBE], the vice chairman of the committee, who has done a great job as a member of our committee.

Mr. KOLBE. I thank the gentleman for yielding time.

Mr. Chairman, I appreciate the comments I have heard about we can surely find 2 pennies of waste, and reduce this bill by 1.9 percent across-the-board. I have been there, I have offered these amendments on the floor before on appropriation bills. But I would point out that when I offered those amendments, it was in years when we were increasing appropriations by 3 percent, 5 percent, as much as 7, 8, or 10 percent. We heard about a 1.9-percent cut, that anybody should be able to do that. But, Mr. Chairman, we have cut this bill by 12 percent in the last 2 years. Let me repeat that: We've made a 12-percent reduction.

The last speaker just talked about how there is an individual, a doctor working for a Federal agency. I read that article, about the doctor who is getting paid for doing no work. Does anybody think that by cutting 1.9 percent we are going to solve that problem? No, we have got to go in and

change the law, the Federal employment laws. We have got to make it possible for managers to fire people, to get rid of people that are deadwood, to do what managers are supposed to do.

That is the basic problem we have got. We have to change a lot of other laws to get the systemic changes we need. It is not just about changing or reducing the level of funding. This is not the answer. We have made cuts. Twelve percent we have reduced this bill, \$500 million this year alone.

Look at how the parks have gone up in the number of visitors. Does anybody believe that we do not need to provide for those crown jewels of our national heritage? We do, and we need to have the funds for that. I urge a "no" vote.

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

The CHAIRMAN. The gentleman from Ohio is recognized for 1 minute.

Mr. REGULA. Mr. Chairman, I know that this amendment is made in good faith but, as the gentleman from Arizona [Mr. KOLBE] pointed out, we have cut not 1.9 percent, we have cut 12 percent.

The gentleman from Minnesota [Mr. GUTKNECHT] talked about keeping faith with our kids. Keeping faith with our kids also means preserving the heritage of America, the parks, the forests, the public lands, the cultural treasures downtown, in good shape. That is keeping faith, so that they can enjoy the Yosemite and the Yellowstone, so that they do not have to worry about their safety or inadequate facilities.

Keeping faith means managing these facilities well. We have tried to do that while at the same time saving the taxpayers \$1.5 billion. That is keeping faith with the future. We have done it with a lot of hard work, and we have not only done it for now but we have done it for the future, by eliminating programs, by not building facilities that will cost a lot of money down the road, but we have put extra money in to fix buildings, to repair roads, to ensure that these kids have a safe environment when they go to visit these national treasures.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT].

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

Mr. GUTKNECHT. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 455, further proceedings on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 27 offered by Mr. SANDERS: In the item relating to "BUREAU OF LAND MANAGEMENT—PAYMENTS IN LIEU OF TAXES", after the first dollar amount, insert the following: "(increased by \$10,000,000)".

In the item relating to "DEPARTMENT OF ENERGY—FOSSIL ENERGY RESEARCH AND DEVELOPMENT, after the dollar amount, insert the following: "(reduced by \$25,000,000)".

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 19, 1996, the gentleman from Vermont [Mr. SANDERS] and the gentleman from Ohio [Mr. REGULA] each will control 10 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield one-half of my time to the gentleman from Idaho [Mrs. CHENOWETH], the coauthor of this amendment, and I ask unanimous consent that she be permitted to control that time.

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

There was no objection.

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

Mr. Chairman, this amendment that is being introduced by the gentleman from Idaho [Mrs. CHENOWETH] and myself does two important things that most Members of this body agree with:

First it deals with the very serious problem of unfunded mandates, of forcing citizens in close to 2,000 counties in 49 of our States to pay more in local property taxes than they should be paying because the Federal Government has fallen very far behind in its payment in lieu of taxes on federally owned land.

Mr. Chairman, despite an increase that was granted 2 years ago in the PILT authorization levels, the actual appropriations have been kept nearly level, resulting in a revenue shortfall to local communities in real terms. For fiscal year 1996, for example, local governments will receive only 60 to 70 percent of the payment level which was set in the authorization. This amendment would begin to address this unfunded mandate by increasing the payment in lieu of taxes program by \$10 million. Currently the PILT Program provides \$113 million. If this amendment passes, we bring the total up to \$123 million. The formula by which payments in lieu of taxes are made is a complicated one and each property is treated differently. But, on average, if this amendment is passed, there would be a 9-percent increase in PILT funding for our States and communities.

Mr. Chairman, we have heard a great deal of discussion recently about devolution and our concerns for local communities and local government. I know something about that as the mayor of the city of Burlington, VT for 8 years. In Vermont, many of our communities are hard pressed to pay escalating property taxes. Fifty-one communities in Vermont, close to 2,000 nationally,

would benefit by an increase in PILT payments. It is high time that the Federal Government accepted its responsibility to do right by local communities.

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

Mrs. CHENOWETH. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of the bipartisan Sanders-Chenoweth amendment that would not only help restore the payment in lieu of taxes concept to the authorized levels but would also contribute to deficit reduction. This amount would cut \$25 million of unnecessary dollars from R&D of fossil fuels, add \$10 million to the underfunded PILT Program, and then set aside \$15 million for deficit reduction.

Mr. Chairman, the concept and need for PILT is very simple. Rural communities in this country that are heavily made up of Federal lands do not have the benefit of collecting property taxes from private lands. The Federal Government just simply does not pay taxes to counties or local units of government. PILT was established to help fill this gap of the missing revenues in order to keep the counties' ability to supply the necessary and essential services, such as hospitals and roads and bridges and schools and emergency medical treatment and so forth, all of these functions that are vital to our communities, and which are demanded by the citizens of those communities.

Just to emphasize how very important PILT is to districts in the West, let me remind my colleagues of the extraordinarily heavy concentration of Federal lands in the West. For instance, in Idaho, my State, the Federal Government manages and controls 70 percent of the land. This 70 percent of land is therefore removed from the property tax base. That means that the States and counties are unable to collect taxes from this land. Yet our county commissioners are facing a greater demand to provide necessary services. Over the years these counties have come to rely on PILT and now PILT has been cut, Mr. Chairman.

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

Mr. Chairman, let me point out to my colleagues that we have funded PILT at the same level as last year. We did not cut it. It is \$135.5 million. We are \$12 million over the President's request for PILT. I think we have been as generous as we could given the balances that we have to achieve to get the deficit reductions.

I know this is put in to attract a certain amount of votes, but keep in mind that we are at last year's level which is \$12 million over the President's request.

The energy account is \$58 million below the President's request. I have spoken to this several times today and yesterday that fossil energy has been cut, and it has been cut dramatically in the last 2 years. These are very important programs. We have contractual

obligations where we have said to private sector companies, "We will put up some money, you put up some money to achieve innovative breakthroughs in technology."

Energy is vital to the future of this Nation. You cannot farm those fields if you do not have gasoline that you can buy at a reasonable price. We saw the impact a few weeks ago when suddenly gasoline, I noticed out in my area it was \$1.39 a gallon, up probably 20 cents. That is just the forerunner of what could happen. That is why fossil energy research is so vitally important to this Nation's future.

Let us not throw away the long-term need to develop new and innovative technology in the use of energy that is nonpolluting, that will reduce the air emissions, that will give us energy independence. I have been over this record before, but it is extremely important in terms of this Nation's future for all the people. We would have to oppose this amendment strenuously.

Mr. SANDERS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] has 3 minutes remaining, the gentlewoman from Idaho [Mrs. CHENOWETH] has 3 minutes remaining, and the gentleman from Ohio [Mr. REGULA] has 8 minutes remaining.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. OBERSTAR].

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Chairman, this payment in lieu of taxes program is about basic fairness. The Federal Government holds large tracts of land in public trust for all Americans, land that is taken out of the local tax base and in return for maintaining this land in the public interest, we make a modest little payment to those local units of government. That payment has not increased in 20 years.

Let me just take Cook County in my district that is 94 percent in public land ownership and off that 6 percent of the remaining land of 900,000 acres, that county has to provide for roads, for search and rescue, for emergency medical care, for surface water, ground water for all the people who come and travel through the area.

St. Louis County has 3,000 miles of county roads. This is a county about the size of the State of Massachusetts. It has to provide emergency medical services, rescue the people who travel from other parts of the United States to see Voyageurs National Park and Superior National Forest. They have accidents and they have health problems and the county has to take care of them, but the rest of the country is not providing an increase in funding.

We have not had an increase in 20 years. We need to have an increase in the funding for the payment in lieu of taxes program to be fair to the people of this country.

□ 1545

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

Mr. DOYLE. Mr. Chairman, I rise to oppose this amendment.

Once again, here we are for the fourth, fifth, maybe sixth time in which we see amendments which seek to plus up accounts at the expense of the Fossil Energy Program. While I do not stand here on this particular amendment or on any of the others, Mr. Chairman, to say that I oppose the funds which they propose to plus up, once again I am here to urge Members that this cannot be done at the expense of the Fossil Energy R&D Program.

We have taken our hits, Mr. Chairman, over a 20-percent cut, in fossil energy R&D in the last 2 years. Every year we are seeing that amount go down in real numbers. We just cannot afford to give anymore from the fossil energy R&D budget. While these programs that are being proposed in this amendment and others may be worthy programs, to fund them at the expense of our long-term energy interests, at the expense of fossil energy R&D, is simply not acceptable.

Mr. Chairman, I would urge all Members on both sides of the aisle to oppose this amendment, as we have all the other amendments which put fossil energy R&D in jeopardy.

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

Mr. Chairman, the \$25 million that we are using for these purposes, in other words, deficit reduction and increasing PILT payments to local communities all over America, comes from the fossil energy research and development fund. According to the report of the fiscal year 1997 budget resolution, which passed the House, this is the Republican resolution, let me quote:

The Department of Energy has spent billions of dollars on research and development since the oil crisis in 1973 triggered this activity. Returns on this investment have not been cost effective, particularly for applied research and development which industry has ample incentive to undertake. Some of this activity is simply corporate welfare for the oil, gas and utility industries. Much of it duplicates what industry is already doing. Some has gone to fund technologies in which the market has no interest.

That is not BERNIE SANDERS, that is the budget resolution of the Republican majority. Mr. Chairman, this amendment has much to do with honoring our commitment to local communities all over America, including 51 towns in the State of Vermont who are not receiving their fair share of PILT payments from the Federal Government.

We have heard a lot of talk in recent years about devolution, about giving responsibility back to local communities, about our respect for local government. If we respect local government, then we should not cheat them. We should provide the type of payments to which they are due.

As I mentioned earlier, right now the PILT payments come to about 60 to 70

percent of what has been authorized. We are asking, the gentlewoman from Idaho [Mrs. CHENOWETH] and I are asking for \$25 million. Of that, \$15 million goes straight to deficit reduction, 10 million goes back to the local communities.

Mr. Chairman, I would end simply by saying this. If all of the Members who agree with the philosophy of the gentlewoman from Idaho [Mrs. CHENOWETH] would support it, all those who agree with my philosophy would support it, and all of those in-between would support it, we would end up with 435 votes and we would be very happy.

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

Mrs. CHENOWETH. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia [Mr. GOODLATTE].

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in strong support of her and the gentleman from Vermont's amendment.

This is a serious problem all across the country. We can see it in New England, we can see it in the far west, we can see it in Minnesota. It is also a problem in the south. In my congressional district, one-third of all the land in the district is owned by the Federal Government. Some of the counties in my district, more than 50 percent of all the land in those counties is owned by the Federal Government.

The Federal Government pays zero to those local counties in the form of taxes to help support all of the infrastructure that is needed to support the use of that land. The employees who work for the Forest Service, the National Park Service, other Federal Government facilities utilize the local school system, utilize the roads. The visitors do the same thing and yet they do not get anything.

Over the past few years, we have worked very hard to increase the authorized level of support for the Payment In Lieu of Taxes Program. The bill in 1994 amended it to address the revenue shortfall and increase the previous authorization, which right now is 75 cents to 93 cents per acre in 1995, \$1.11 in 1996, and \$1.29 in 1997.

But the Committee on Appropriations has not increased those payments in accordance with what the authorizing committee has and what this entire Congress has approved, and I would urge this Congress to adopt this amendment and provide the additional support that these communities need.

The CHAIRMAN. The gentlewoman from Idaho [Mrs. CHENOWETH] has 1½ minutes remaining, and the gentleman from Ohio [Mr. REGULA] has 6 minutes remaining. The gentleman from Ohio has the right to close.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BROWN], the ranking member of the Committee on Science.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

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

I think some of you may be asking why I am standing up here so frequently to defend a budget, an appropriation bill which cuts rather severely into some of my favorite programs, and I think all of you know my concern about research and development programs. The outlook for national research and development over the next 6 years, until 2002, is for a 25-percent cut. In my view, this will be catastrophic for the future of America.

It is going to deprive us of the investments necessary for economic success and world competitiveness. This bill is making a small effort to prevent the faster erosion of this capability, and I commend the chairman for what he is doing to protect some of the key areas of research and development.

Now, some of the areas that the gentleman is protecting are under attack from others who attack them not because they are not good research but because they do not like the fact that it is a partnership arrangement between a mature industry and the Federal Government. I have spoken on this before and pointed out how important it is that we have these partnerships, because there is no incentive for these companies to invest when they are making a profit and their business is good and they really do not need it. But by having the Government pay part of the cost, you leverage that and you encourage them to make the additional investment that they would not make.

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

Mr. BROWN of California. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, on this committee, we have been building those programs not only for years but for decades, and to take money that they want to take out of these funds would be catastrophic. I agree with the gentleman.

Mr. BROWN of California. Reclaiming my time, my problem here is to try and avoid having Members who have a worthy cause and, frankly, the payment in lieu of taxes is a worthy cause, continually pick away at these programs which are already on a downward trend, that is going to be disastrous for the Nation.

I believe in payments in lieu of taxes. I support them. They benefit my county. But I cannot sit idly by, as you look at the various programs and you see this deep pocket or that deep pocket, which almost invariably ends up being a research program, and you do not understand what is happening to our national research investments over the next 5 years. We are headed in a disastrous direction, and I want to try and stop it, if I can.

Mr. Chairman, I commend the chairman for the efforts that he is making to assist in this.

Mrs. CHENOWETH. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon, my good friend, Mr. COOLEY.

(Mr. COOLEY asked and was given permission to revise and extend his remarks.)

Mr. COOLEY. Mr. Chairman, I have 20 counties in the district I represent. Over 60 percent of the land in those counties is owned by the Federal Government. Needless to say, these counties which are trying to make heads or tails out of their declining budgets are struggling to survive. Unlike other counties, they have no way of raising revenue through property taxes. They rely on payments in lieu of taxes to make ends meet. Unfortunately, for the second year in a row, they have seen these payments frozen by the Federal Government.

In addition, these counties rely on revenues raised by Federal timber salvage to supplement their budgets. But these lands have been locked up by obstructionists and the environmental communities. These groups claim to speak for the conservationists, but they would rather see millions of acres of forestland burn due to poor forest health and not implementing sound forest management practices.

If the Federal Government is going to insist there be no timber harvests on Federal lands, they must do one of two things: One, increase PILT payments; or two, turn these lands back over to the States for their management.

Mr. Chairman, our counties are having tough choices to make about vital services. It is time for the Federal Government to recognize its responsibility and grant a much needed increase in the PILT payments. I urge tremendous support of this bill.

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

Mr. Chairman, let me say it was the Subcommittee on the Interior that created PILT. If Mr. YATES recalls, the gentleman from Colorado, Frank Evans, was on the subcommittee, offered the language. We did a little authorizing in those days. On our appropriation bill, we created PILT. It is a good program. There is not any question about that, and both Mr. YATES and I support it.

We have continued to fund it on an increased basis year after year and we kept it whole this year, even though the President recommended a \$12 million cut. But we likewise, as Mr. YATES pointed out, have been concerned about the energy security of this Nation. Admittedly, there has been money wasted. That is one of the reasons we are downsizing 10 percent a year. In terms of our committee, one of the areas we have taken the biggest hits, is on fossil energy. But by the same token, as we were reminded a few weeks ago, the energy security of this Nation at best is fragile.

It is fragile because we depend on offshore resources. It means, of course, that our military could be at risk if we do not have access to adequate energy. But more importantly than that is our jobs in this country are tied, every facet of our life is heavily energy dependent, perhaps more than any other nation in the world. We have to find out ways to burn energy and use energy in a more efficient way. We have to find ways to use energy that is non-polluting.

We are dedicated to clean air, to clean water, to enhance our environment, to do that and still use the energy we need to provide the jobs, to provide economic growth, which is vital to a nation. If you read the literature, without exception economists say the most important thing we can do in the United States to address the deficit problem, to address the problems of unemployment is to have economic growth. Well, what does economic growth mean? It means using more electricity. It means using more natural gas, more coal, more petroleum, and yet at the same time, we want to protect our environment.

We have made great strides. To say that the millions of dollars was wasted is erroneous. The air today is cleaner. The water is cleaner. We have automobiles that get 30 miles to the gallon that a few short years ago were getting 20 or less. So we have made great strides as a result of the money we have invested in technology coming out of this subcommittee, and we have tried to very carefully reduce those expenditures.

Mr. Chairman, I think our funding for fossil energy resources is at a minimum if we care about achieving economic growth, while at the same time protecting our environment. We have had a number of efforts made to reduce our fossil energy. It has become somewhat of an easy target. Let me say, Members, that PILT payments in the future depend on a strong economy to provide the taxes to do so, and all of the other things that we cherish depend on economic growth and the clean environment we want.

So let us not destroy what we have achieved. Many companies have invested a lot of money, along with the Government. We are close to breakthroughs. We have tried to be very careful in keeping alive these programs that we have contractual commitments, and I urge a vote against this amendment.

Mr. POMEROY. Mr. Chairman, I rise to speak on the amendment of Representative SANDERS which would increase the payment in lieu of taxes [PILT] for local governments. Unfortunately, this amendment is structured to provide a \$10 million increase to PILT and \$15 million return to the Treasury—all funded out of a reduction in fossil energy research and development.

Mr. Chairman, I believe strongly that the \$114 million PILT appropriation provided in this bill does not adequately address the needs of our counties. PILT is vitally important

to help fund schools, roads, and firefighters in counties with large tracts of Federal lands. In fiscal year 1995, North Dakota received \$822,952 for its PILT payments. This amendment would likely increase that amount by about \$80,000.

However, the minimal increase in PILT does not come close to offsetting the economic impact of the lignite industry in our State. Federal support for fossil energy research is critical to the economy of North Dakota. The funding this amendment targets—fossil fuel research and development—leads to more efficient use of fossil fuels and benefits all of North Dakota's economy.

What's more this funding is pivotal in finding solutions to environmental problems arising out of the use of these fuels. The Energy and Environmental Research Center in Grand Forks, ND, provides practical solutions to these critical barrier issues. Some of the innovative projects underway at EERC include the control of air toxins, cleanup of mercury-contaminated gas industry sites, cleanup of hydrocarbon contaminated soil and water, emissions control technologies for nearly everything that enters the atmosphere, development of cost-effective analytical techniques for waste site cleanup, and the development of cost-effective small electric generating units for Native villages in Alaska.

The United States, and North Dakota, have an abundance of fossil fuels and will continue to utilize these fuels for our energy needs. The question facing Congress is whether we make the necessary investments to improve our use of these critical fuels.

I firmly believe it is incumbent upon this Congress to provide adequate funding for local governments who are adversely affected by the presence of Federal land. Unfortunately, this amendment's funding offset left me no choice but to oppose it.

□ 1600

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

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

The CHAIRMAN. Pursuant to House Resolution 455, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

AMENDMENT OFFERED BY MR. STUPAK

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STUPAK: At the end of the bill (proceeding the short title) add the following new section:

SEC. . None of the amounts made available by this Act may be used for design, planning, implementation, engineering, construction, or any other activity in connection with a scenic shoreline drive in Pictured Rocks National Lakeshore.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan [Mr. STUPAK] will be recognized for 5 minutes, and

the gentleman from Ohio [Mr. REGULA] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Michigan [Mr. STUPAK].

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

Mr. Chairman, I rise in support of my amendment, No. 32, as printed in the RECORD. This amendment is a win-win situation which saves the Government and taxpayers \$13 million while also saving precious environmental resources. Since we have been debating this bill for quite a while, and this is hopefully a noncontroversial amendment, and I believe it is, I will be brief.

When the Pictured Rocks National Lakeshore was created in 1966, Congress adopted a provision requiring the National Park Service to build a new road through the park along the lake. Such a road would destroy hundreds of beautiful acres of forest, fauna, and precious fragile ecosystem while costing taxpayers an estimated \$13 million.

Since 1966, park visitors have been using Alger County Road H-58, which runs through the eastern side of the park and skirts around to the south and west of the park.

I have introduced this legislation and this amendment, if you will, to delete the mandate for the Park Service to build a new road through the park. Instead, I would ask that the Park Service be allowed up upgrade the existing county road, H-58, which runs through part of the park and currently provides adequate access for all park visitors.

This proposal has the support of both local officials and the National Parks and Conservation Association. However, until we can secure passage of this legislation, it is important to prevent the Park Service from moving forward with plans to build a totally unnecessary road at a cost of \$13 million and also harm our environment.

Mr. Chairman, I am joined by the gentleman from Michigan [Mr. EHLERS] who has helped me on this legislation. I regret he is not on the floor at this time.

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

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

Mr. REGULA. Mr. Chairman, I wanted to advise the gentleman we are always happy to save \$13 million, and we are prepared to accept this amendment and congratulate the gentleman for his statesmanship.

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

Mr. STUPAK. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, our side, too, will be happy to accept the amendment.

Mr. STUPAK. Mr. Chairman, reclaiming my time, I thank the both the gentleman from Illinois [Mr. YATES] and the gentleman from Ohio [Mr. REGULA] for their acceptance and for helping us out.

Mr. Chairman, I would like to engage the gentleman from Ohio in a colloquy about this.

I want to thank my friend from Ohio, the chairman of the Subcommittee on Interior, for accepting this amendment. Due to the rules of the House, I could not offer this amendment on another part of the proposal that I have, and that proposal would allow the Park Service to expend funds to upgrade the existing road, H-58, which I spoke of. I am currently working with the Committee on Resources to provide for that authority. I would hope, and would ask, the gentleman from Ohio would be willing to work with me in providing funding for this much-needed upgrade of H-58.

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

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

Mr. REGULA. Mr. Chairman, while I have the floor, I want to advise my colleagues that we are very close to votes on the four amendments that have been rolled over. When those are completed, we are moving toward final passage. So thanks to a lot of cooperation today, we are getting along in pretty good shape.

Now, for the gentleman from Michigan [Mr. STUPAK], I would be glad to work with the gentleman on this proposal.

Mr. STUPAK. Mr. Chairman, reclaiming my time, I thank the gentleman from Ohio.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. STUPAK].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OLVER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OLVER: On page 59, line 24, after the dollar amount insert: "(increased by \$4,000,000)".

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 19, 1996, the gentleman from Massachusetts [Mr. OLVER] will be recognized for 5 minutes, and the gentleman from Ohio [Mr. REGULA] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. OLVER].

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

Mr. Chairman, I am offering this amendment with the gentleman from Michigan [Mr. EHLERS] who, as the previous speaker said, he is probably on the way at the very moment. I hope is on the way.

In any case, the amendment that we are offering would add \$4 million to the Energy Conservation Program in this bill. These funds are to be used in the codes and standards section within the energy conservation component of the bill, and at least \$3 million of those dollars are intended to be used in what I think and what I think very many of

us believe is a very important effort to update the State codes, to assist the States in the updating of the energy codes among the 50 States.

These funds are intended to continue implementing the cooperative cofunded incentive grant program of technical assistance that actively assists the States in the process of updating and implementing their residential and commercial codes.

I would point out to the body that none of the programs related to this update of State codes via the cooperative cofunded incentive grants falls under what has been expressed strongly by the committee in the committee report, the concerns of the committee related to the creation of any new standards. There are no new standards in that component at all.

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

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

Mr. Chairman, we recognize that the DOE is working diligently to revamp its codes and standards programs. I know both the gentleman from Massachusetts [Mr. OLVER] and the gentleman from Michigan [Mr. EHLERS] have worked on this. This is a bipartisan amendment. We have no objections to the modest increases.

I have talked with our colleague, the gentleman from Mississippi [Mr. PARKER], who is interested in this subject. He advises me he is supportive of getting money into the States to establish their standards, and most of this increase would be to help the States implement the consensus building program outlined in the committee report.

For all of those reasons, we are happy to accept this amendment.

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

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

Mr. YATES. Mr. Chairman, our side believes this is a good amendment, too, and we are accepting it.

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

Mr. Chairman, I would just like to say that it has been a pleasure to work with my colleague from Michigan, Mr. EHLERS, and to work with the chairman and the ranking member and the staffs on both sides of the aisle.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. OLVER].

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 455, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 11 offered by the gentlewoman from Oregon [Ms. FURSE];

amendment No. 17 offered by the gentleman from Oklahoma [Mr. ISTOOK]; amendment No. 15 offered by the gentleman from Minnesota [Mr. GUTKNECHT]; and amendment No. 27 offered by the gentleman from Vermont [Mr. SANDERS].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 11 OFFERED BY MS. FURSE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon [Ms. FURSE] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 211, not voting 14, as follows:

[Roll No. 262]

AYES—209

- | | | |
|--------------|---------------|---------------|
| Abercrombie | Filner | Lofgren |
| Ackerman | Flake | Lowey |
| Andrews | Flanagan | Luther |
| Baldacci | Foglietta | Maloney |
| Barrett (WI) | Forbes | Manton |
| Becerra | Ford | Markey |
| Beilenson | Fox | Martinez |
| Bentsen | Frank (MA) | Martini |
| Bereuter | Franks (NJ) | Matsui |
| Berman | Frelinghuysen | McCarthy |
| Bevill | Frost | McDermott |
| Bilbray | Furse | McHale |
| Bilirakis | Gejdenson | McKinney |
| Blumenauer | Gephardt | McNulty |
| Blute | Geran | Meehan |
| Boehlert | Gibbons | Meek |
| Bonior | Gilchrest | Menendez |
| Borski | Gilman | Meyers |
| Boucher | Gordon | Millender- |
| Brown (CA) | Goss | McDonald |
| Brown (FL) | Green (TX) | Miller (CA) |
| Brown (OH) | Greenwood | Minge |
| Brownback | Gutierrez | Mink |
| Bryant (TX) | Hall (OH) | Moakley |
| Buyer | Hamilton | Moran |
| Campbell | Harman | Morella |
| Cardin | Hastings (FL) | Murtha |
| Castle | Hilliard | Nadler |
| Chrysler | Hinchey | Neal |
| Clay | Horn | Obey |
| Clayton | Hoyer | Olver |
| Clement | Inglis | Owens |
| Clyburn | Jackson (IL) | Pallone |
| Coleman | Jackson-Lee | Pastor |
| Collins (IL) | (TX) | Payne (NJ) |
| Collins (MI) | Jacobs | Payne (VA) |
| Conyers | Jefferson | Pelosi |
| Costello | Johnson (CT) | Peterson (MN) |
| Coyne | Johnson (SD) | Petri |
| Cummings | Johnston | Porter |
| DeFazio | Kanjorski | Portman |
| DeLauro | Kaptur | Poshard |
| Dellums | Kasich | Quinn |
| Deutsch | Kelly | Rahall |
| Dicks | Kennedy (MA) | Reed |
| Dingell | Kennedy (RI) | Richardson |
| Dixon | Kennedy | Rivers |
| Doggett | Kildee | Roemer |
| Durbin | Kingston | Rose |
| Ehlers | Klecza | Roukema |
| Engel | Klug | Roybal-Allard |
| Eshoo | LaFalce | Rush |
| Evans | Lantos | Sabo |
| Farr | Lazio | Sanders |
| Fattah | Leach | Sanford |
| Fawell | Levin | Sawyer |
| Fazio | Lewis (GA) | Saxton |
| Fields (LA) | LoBiondo | Schroeder |

- Schumer
- Scott
- Sensenbrenner
- Serrano
- Shays
- Skaggs
- Slaughter
- Smith (MI)
- Smith (NJ)
- Spratt
- Stark
- Stokes
- Studds

- Thompson
- Thornton
- Thurman
- Torkildsen
- Torres
- Towns
- Upton
- Velazquez
- Vento
- Visclosky
- Volkmer
- Walsh
- Ward

- Waters
- Watt (NC)
- Waxman
- Weldon (PA)
- Williams
- Wilson
- Wise
- Woolsey
- Wynn
- Yates
- Zimmer

NOES—211

- | | | |
|--------------|----------------|--------------|
| Allard | Fowler | Myrick |
| Archer | Franks (CT) | Nethercutt |
| Armey | Frisa | Neumann |
| Bachus | Funderburk | Ney |
| Baesler | Gallegly | Norwood |
| Baker (CA) | Ganske | Nussle |
| Baker (LA) | Gekas | Oberstar |
| Ballenger | Gillmor | Ortiz |
| Barcia | Gonzalez | Orton |
| Barr | Goodlatte | Oxley |
| Barrett (NE) | Goodling | Packard |
| Bartlett | Graham | Paxon |
| Barton | Greene (UT) | Pickett |
| Bass | Gunderson | Pombo |
| Bateman | Gutknecht | Pomeroy |
| Bishop | Hall (TX) | Pryce |
| Bliley | Hancock | Quillen |
| Boehner | Hansen | Radanovich |
| Bonilla | Hastert | Regula |
| Bono | Hastings (WA) | Riggs |
| Brewster | Hayes | Roberts |
| Browder | Hayworth | Rogers |
| Bryant (TN) | Hefley | Rohrabacher |
| Bunn | Hefner | Ros-Lehtinen |
| Bunning | Heineman | Royce |
| Burr | Herger | Salmon |
| Burton | Hilleary | Scarborough |
| Callahan | Hobson | Schaefer |
| Calvert | Hoekstra | Schiff |
| Camp | Hoke | Seastrand |
| Canady | Holden | Shadegg |
| Chabot | Hostettler | Shaw |
| Chambliss | Hunter | Shuster |
| Chapman | Hutchinson | Sisisky |
| Chenoweth | Istook | Skeen |
| Christensen | Johnson, E. B. | Skelton |
| Clinger | Johnson, Sam | Smith (TX) |
| Coble | Jones | Smith (WA) |
| Coburn | Kim | Solomon |
| Collins (GA) | King | Souder |
| Combest | Klink | Spence |
| Condit | Knollenberg | Stearns |
| Cooley | Kolbe | Stenholm |
| Cox | LaHood | Stockman |
| Cramer | Largent | Stump |
| Crane | Latham | Stupak |
| Crapo | LaTourette | Talent |
| Creameans | Laughlin | Tanner |
| Cubin | Lewis (CA) | Tate |
| Cunningham | Lewis (KY) | Taylor (MS) |
| Danner | Lightfoot | Taylor (NC) |
| Davis | Linder | Tejeda |
| de la Garza | Lipinski | Thomas |
| Deal | Livingston | Thornberry |
| DeLay | Longley | Tiahrt |
| Diaz-Balart | Lucas | Traficant |
| Dickey | Manzullo | Vucanovich |
| Dooley | Mascara | Walker |
| Doolittle | McCollum | Wamp |
| Dornan | McCrery | Watts (OK) |
| Doyle | McHugh | Weldon (FL) |
| Dreier | McInnis | Weller |
| Duncan | McKeon | White |
| Dunn | Metcalf | Whitfield |
| Edwards | Mica | Wicker |
| Ehrlich | Miller (FL) | Wolf |
| English | Molinari | Young (AK) |
| Ensign | Mollohan | Young (FL) |
| Everett | Montgomery | Zeliff |
| Ewing | Moorhead | |
| Foley | Myers | |

NOT VOTING—14

- | | | |
|-------------|---------------|------------|
| Emerson | McDade | Rangel |
| Fields (TX) | McIntosh | Roth |
| Houghton | Parker | Tauzin |
| Hyde | Peterson (FL) | Torricelli |
| Lincoln | Ramstad | |

□ 1628

Messrs. FATTAH, WILSON, and PETRI changed their vote from “no” to “aye.”

So the agreement was rejected.
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BUYER. Mr. Chairman, on rollcall vote 262, the first amendment, I inadvertently voted "yea." I meant to vote "nay." I ask that the RECORD reflect a "no" vote on rollcall vote 262.

AMENDMENT OFFERED BY MR. ISTOOK

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 206, not voting 16, as follows:

[Roll No. 263]

AYES—212

Abercrombie	Dunn	Largent
Allard	Edwards	Latham
Archer	Ehlers	LaTourette
Army	Ehrlich	Laughlin
Bachus	English	Leach
Baker (CA)	Everett	Lewis (KY)
Ballenger	Ewing	Lightfoot
Barcia	Flanagan	Lipinski
Barr	Forbes	Livingston
Barrett (WI)	Fowler	Longley
Bartlett	Fox	Lowe
Barton	Franks (NJ)	Lucas
Bass	Frelinghuysen	Manzullo
Bateman	Frisa	Martini
Bentsen	Ganske	Mascara
Bilirakis	Gekas	McCarthy
Bliley	Geren	McCollum
Boehner	Gibbons	McCreery
Bonilla	Gillmor	McHugh
Borski	Goodlatte	McInnis
Boucher	Goodling	McIntosh
Brownback	Gordon	McKeon
Bryant (TN)	Graham	Metcalf
Bunning	Greene (UT)	Meyers
Burr	Hall (TX)	Mica
Buyer	Hamilton	Miller (FL)
Calvert	Hancock	Montgomery
Campbell	Harman	Moorhead
Canady	Hastert	Myrick
Cardin	Hastings (WA)	Nethercutt
Chabot	Hayes	Neumann
Chambliss	Hefley	Ney
Chapman	Heineman	Norwood
Chenoweth	Herger	Nussle
Chrysler	Hobson	Obey
Clement	Hoekstra	Oxley
Coble	Hoke	Parker
Coburn	Holden	Paxon
Collins (GA)	Hostettler	Payne (VA)
Combust	Hutchinson	Petri
Condit	Inglis	Pickett
Costello	Istook	Pombo
Cox	Jacobs	Poshard
Crane	Johnson (CT)	Quinn
Cremeans	Johnson, Sam	Radanovich
Cunningham	Johnson	Rivers
Danner	Kaptur	Roberts
Deal	Kasich	Roemer
DeFazio	Kelly	Rohrabacher
Dickey	Kim	Roukema
Doggett	King	Royce
Dooley	Kingston	Salmon
Doolittle	Klink	Sanford
Dornan	Klug	Scarborough
Doyle	Knollenberg	Schaefer
Dreier	LaFalce	Schumer
Duncan	LaHood	Sensenbrenner

Shadegg	Stenholm	Walker
Shays	Stockman	Walsh
Shuster	Stump	Wamp
Sisisky	Talent	Weldon (FL)
Skelton	Tanner	Weldon (PA)
Slaughter	Tate	Weller
Smith (MI)	Taylor (MS)	White
Smith (NJ)	Thomas	Whitfield
Smith (TX)	Thornberry	Wicker
Smith (WA)	Thurman	Wolf
Solomon	Tiahrt	Young (FL)
Souder	Upton	Zeliff
Spence	Visclosky	Zimmer
Stearns	Vucanovich	

NOES—206

Ackerman	Frost	Murtha
Andrews	Funderburk	Myers
Baesler	Furse	Nadler
Baker (LA)	Gallegly	Neal
Baldacci	Gejdenson	Oberstar
Barrett (NE)	Gephardt	Olver
Becerra	Gilchrest	Ortiz
Beilenson	Gilman	Orton
Bereuter	Gonzalez	Owens
Berman	Goss	Packard
Bevill	Green (TX)	Pallone
Bilbray	Greenwood	Pastor
Bishop	Gunderson	Payne (NJ)
Blumenauer	Gutierrez	Pelosi
Blute	Gutknecht	Peterson (MN)
Boehlert	Hall (OH)	Pomeroy
Bonior	Hastings (FL)	Portman
Brewster	Hayworth	Pryce
Browder	Hefner	Quillen
Brown (CA)	Hilleary	Rahall
Brown (FL)	Hilliard	Reed
Brown (OH)	Hinche	Regula
Brown (TX)	Horn	Richardson
Bunn	Hoyer	Riggs
Burton	Hunter	Rogers
Callahan	Jackson (IL)	Ros-Lehtinen
Camp	Jackson-Lee	Rose
Castle	(TX)	Roybal-Allard
Christensen	Jefferson	Rush
Clay	Johnson (SD)	Sabo
Clayton	Johnson, E. B.	Sanders
Clinger	Jones	Saxton
Clyburn	Kanjorski	Schiff
Coleman	Kennedy (MA)	Schroeder
Collins (IL)	Kennedy (RI)	Scott
Collins (MI)	Kennelly	Seastrand
Conyers	Kildee	Serrano
Cooley	Klecza	Shaw
Coyne	Kolbe	Skaggs
Cramer	Lantos	Skeen
Crapo	Lazio	Spratt
Cubin	Levin	Stark
Cummings	Lewis (CA)	Stokes
de la Garza	Lewis (GA)	Studds
DeLauro	Linder	Stupak
DeLay	LoBiondo	Taylor (NC)
Dellums	LoLay	Tejeda
Deutsch	Luther	Thompson
Diaz-Balart	Maloney	Thornton
Dicks	Manton	Torkildsen
Dingell	Markey	Torres
Dixon	Martinez	Towns
Durbin	Matsui	Trafigant
Engel	McDermott	Velazquez
Ensign	McHale	Vento
Eshoo	McKinney	Volkmer
Evans	McNulty	Ward
Farr	Meehan	Watt (NC)
Fattah	Meek	Watts (OK)
Fawell	Menendez	Waxman
Fazio	Millender-	Williams
Fields (LA)	McDonald	Wilson
Filner	Miller (CA)	Wise
Flake	Minge	Woolsey
Foglietta	Mink	Wynn
Foley	Moakley	Yates
Ford	Molinari	Young (AK)
Frank (MA)	Mollohan	
Franks (CT)	Moran	
	Morella	

NOT VOTING—16

Bono	Lincoln	Roth
Emerson	McDade	Tauzin
Fields (TX)	Peterson (FL)	Torricelli
Hansen	Porter	Waters
Houghton	Ramstad	
Hyde	Rangel	

□ 1635

The Clerk announced the following pair:

On this vote:
Mr. Emerson for, with Mr. Rangel against.
Mr. MOORHEAD and Mr. HOBSON changed their vote from "no" to "aye."
So the amendment was agreed to.
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Chairman, on rollcall No. 263, I was present on the floor and was engaged in conversation with another Member about my subcommittee's bill funding the Departments of Labor, Health and Human Services and Education and inadvertently neglected to vote.

Had I voted, I would have voted "aye."

AMENDMENT OFFERED BY MR. GUTKNECHT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 291, not voting 15, as follows:

[Roll No. 264]

AYES—128

Allard	Franks (NJ)	Myrick
Army	Funderburk	Neumann
Bachus	Gekas	Norwood
Baker (CA)	Gillmor	Nussle
Barcia	Goodlatte	Parker
Barr	Graham	Paxon
Barrett (WI)	Gutknecht	Peterson (MN)
Barton	Hamilton	Petri
Bateman	Hancock	Pombo
Bilbray	Hastert	Poshard
Bilirakis	Hayes	Radanovich
Boehner	Hayworth	Roberts
Brewster	Hefley	Roemer
Brownback	Heineman	Rohrabacher
Bunning	Herger	Royce
Burton	Hoekstra	Salmon
Camp	Hoke	Sanford
Campbell	Horn	Scarborough
Chabot	Hostettler	Sensenbrenner
Chenoweth	Inglis	Shadegg
Christensen	Istook	Shays
Chrysler	Jacobs	Shuster
Coble	Johnson, Sam	Skelton
Coburn	Jones	Smith (MI)
Collins (GA)	Kaptur	Smith (NJ)
Combust	Kasich	Smith (TX)
Condit	Klecza	Smith (WA)
Cooley	Klug	Souder
Costello	LaHood	Stearns
Cox	Largent	Stenholm
Crane	Laughlin	Stockman
Crapo	Lewis (KY)	Stump
Cubin	Linder	Talent
Cunningham	Lipinski	Tanner
Danner	Lucas	Tate
Doolittle	Luther	Taylor (MS)
Dreier	Manzullo	Thomas
Edwards	McInnis	Thornberry
English	McIntosh	Tiahrt
Ensign	Metcalf	Upton
Ewing	Meyers	Watts (OK)
Fawell	Minge	Zimmer
Foley	Montgomery	

NOES—291

Abercrombie	Baker (LA)	Bass
Ackerman	Baldacci	Becerra
Andrews	Ballenger	Beilenson
Archer	Barrett (NE)	Bentsen
Baesler	Bartlett	Berman

Bevill Gordon Oberstar
 Bishop Goss Obey
 Bliley Green (TX) Olver
 Blumenauer Greene (UT) Ortiz
 Blute Greenwood Orton
 Boehlert Gunderson Owens
 Bonilla Gutierrez Oxley
 Bonior Hall (OH) Packard
 Bono Hall (TX) Pallone
 Borski Harman Pastor
 Boucher Hastings (FL) Payne (NJ)
 Browder Hastings (WA) Payne (VA)
 Brown (CA) Hefner Pelosi
 Brown (FL) Hilleary Pickett
 Brown (OH) Hilliard Pomeroy
 Bryant (TN) Hinchey Porter
 Bryant (TX) Hobson Portman
 Bunn Holden Pryce
 Burr Hoyer Quillen
 Buyer Hunter Quinn
 Callahan Hutchinson Rahall
 Calvert Jackson (IL) Reed
 Canady Jackson-Lee Regula
 Cardin (TX) Richardson Riggs
 Castle Jefferson Rivers
 Chambliss Johnson (CT) Rogers
 Chapman Johnson (SD) Ros-Lehtinen
 Clay Johnson, E. B. Rose
 Clayton Johnston Roukema
 Clement Kanjorski Roybal-Allard
 Clinger Kelly Sabo
 Clyburn Kennedy (MA) Sanders
 Coleman Kennedy (RI) Sawyer
 Collins (IL) Kennelly Saxton
 Collins (MI) Kildee Schaefer
 Conyers Kim Schiff
 Coyne King Schroeder
 Cramer Kingston Schumer
 Cremeans Klink Scott
 Cummings Knollenberg Seastrand
 Davis Kolbe Serrano
 de la Garza LaFalce Shaw
 Deal Lantos Sisisky
 DeFazio Latham Skaggs
 DeLauro LaTourette Skeen
 DeLay Lazio Slaughter
 Dellums Leach Solomon
 Deutsch Levin Spence
 Diaz-Balart Lewis (CA) Spratt
 Dicks Lewis (GA) Stark
 Dingell Lightfoot Stokes
 Dixon Livingston Studds
 Doggett LoBiondo Stupak
 Dooley Lofgren Taylor (NC)
 Dornan Longley Tejada
 Doyle Lowey Thompson
 Duncan Maloney Thornton
 Dunn Manton Thurman
 Durbin Markey Torkildsen
 Ehlers Martinez Torres
 Ehrlich Martini Towns
 Engel Mascara Traficant
 Eshoo Matsui Velazquez
 Evans McCarthy Vento
 Everett McCollum Vislosky
 Farr McCreery Volkmer
 Fattah McDermott Vucanovich
 Fazio McHale Walker
 Fields (LA) McHugh Walsh
 Filner McKeon Wamp
 Flake McKinney Ward
 Flanagan McNulty Waters
 Foglietta Meehan Watt (NC)
 Forbes Meek Waxman
 Ford Menendez Weldon (FL)
 Fowler Mica Weldon (PA)
 Fox Millender Weller
 Frank (MA) McDonald White
 Franks (CT) Miller (CA) Whitfield
 Frelinghuysen Miller (FL) Wicker
 Frisa Mink Williams
 Frost Moakley Wilson
 Furse Molohan Wise
 Gallegly Mollohan Wolf
 Ganske Moorhead Woolsey
 Gejdenson Moran Wynn
 Gephardt Morella Yates
 Geren Murtha Young (AK)
 Gibbons Myers Young (FL)
 Gilchrist Nadler Zeliff
 Gilman Neal
 Gonzalez Nethercutt
 Goodling Ney

Peterson (FL) Rangel Tauzin
 Ramstad Roth Torricelli

□ 1642

The Clerk announced the following pair:
 On this vote:
 Mr. Tauzin for, with Mr. Rangel against.

Ms. ROYBAL-ALLARD and Mr. KIM changed their vote from "aye" to "no."
 Mr. THOMAS changed his vote from "no" to "aye."
 So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed and on which the noes prevailed by voice vote.
 The Clerk will redesignate the amendment.
 The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.
 A recorded vote was ordered.
 The vote was taken by electronic device, and there were—ayes 186, noes 237, not voting 11, as follows:

[Roll No. 265]
 AYES—186

Abercrombie Foley Martini
 Ackerman Fowler McCarthy
 Allard Fox McCollum
 Baldacci Furse McDermott
 Balenger Gallegly McHugh
 Barcia Ganske McInnis
 Barr Gekas McKee
 Bass Gilman McKinney
 Becerra Goodlatte Meehan
 Bilbray Goodling Meek
 Blumenauer Goss Menendez
 Bono Gutierrez Metcalf
 Burton Gutknecht Minge
 Camp Hamilton Mink
 Chabot Harman Myrick
 Chenoweth Hastings (FL) Nethercutt
 Christensen Hastings (WA) Neumann
 Chrysler Hayworth Norwood
 Clay Hefley Nussle
 Clayton Hefner Oberstar
 Clement Herger Obey
 Clyburn Hilleary Orton
 Coburn Hilliard Owens
 Collins (MI) Hoke Pastor
 Condit Horn Paxton
 Conyers Hostettler Payne (NJ)
 Cooley Hutchinson Peterson (MN)
 Costello Jackson (IL) Petri
 Cox Jacobs Pombo
 Crapo Jefferson Portman
 Cremeans Johnson (SD) Poshard
 Cubin Johnston Quinn
 Cummings Kasich Radanovich
 Cunningham Kelly Rahall
 Deal Kennedy (MA) Rangel
 DeFazio Kennedy (RI) Richardson
 Dellums Kim Riggs
 Deutsch Kingston Roemer
 Doolittle Kleczka Rohrabacher
 Dornan Klug Ros-Lehtinen
 Dreier Kolbe Rose
 Duncan LaFalce Roybal-Allard
 Dunn LaHood Royce
 Durbin Latham Rush
 Ensign LaTourette Salmon
 Evans Leach Sanders
 Farr Lewis (KY) Sanford
 Fazio Lightfoot Scarborough
 Fields (LA) Lipinski Schroeder
 Filner Lofgren Scott
 Flake Luther Sensenbrenner
 Manzullo Manzullo Serrano

Shadegg Stump Towns
 Shays Stupak Vucanovich
 Skelton Talent Walker
 Smith (MI) Tanner White
 Smith (WA) Tate Williams
 Spence Taylor (MS) Wise
 Spratt Taylor (NC) Woolsey
 Stearns Thompson Young (AK)
 Stockman Thornton Zeliff
 Stokes Thurman Zimmer

NOES—237

Andrews Forbes Molinari
 Archer Ford Mollohan
 Army Frank (MA) Montgomery
 Bachus Franks (CT) Moorhead
 Baesler Franks (NJ) Moran
 Baker (CA) Frelinghuysen Morella
 Baker (LA) Frisa Murtha
 Barrett (NE) Frost Myers
 Barrett (WI) Funderburk Nadler
 Bartlett Gejdenson Neal
 Barton Gephardt Ney
 Bateman Geren Olver
 Beilenson Gibbons Ortiz
 Bentsen Gilchrist Oxley
 Bereuter Gillmor Packard
 Berman Gonzalez Pallone
 Bevil Gordon Parker
 Bilirakis Graham Payne (VA)
 Bishop Green (TX) Pelosi
 Bliley Greene (UT) Pickett
 Blute Greenwood Pomeroy
 Boehlert Gunderson Porter
 Boehner Hall (OH) Pryce
 Bonilla Hall (TX) Quillen
 Bonior Hancock Reed
 Borski Hastert Regula
 Boucher Hayes Rivers
 Brewster Heineman Roberts
 Browder Hinchey Rogers
 Brown (CA) Hobson Roukema
 Brown (FL) Hoekstra Sabo
 Brown (OH) Holden Sawyer
 Brownback Hoyer Saxton
 Bryant (TN) Hunter Schaefer
 Bryant (TX) Hyde Schiff
 Bunn Inglis Schumer
 Bunning Istook Seastrand
 Burr Jackson-Lee Shaw
 Buyer (TX) Shuster
 Callahan Johnson (CT) Siskisky
 Calvert Johnson, E. B. Skaggs
 Campbell Johnson, Sam Skeen
 Canady Jones Slaughter
 Cardin Kanjorski Smith (NJ)
 Castle Kaptur Smith (TX)
 Chambliss Kennelly Solomon
 Chapman Kildee Souder
 Clinger King Stark
 Coble Klink Stenholm
 Coleman Knollenberg Studds
 Collins (GA) Lantos Tejada
 Collins (IL) Largent Thomas
 Combest Laughlin Thornberry
 Coyne Lazio Tiahrt
 Cramer Levin Torkildsen
 Crane Lewis (CA) Torres
 Davis Lewis (GA) Traficant
 de la Garza Linder Upton
 DeLauro Livingston Velazquez
 DeLay LoBiondo Vento
 Diaz-Balart Longley Vislosky
 Dickey Lowey Volkmer
 Dicks Lucas Walsh
 Dingell Maloney Wamp
 Dixon Manton Ward
 Doggett Markey Waters
 Dooley Martinez Watt (NC)
 Doyle Mascara Watts (OK)
 Edwards Matsui Waxman
 Ehlers McCreery Weldon (FL)
 Ehrlich McHale Weldon (PA)
 Engel McIntosh Weller
 English McNulty Whitfield
 Eshoo Meyers Wicker
 Everett Mica Wilson
 Ewing Millender Wolf
 Fattah McDonald Wynn
 Fawell Miller (CA) Yates
 Flanagan Miller (FL) Young (FL)
 Foglietta Moakley

NOT VOTING—15

Bereuter Fields (TX) Hyde
 Dickey Hansen Lincoln
 Emerson Houghton McDade

NOT VOTING—11

Emerson Lincoln Roth
 McDade Fields (TX) Tauzin
 Hansen Peterson (FL) Torricelli
 Houghton Ramstad

□ 1651

Ms. SLAUGHTER and Messrs. MOORHEAD, GRAHAM, and FATTAH changed their vote from "aye" to "no."

Mr. STOCKMAN, Mr. NÜSSELE, Mrs. MEEK of Florida, Mr. TOWNS, and Mr. YOUNG of Alaska changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. HUNTER. Mr. Chairman, I ask unanimous consent to strike the last word.

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

There was no objection.

Mr. HUNTER. Mr. Chairman, I rise for the purpose of engaging the gentleman from Ohio [Mr. REGULA] in a colloquy.

Mr. Chairman, as the gentleman knows, smuggling in the border region of eastern San Diego County has reached epidemic proportions. A large portion of the border region consists of lands managed by the BLM and National Forest System.

To stem this tide of smuggling, the Border Patrol needs additional border fencing and access to roads on these Federal lands.

I know the gentleman is familiar with the committee's report, which identifies this border region as an area of high priority. It is my hope that it is the chairman's intention to urge strong measures to help stem the massive flow of illegal aliens and narcotics plaguing this area.

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

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

Mr. REGULA. Mr. Chairman, the committee is aware of the smuggling epidemic existing on the Federal lands within this region of eastern San Diego County. It is certainly our intention that the BLM and National Forest Service should accommodate Federal law enforcement agencies by allowing those agencies to construct fences and roads along our international border with Mexico.

Further, please be aware of the committee's intent to strongly monitor the BLM and Forest Service toward these ends.

Mr. HUNTER. I want to thank the gentleman from Ohio [Mr. REGULA] for his support for the building of roads and fences to assist our border patrol agents in California.

Mr. POMEROY. Mr. Chairman, I must reluctantly rise in opposition to this bill in its final form. I am pleased that the committee increased funding above the President's request for fossil energy research and development. It is in the national economic interest to fund this research to ensure use of these resources is both more efficient and environmentally friendly.

One project funded in my State, the Energy and Environmental Research Center in Grand Forks, ND, is a model for providing practical solutions to critical barrier issues.

I believe many areas of this bill have been improved since the House considered the bill for fiscal year 1996. However, the cuts in this bill to the Bureau of Indian Affairs left me with no choice but to oppose it.

Mr. Chairman, I opposed both the House bill and the conference report of the versions of the fiscal year 1996 Interior appropriations. The deep cuts contained in those bills for Native American programs were unjustified and were an abandonment of the Federal Government's trust responsibility to the tribes. The Omnibus Appropriations bill signed into law in April was an improvement, but it still cut funding for the operation of Indian programs by 8 percent from 1995 levels. This bill compounds that hit by cutting funding for these critical programs by another 3 percent.

Mr. Chairman, representing four reservations in my State, I know first hand about the unmet needs of these tribes. Funding in fiscal year 1995 was inadequate to meet the health, education, and training needs of these individuals. To make deep cuts in these programs will leave many tribes with no option but to suspend programs, cut services, and shut their tribal office doors. This is absolutely unacceptable.

I am hopeful that deliberations with the Senate will provide a more acceptable level of funding to our Nation's first Americans.

Mrs. LINCOLN. Mr. Chairman, I rise to advocate changes to our funding priorities within the Forest Service [FS]. As the appropriations for FS programs continue to decline, Congress and the FS need to reevaluate the uses of our Federal dollars.

Currently the return of revenue to the Treasury plays absolutely no role in determining where Federal resources are spent. Therefore, many profitmaking areas do not receive enough money to operate at full capacity, thus minimizing the total revenue to the Treasury. If revenue-generating facilities were able to run at full capacity, they could also help support other Forest Service activities that are important, but that do not return much revenue to the Federal Government.

I have personally witnessed the impact of funding cuts on the operations of facilities in the First Congressional District of Arkansas. Recently, Blanchard Springs Caverns [BSC] in the Ozark National Forest was forced to consider proposals to close the facility 2 days a week during its most heavily used times. BSC, which boasts beautiful stalactite and stalagmite formations, is the jewel of the forest. This limited schedule proposal would have saved around \$40,000, but would have resulted in a total loss of approximately \$120,330 in revenue to the Treasury. I'm not an economist, but according to these figures, the Treasury would have lost a total of \$80,330 in revenue from the limited schedule. These figures do not even factor in the adverse impact on the local community, which is heavily reliant on tourism dollars. This proposal did not ultimately go forward, but with the estimated continued decline in BSC's funding, this will be an ever present problem.

Congress must also refocus on investing in recreational areas. Estimates from the Forest Service include that FS facilities contribute a total of \$134 billion to the gross domestic product. Of that amount, around \$98 billion comes from recreation activities and \$7 billion comes from timber sales. However, despite these figures, funding for recreation continues

to decline while funding to accommodate timber sales is on the rise. Additionally, we must recognize the ancillary tourism benefits arising from Federal recreational facilities. Tourism is the second largest industry in this country, creating 6 million jobs directly and 5 million jobs indirectly. This results in \$380 billion in expenditures and a \$22 billion trade surplus. Our Federal lands and facilities are essential components of this industry.

The recent cuts in the Forest Service [FS] accounts have forced forest supervisors to reduce public access to many popular facilities. While funding in this bill slightly increases the funding for the FS's recreational programs, it still will not cover the backlog of maintenance that needs to be done.

Mr. Speaker, as the demand for Federal dollars continues to increase and the availability continues to decline, we must also reevaluate our current budget priorities. While I am a budget hawk and consistently seek ways to reduce wasteful Federal spending, I believe that budget cuts must be fair, particularly to those programs that work. This year, defense appropriations exceeded the administration's request by \$11.1 billion—5 percent—and the fiscal year 1996 level by \$3.7 billion. A relatively small portion of these increases could have been used by the National Forest Service to fund more trail and facility maintenance, needed facility construction, and basic operations. People in this country use our public lands and resources and they deserve adequate access.

Mr. Speaker, again, I question the wisdom of continually reducing funding for public facilities that are used, enjoyed and actually return money to the U.S. Treasury. Congress must recognize the value of maintaining our public lands.

Mr. REED. Mr. Chairman, I rise in support of H.R. 3662, the Interior appropriations bill for fiscal year 1997. I would like to thank Chairman REGULA and Representative YATES for their work, which has been all the more difficult because of misguided Republican budget priorities.

I realize that this measure has many serious shortcomings. H.R. 3662 makes excessive cuts in important energy initiatives. In addition, the bill's allocation for our national parks falls short of meeting the increasing demand for visitor services, park maintenance, and resource protection. I am disappointed that the Republican majority created these problems by insisting on budget plans that fail to recognize the importance of our parks.

However, this debate has substantially improved this legislation. By approving the Dicks amendment, the House preserved the integrity of the Endangered Species Act. By adopting the Sanders amendment, the House restored needed funds for the low-income home weatherization program, which conserves energy and provides vital assistance to low-income Americans.

Furthermore, this measure helps to preserve a vital part of our Nation's heritage. H.R. 3662 renews the Federal commitment to the Blackstone River Valley National Heritage Corridor, the birthplace of the American industrial revolution. Drawing on the hard work and ingenuity of the region's people, this affiliated area of the National Park System is a model partnership between the private and public sectors that deserves our strong support.

I take pride in the great strides that we are making in the Blackstone Valley, and I will

vote to preserve the Federal commitment to these endeavors. I look forward to working with Chairman REGULA, Representative YATES, and our colleagues in the Senate to ensure that the final version of this legislation more effectively protects all of our Nation's environmental resources.

Mr. LEVIN. Mr. Chairman, I strongly object to the Department of Interior funding bill before the House today. Once again, the Republican majority has brought a bill to the floor that shortchanges our nation's Natural resources and attacks the environment.

The priorities of the majority party never cease to amaze me. Just last week, the House approved a defense appropriation bill that provides \$11 billion more for military spending than even the Pentagon requested. At the same time, critical nondefense programs such as our national parks are underfunded.

The Interior bill before us today cuts \$285 million from the President's request for the National Park Service. Years of lean budgets have forced the park system to defer maintenance and cut staff. As a result, our parks are increasingly falling into disrepair.

Ironically, resources for the park system continue to decline at a time when more and more Americans are visiting our national parks. This year, the number of visits to national parks will rise to 270 million. One national park superintendent put it this way: "Visitors [to the nation's national parks] will notice a major difference in park operations this year. In the years ahead . . . protecting resources and providing for visitor use will be increasingly compromised."

I likewise am concerned that this bill reduces funding for energy conservation programs \$235 million below the administration's request. Such a reduction is short-sighted given our Nation's dangerous dependence on foreign sources of energy. These energy conservation programs not only work to improve our country's energy efficiency; they also provide a successful means of reducing pollution.

Because of these and other deficiencies in the bill, I urge my colleagues to reject this legislation.

The CHAIRMAN. If there are no other amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GOODLATTE) having assumed the chair, Mr. BURTON of Indiana, 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. 3662), making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes, pursuant to House Resolution 455, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. GOODLATTE). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. KOLBE. Mr. Speaker, I demand a separate vote on the so-called Kennedy of Massachusetts amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other

amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will redesignate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment: In the item relating to "FOR-EST SERVICE—RECONSTRUCTION AND CONSTRUCTION"—

(1) after the first dollar amount, insert the following: "(reduced by \$12,000,000)"; and

(2) after the second dollar amount, insert the following: "(reduced by \$30,000,000)".

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

Mr. SANDERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 211, noes 211, not voting 13, as follows:

[Roll No. 266]

AYES—211

Abercrombie	Forbes	Matsui
Ackerman	Ford	McDermott
Andrews	Fox	McHale
Baesler	Frank (MA)	McKinney
Baldacci	Franks (NJ)	McNulty
Barrett (WI)	Frelinghuysen	Meehan
Becerra	Frost	Meek
Beilenson	Furse	Menendez
Berman	Ganske	Meyers
Billbray	Gejdenson	Millender-
Billrakis	Gephardt	McDonald
Blute	Gibbons	Miller (CA)
Boehlert	Gilchrest	Miller (FL)
Bonior	Gilman	Minge
Borski	Gonzalez	Mink
Boucher	Gordon	Moakley
Brown (CA)	Goss	Molinari
Brown (FL)	Greenwood	Moran
Brown (OH)	Gutierrez	Morella
Brownback	Hall (OH)	Myrick
Bryant (TX)	Harman	Nadler
Campbell	Hastings (FL)	Neal
Cardin	Hilliard	Neumann
Castle	Hinchev	Olver
Chabot	Hoekstra	Ortiz
Clay	Horn	Owens
Clayton	Hostettler	Pallone
Clement	Hoyer	Pastor
Clyburn	Inglis	Payne (NJ)
Collins (IL)	Jackson (IL)	Pelosi
Collins (MI)	Jacobs	Petri
Conyers	Jefferson	Pomeroy
Costello	Johnson (SD)	Porter
Coyne	Johnston	Portman
Cummings	Kasich	Poshard
Davis	Kelly	Quinn
de la Garza	Kennedy (MA)	Rahall
DeLauro	Kennedy (RI)	Rangel
Dellums	Kennelly	Reed
Deutsch	Kildee	Richardson
Diaz-Balart	Klecza	Rivers
Dingell	Klug	Roemer
Dixon	LaFalce	Rohrbacher
Doggett	LaHood	Ros-Lehtinen
Duncan	Lantos	Rose
Durbin	LaTourrette	Roukema
Ehlers	Lazio	Roybal-Allard
Engel	Leach	Royce
English	Levin	Rush
Eshoo	Lewis (GA)	Salmon
Evans	LoBiondo	Sanders
Farr	Lofgren	Sanford
Fattah	Lowe	Sawyer
Fawell	Luther	Saxton
Fields (LA)	Maloney	Schiff
Filner	Manton	Schroeder
Flake	Manzullo	Schumer
Flanagan	Markey	Scott
Foglietta	Martinez	Sensenbrenner
Foley	Martini	Serrano

Shaw
Shays
Skaggs
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Spratt
Stark
Stokes
Studds

Talent
Tejeda
Thompson
Thurman
Torkildsen
Torres
Towns
Upton
Velazquez
Vento
Visclosky

Walker
Wamp
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Woolsey
Yates
Zimmer

NOES—211

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bishop
Bliley
Blumenauer
Boehner
Bonilla
Bono
Brewster
Browder
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chambless
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combust
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Deal
DeFazio
DeLay
Dickey
Dicks
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehrlich
Ensign
Everett

Ewing
Fazio
Fowler
Franks (CT)
Frisa
Funderburk
Gallegly
Gekas
Geren
Gillmor
Gingrich
Goodlatte
Goodling
Graham
Green (TX)
Greene (UT)
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Holden
Hunter
Hutchinson
Hyde
Istook
Jackson-Lee
(TX)
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kim
King
Kingston
Klink
Knox
Kolbe
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Longley
Lucas
Mascara
McCarthy
McCollum
McCreery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica

Mollohan
Montgomery
Moorhead
Murtha
Myers
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Pickett
Pombo
Pryce
Quillen
Radanovich
Regula
Riggs
Roberts
Rogers
Scarborough
Schaefer
Seastrand
Shadegg
Shuster
Sisisky
Skeen
Skelton
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Tanner
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Tiahrt
Traficant
Volkmer
Vucanovich
Walsh
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—13

Emerson
Fields (TX)
Hansen
Hayes
Houghton

Lincoln
McDade
Peterson (FL)
Ramstad
Roth

Sabo
Tauzin
Torrice

□ 1715

So the amendment was rejected.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. YATES. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. YATES moves to recommit the bill, H.R. 3662, to the Committee on Appropriations.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. YATES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 176, nays 241, not voting 17, as follows:

[Roll No. 267]

YEAS—176

Abercrombie	Farr	Martinez
Ackerman	Fattah	Mascara
Andrews	Fazio	Matsui
Baesler	Fields (LA)	McCarthy
Baldacci	Filner	McDermott
Barcia	Flake	McHale
Barrett (WI)	Foglietta	McKinney
Becerra	Ford	McNulty
Beilenson	Frank (MA)	Meehan
Bentsen	Frost	Meek
Berman	Furse	Menendez
Bevill	Gejdenson	Millender-
Bishop	Gephardt	McDonald
Blumenauer	Gibbons	Miller (CA)
Bonior	Gonzalez	Minge
Borski	Green (TX)	Mink
Boucher	Gutierrez	Moakley
Browder	Hamilton	Moran
Brown (CA)	Harman	Nadler
Brown (FL)	Hastings (FL)	Neal
Brown (OH)	Hefner	Oberstar
Bryant (TX)	Hilliard	Obey
Cardin	Hinchee	Olver
Chapman	Hoyer	Ortiz
Clay	Jackson (IL)	Owens
Clayton	Jackson-Lee	Pallone
Clement	(TX)	Pastor
Clyburn	Jacobs	Payne (NJ)
Coleman	Jefferson	Payne (VA)
Collins (IL)	Johnson (SD)	Pelosi
Collins (MI)	Johnson, E. B.	Peterson (MN)
Condit	Johnston	Pomeroy
Conyers	Kanjorski	Poshard
Costello	Kaptur	Rangel
Coyne	Kennedy (MA)	Reed
Cramer	Kennedy (RI)	Richardson
Cummings	Kennelly	Rivers
Danner	Kildee	Roemer
de la Garza	Kleccka	Rose
DeFazio	Klink	Roybal-Allard
DeLauro	LaFalce	Rush
Dellums	Lantos	Sabo
Deutsch	Levin	Sanders
Dingell	Lewis (GA)	Sawyer
Dixon	Lipinski	Schroeder
Doggett	Lofgren	Schumer
Dooley	Lowe	Scott
Durbin	Luther	Serrano
Engel	Maloney	Sisisky
Eshoo	Manton	Skaggs
Evans	Markey	Skelton

Slaughter
Spratt
Bachus
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson

Thornton
Thurman
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward

Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn
Yates

Peterson (FL)
Ramstad

Roth
Tauzin

Torricelli
Wilson

□ 1734

Mr. SHAYS and Mr. GORDON changed their votes from "yea" to "nay."

Mr. MINGE changed from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the passage of the bill.

Pursuant to clause 7 of the rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 174, not voting 18, as follows:

[Roll No. 268]

YEAS—242

Allard
Archer
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Collins
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Sabo
Funderburk
Gallegly
Ganske

NAYS—241

Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Metcalfe
Meyers
Miller (FL)
Molinaro
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick

Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeem
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

Allard
Archer
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Condit
Cox
Coyne
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English

Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Lazio
Leach

Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Martini
Mascara
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinaro
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Rahall
Reed
Regula
Rivers
Roberts
Rogers
Ros-Lehtinen
Roukema
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)

NOT VOTING—17

Armey
Baker (LA)
Callahan
Emerson

Fields (TX)
Foley
Hansen
Houghton

Lincoln
McCrery
McDade

Smith (TX)	Thomas	Weller
Smith (WA)	Thornberry	White
Solomon	Torkildsen	Whitfield
Souder	Traficant	Wicker
Spence	Upton	Wise
Stenholm	Visclosky	Wolf
Talent	Vucanovich	Young (AK)
Tanner	Walsh	Young (FL)
Tate	Watts (OK)	Zeliff
Taylor (NC)	Weldon (FL)	Zimmer
Tejeda	Weldon (PA)	

NAYS—174

Abercrombie	Gephardt	Pastor
Ackerman	Gibbons	Payne (NJ)
Andrews	Green (TX)	Payne (VA)
Baesler	Gutierrez	Pelosi
Baldacci	Hamilton	Peterson (MN)
Barcia	Hancock	Petri
Barrett (WI)	Hastert	Pomeroy
Becerra	Hastings (FL)	Poshard
Beilenson	Hefner	Quinn
Bentsen	Hilliard	Rangel
Berman	Hinchee	Richardson
Blumenauer	Hostettler	Riggs
Bonior	Hoyer	Roemer
Borski	Jackson (IL)	Rohrabacher
Boucher	Jackson-Lee	Rose
Browder	(TX)	Roybal-Allard
Brown (CA)	Jacobs	Royce
Brown (FL)	Jefferson	Rush
Brown (OH)	Johnson (SD)	Sabo
Bryant (TX)	Johnson, E. B.	Sanders
Cardin	Johnston	Sawyer
Chapman	Kanjorski	Scarborough
Clay	Kaptur	Schroeder
Clayton	Kennedy (MA)	Schumer
Clement	Kennelly	Scott
Clyburn	Kildee	Sensenbrenner
Coleman	Klecicka	Serrano
Collins (IL)	Klug	Skaggs
Collins (MI)	LaFalce	Skelton
Combest	Lantos	Slaughter
Conyers	Levin	Spratt
Cooley	Lewis (GA)	Stark
Costello	Lofgren	Stearns
Cramer	Lowey	Stockman
Cummings	Luther	Stokes
Danner	Maloney	Studds
DeFazio	Manton	Stump
DeLauro	Markey	Stupak
Dellums	Matsui	Taylor (MS)
Deutsch	McCarthy	Thompson
Dingell	McDermott	Thornton
Dixon	McHale	Thurman
Doggett	McKinney	Tiahrt
Durbin	McNulty	Torres
Engel	Meehan	Towns
Eshoo	Menendez	Velazquez
Evans	Millender-	Vento
Farr	McDonald	Volkmer
Fattah	Miller (CA)	Walker
Fazio	Minge	Wamp
Fields (LA)	Mink	Ward
Filner	Moakley	Waters
Flake	Moran	Watt (NC)
Foglietta	Nadler	Waxman
Ford	Neumann	Williams
Frank (MA)	Oberstar	Woolsey
Frost	Obey	Wynn
Furse	Owens	Yates
Gejdenson	Pallone	

NOT VOTING—18

Army	Houghton	Peterson (FL)
Baker (LA)	Lincoln	Ramstad
Callahan	McCrery	Roth
Emerson	McDade	Tauzin
Fields (TX)	Meek	Torricelli
Hansen	Olver	Wilson

□ 1754

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3662, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. RADANOVICH). Is there objection to the request of the gentleman from Ohio? There was no objection.

PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Speaker, I was unavoidably detained and unable to make votes 249, 250, 251, and 252. Had I been present, I would have voted "yes" on all four.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority whip about the schedule for next week. I would be happy to yield for whatever description of the schedule he would like to provide.

Mr. DELAY. I thank the gentleman for yielding.

Mr. Speaker, the House has concluded its legislative business for the week. On Monday, June 24, we will meet in pro forma session. Of course, there will be no legislative business and no votes that day.

On Tuesday, June 25, the House will meet at 10:30 a.m. for morning hour, and 12 noon for legislative business. Members should note that we do expect recorded votes close to 1 p.m. Please be advised that we will have a full day planned for Tuesday, June 25.

The House will first debate H.R. 2531, the House Parent Exemption Act, which is on the corrections day calendar. We will then take up under suspension of the rules H.R. 3604, the Safe Drinking Water Act. After consideration of the suspension on Tuesday, the House will consider the rule for H.R. 3666, the VA-HUD appropriations, and the bill itself.

On Wednesday, June 26, and the balance of the week, the House will consider the appropriation bill for the Department of Transportation, and possibly for the Departments of Labor and Health and Human Services.

Mr. Speaker, I would also like to remind Members that we may take up a resolution holding the President's aides in contempt of Congress. It is our hope that the President will be forthcoming with the subpoenaed Travelgate documents before next week. However, in the event that these key documents are not provided, we may need to act on the contempt resolution.

Mr. Speaker, we hope to finish legislative business and start the July 4th district period by 2 p.m. on Friday, June 28. Members should be prepared to return to Washington on Tuesday, July 9. We expect recorded votes to be held that day after 5 p.m.

Mr. FAZIO of California. Mr. Speaker, I want to thank the whip for assuring members that 5 o'clock is still the time for votes on that Tuesday return after the Fourth of July break.

Is it likely that given the fact that the Labor-HHS bill is not yet marked up and probably will not be until the end of Tuesday of next week, that we probably are not likely to see it on the floor? Is it realistic that it will be the two appropriations bills, Transportation, VA-HUD?

Mr. DELAY. Well, the reason I said possibly consideration of the Labor-HHS appropriations bill is that hopefully we can work some sort of agreement out between the ranking member, Mr. OBEY, and the chairman, Mr. LIVINGSTON, so that we could go to that bill. If that is not possible, then we may not do the bill next week.

Mr. FAZIO of California. Mr. Speaker, I have another question. Could the gentleman tell me when the first reconciliation bill is likely to hit the floor. I know many thought it would be before us in the next week. I know also that the gentleman from Missouri [Mr. GEPHARDT], the Democratic leader, has written to the Speaker asking for some sort of clarification as to the intent of the majority with regard to welfare, Medicaid, and taxes, whether they would be tied together or come separately, would they or would they not be part of the reconciliation, and what requirements might the Committee on Rules impose as to how we could construct a viable Democratic alternative.

Is the gentleman in a position to give us any understanding about when that might come and how it might come?

□ 1800

Mr. DELAY. If the gentleman would continue to yield, those decisions have not been made as yet, and we are consulting with as many Members as possible to decide which is the best way to proceed.

We expect that the first reconciliation bill, if indeed we split up the reconciliation bill, would come soon after the July 4th break. We have every intention of working with the minority's leadership to make sure that the minority will have plenty of time in which to craft any substitute that they may want to offer.

Mr. FAZIO of California. Mr. Chairman, I appreciate the gentleman's assurance, and I look forward to finalizing the arrangements, because I want to maintain, very clearly, that the minority is very anxious to participate in the discussions, whether we take them up as a package or individually, and we look forward to providing an alternative.

I want to find out from the majority whip, if he can tell us, what will be the fate of the so-called reform week, which we understood was coming that week on our return. We now have backed up several key appropriations bills, we have just heard about the need to bring up the reconciliation bills, and we pick up anecdotally that many of the reforms are falling by the wayside.

I am wondering, is reform week still in our future, or has it perhaps been drifting off into oblivion?