

CELEBRATING 50TH ANNIVERSARY  
OF CONSTITUTION OF COMMON-  
WEALTH OF PUERTO RICO

The SPEAKER pro tempore (Mr. LAHOOD). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 395, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCREST) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 395, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 32, answered “present” 3, not voting 10, as follows:

[Roll No. 304]

YEAS—389

Abercrombie	Condit	Green (WI)
Ackerman	Cooksey	Greenwood
Aderholt	Costello	Crucci
Akin	Cox	Gutknecht
Allen	Coyne	Hall (OH)
Andrews	Cramer	Hall (TX)
Armey	Crane	Hansen
Baca	Crenshaw	Harman
Bachus	Cubin	Hart
Baird	Culberson	Hastings (WA)
Baker	Cummings	Hayes
Baldacci	Cunningham	Hayworth
Baldwin	Davis (CA)	Hefley
Balenger	Davis (FL)	Herger
Barcia	Davis (IL)	Hill
Barr	Davis, Jo Ann	Hilliard
Barrett	Davis, Tom	Hinchev
Bartlett	Deal	Hinojosa
Barton	DeFazio	Hobson
Bass	DeGette	Hoefel
Becerra	DeLauro	Hoekstra
Bentsen	DeLay	Holden
Bereuter	DeMint	Holt
Berkley	Diaz-Balart	Honda
Berman	Dicks	Hooley
Berry	Dingell	Horn
Biggert	Doggett	Hostettler
Bilirakis	Doolley	Hoyer
Bishop	Doolittle	Hulshof
Blumenauer	Doyle	Hunter
Blunt	Dreier	Inslee
Boehlert	Duncan	Isakson
Boehner	Dunn	Israel
Bono	Edwards	Issa
Boozman	Ehlers	Istook
Borski	Ehrlich	Jackson (IL)
Boswell	Emerson	Jackson-Lee
Boucher	English	(TX)
Boyd	Eshoo	Jefferson
Brady (PA)	Etheridge	Jenkins
Brady (TX)	Evans	John
Brown (FL)	Everett	Johnson (CT)
Brown (OH)	Ferguson	Johnson (IL)
Brown (SC)	Flake	Johnson, E. B.
Bryant	Fletcher	Johnson, Sam
Burr	Foley	Jones (NC)
Buyer	Forbes	Jones (OH)
Callahan	Ford	Kanjorski
Calvert	Fossella	Kaptur
Camp	Frank	Keller
Cannon	Frelinghuysen	Kelly
Cantor	Frost	Kennedy (MN)
Capito	Gallely	Kerns
Capps	Ganske	Kildee
Cardin	Gekas	Kilpatrick
Carson (IN)	Gephardt	Kind (WI)
Carson (OK)	Gibbons	King (NY)
Castle	Gilchrest	Kingston
Chabot	Gillmor	Kirk
Chambliss	Gonzalez	Klecicka
Clay	Goodlatte	Knollenberg
Clayton	Gordon	Kolbe
Clement	Goss	Kucinich
Clyburn	Graham	LaFalce
Coble	Granger	LaHood
Collins	Graves	Lampson
Combest	Green (TX)	Langevin

Lantos	Pastor	Skelton
Larsen (WA)	Paul	Slaughter
Latham	Payne	Smith (MI)
LaTourette	Pelosi	Smith (NJ)
Leach	Pence	Smith (TX)
Levin	Peterson (MN)	Snyder
Lewis (CA)	Peterson (PA)	Solis
Lewis (GA)	Petri	Souder
Lewis (KY)	Phelps	Spratt
Linder	Pickering	Stearns
Lipinski	Pitts	Stenholm
LoBiondo	Platts	Strickland
Lofgren	Pombo	Stump
Lowe	Pomeroy	Stupak
Lucas (KY)	Portman	Sullivan
Lucas (OK)	Price (NC)	Sununu
Luther	Pryce (OH)	Sweeney
Lynch	Putnam	Tanner
Maloney (CT)	Quinn	Tauscher
Maloney (NY)	Radanovich	Tauzin
Manzullo	Rahall	Taylor (MS)
Markey	Ramstad	Taylor (NC)
Matheson	Rangel	Terry
McCarthy (NY)	Regula	Thomas
McCollum	Rehberg	Thompson (CA)
McCrery	Reyes	Thompson (MS)
McDermott	Reynolds	Thornberry
McHugh	Rivers	Thune
McInnis	Rodriguez	Thurman
McIntyre	Roemer	Tiahrt
McKeon	Rogers (KY)	Tiberi
McNulty	Rogers (MI)	Tierney
Meehan	Ros-Lehtinen	Toomey
Meek (FL)	Ross	Towns
Menendez	Rothman	Turner
Mica	Roukema	Udall (CO)
Millender-	Roybal-Allard	Upton
McDonald	Royce	Rush
Miller, Dan	Rush	Velazquez
Miller, Gary	Ryan (WI)	Visclosky
Miller, George	Ryun (KS)	Vitter
Mink	Sabo	Walden
Mollohan	Sanders	Walsh
Moore	Sandlin	Wamp
Moran (KS)	Sawyer	Watkins (OK)
Moran (VA)	Saxton	Watson (CA)
Morella	Schaffer	Watt (NC)
Murtha	Schakowsky	Watts (OK)
Myrick	Schiff	Waxman
Napolitano	Schrock	Weldon (FL)
Neal	Scott	Weldon (PA)
Nethercutt	Sensenbrenner	Weller
Ney	Sessions	Wexler
Northup	Shadegg	Whitfield
Norwood	Shaw	Wicker
Nussle	Shays	Wilson (NM)
Oberstar	Sherman	Wilson (SC)
Obey	Sherwood	Wolf
Ortiz	Shimkus	Woolsey
Osborne	Shows	Wu
Ose	Shuster	Wynn
Otter	Simmons	Young (AK)
Owens	Simpson	Young (FL)
Oxley	Skeen	

NAYS—32

Bonilla	Goode	Pallone
Burton	Houghton	Rohrabacher
Capuano	Kennedy (RI)	Sanchez
Conyers	Larson (CT)	Serrano
Crowley	Lee	Smith (WA)
Delahunt	Matsumi	Stark
Deutsch	McCarthy (MO)	Tancredo
Farr	McGovern	Udall (NM)
Fattah	McKinney	Waters
Filner	Meeks (NY)	Weiner
Gilman	Oliver	

ANSWERED “PRESENT”—3

Engel	Gutierrez	Miller, Jeff
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NOT VOTING—10

Blagojevich	Hyde	Riley
Bonior	Mascara	Trafcant
Hastings (FL)	Nadler	
Hilleary	Pascrell	

□ 1715

Ms. McCARTHY of Missouri and Mr. DEUTSCH changed their vote from “yea” to “nay.”

Mr. LANGEVIN changed his vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: “Concurrent resolution celebrating the 50th anniversary of the Constitution of the Commonwealth of Puerto Rico.”

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ALLEN. Mr. Speaker, I was unavoidably detained earlier this afternoon. If I had been present, I would have voted “yes” on rollcall vote No. 299, “yes” on rollcall vote No. 300, and “yes” on rollcall vote No. 301.

GENERAL LEAVE

□ 1715

Mr. SKEEN. 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. 5093, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

DEPARTMENT OF THE INTERIOR  
AND RELATED AGENCIES APPRO-  
PRIATIONS ACT, 2003

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 483 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5093.

□ 1717

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5093) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New Mexico (Mr. SKEEN) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. SKEEN).

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

Mr. Chairman, this is a good bill and a generous bill given our Nation's priorities since the terrorist attack on September 11, 2001. It provides \$19.7 billion for fiscal year 2003. It increases funds for operating and maintaining our public lands. It increases funding for Everglades restoration, weatherization grants, and Native American programs.

Funding for the U.S. Geological Survey and the National Fire Plan has been restored and funding for Payments in Lieu of Taxes and critical energy research has been increased.

I want to thank the subcommittee members and the full committee members for their help in crafting this bill that balances many competing needs.

With the help of my good friend and committee ranking member, the gentleman from Washington (Mr. DICKS), the bill maintained past commitments Congress has made on important environmental programs.

The professional staff of the Subcommittee on the Interior of the Committee on Appropriations once again has done a superb job on this bill. I would like to take this opportunity to personally thank Deborah Weatherly, Loretta Beaumont, Joel Kaplan, Chris Topik, Andria Oliver, and Bob Glasgow.

Mike Stephens on the minority staff and Lesley Turner on the gentleman from Washington's (Mr. DICKS) personal staff have been a great help and great to work with.

The personal staff of subcommittee members also have helped us get this bill to the floor.

I want to extend a special thanks to Paul Ostrowski from my office and Jim Hughes, who left my office a short while ago to work at the Department of the Interior, where he will never be heard from again.

This is the last bill that I will manage as a member of the Committee on Appropriations. I would like to thank all of the current members of the committee as well as the many former members with whom I have served over the past 18 years. I cannot begin to tell you how much your friendship has meant to me.

I want to invite each and every one of you to come visit my district in New Mexico, with its great food and wonderful culture that go together and natural resources, as well as our famous Roswell aliens from outer space.

From the Gila Cliff Dwellings to the White Sands Monument, from the Nation's first wilderness area to the Carlsbad Caverns, from the Roswell Alien Museum to the Bosque Del Apache Wildlife Refuge, from Old Mesilla, the capital of New Mexico-Arizona territory, to the Isleta Indian pueblo, and much more, we offer you an experience that you can find nowhere else.

Vaya con Dios.

Mr. Chairman, I reserve the balance of my time, and everybody should be very thankful of that.

Mr. DICKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. GEPHARDT).

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

Mr. GEPHARDT. Mr. Chairman, I rise to urge Members to vote for the Slaughter-Dicks, amendment which will be offered later today.

The arts are an integral part of our Nation's heritage and the arts represent the treasures of our Nation. They help children learn. Through arts education, millions of our children enter a world where they discover music, drama, dance, as well as the visual arts.

And the arts are not only important for cultural enrichment in the education of our children. From coast to coast, the arts are economic engines in our Nation's communities. The arts contribute \$134 billion a year to our economy, according to a recent study. And in my hometown of St. Louis, the arts contribute almost \$500 million to the local economy and are a source of employment for thousands of people.

If this amendment passes, funding for the arts and humanities would be increased by just \$15 million. That is a modest increase, but the benefits are huge. I think it is time, once and for all, to end the assault on funding the arts that we have seen over the past years.

I hope today we can cast a bipartisan decisive vote. I hope we will send a strong signal. I hope we will demonstrate that the Congress is committed to enriching our culture and strengthening our education in our economy.

Jack Kennedy said in 1962 that one of the "fascinating challenges of these days" is "to further the appreciation of culture among all the people, to increase respect for the creative individual, to widen participation by all the processes and fulfillment of art."

Vote "yes" on this important amendment. Stand for the arts and stand for the future of our children and our families.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. YOUNG), chairman of the House Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman, the chairman of the subcommittee, for yielding to me this time.

As I think most of us know, this will be the last bill that Chairman SKEEN will present to this Congress before he enjoys his well-deserved retirement. I think that I can truly say that, of all the Members in this House, I do not know of anyone who is more respected and more loved by his colleagues. Those who support and endorse his work, and even those who disagree with his work, understand that JOE SKEEN is a real statesman, a real gentleman, and someone we have come to learn and trust and respect and love over the years.

JOE came to Congress under an unusual situation. He was elected as a write-in candidate. I do not know a lot of people who have come to Congress as a write-in candidate. It does not happen very often. But JOE SKEEN was such an overwhelming personality and such a hard worker in his district that people understood and respected him.

When our party became the majority party in Congress, JOE became the

chairman of the Subcommittee on Agriculture of the Committee on Appropriations. He did a really good job. He helped to create farm and agriculture packages that were workable and that were good for our farming communities.

Since then, because of term limitations placed on chairmen, JOE became chairman of this Subcommittee on the Interior. Last year he produced an excellent outstanding interior bill; and this year once again Chairman JOE SKEEN, along with his partner, the minority ranking member, the gentleman from Washington (Mr. DICKS), has produced a very good bill. It might not satisfy everybody. It might not be enough spending for some. It might be too much for others, but all in all it is a good bill. And it is a bill that should get a substantial vote in this House when we finally get to voting on the bill itself. And as we go through the amendment process, we will listen to what Chairman SKEEN has to say because he is a strong leader on this issue.

But my primary comments were not to be about the bill itself. They were to be about the chairman who produced the bill and the members of his subcommittee. He is just a very much-revered member of Congress. He is loved and respected in his own home district. I know it is not proper to speak directly to a Member on the floor; but, JOE, I will tell you that as chairman of the committee I will miss you. You have been a long-time friend. I could not respect you more than I do. And in the most sincere way, let me tell you that as a human being, I love you, JOE SKEEN. You have been a tremendous, tremendous positive effect on this House of Representatives.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY), a very valued member of the subcommittee.

Mr. HINCHEY. Mr. Chairman, first of all, I want to add my thoughts to those that were just expressed on behalf of the gentleman from New Mexico (Mr. SKEEN).

It has been a great pleasure for me as a member of the Committee on Appropriations to serve under the chairmanship of JOE SKEEN, first as chairman of the Subcommittee on Agriculture, and then second as the Subcommittee on the Interior. As I have said before on this floor, I have never met a more affable man than JOE SKEEN. He is a delightful person and an absolute pleasure to work with. I am going to miss him very, very much.

I also want to say that I strongly support the interior appropriations bill before us today and congratulate the gentleman from New Mexico (Mr. SKEEN), the chairman, and the ranking member, the gentleman from Washington (Mr. DICKS), and their staffs for crafting this bipartisan bill that will help protect our natural and culture treasures.

This is dramatic improvement over the administration's proposal. The administration's budget played a shell game with conservation, cutting funds from many important Federal accounts to make up an illusionary increase in the Land and Water Conservation Fund.

The President's request would have gutted programs protecting urban parks, wetlands, heritage and cultural preservation, water quality and forest research. I am grateful that our subcommittee rejected the administration's approach which would have prioritized resource exploitation over preservation, would have gutted the Federal Government's ability to protect and acquire nationally-significant lands, and would have abrogated the Federal responsibility to manage Federal lands by turning this responsibility over to private interests.

□ 1730

I am pleased that the Chairman's mark honors our commitment to conservation spending by providing the full \$1.44 billion for the historic conservation programs established by this subcommittee 2 years ago, an increase of \$117 billion or 9 percent over the current level.

This program includes important funds for Federal land acquisition, urban and historic preservation, wetlands protection and State wildlife grants. I applaud the Chairman's efforts on behalf of our national parks.

The bill before us today takes a step in the right direction to address the significant funding shortfalls facing our national parks, increasing the operating budget of the parks by \$21 million above the administration's request. The bill restores cuts that were proposed to the Park Service's national heritage service area, and it fully restores the \$30 million urban parks conservation fund which helps local communities meet urban recreation needs.

The bill provides some much-needed direction to the Smithsonian related to executive pay and corporate contributions. In fiscal year 2001, 70 percent of the Smithsonian's budget came from appropriated funds from this Congress. Only 5 percent of the Smithsonian's funding came from corporations. Unfortunately, while corporations are the smallest source of funding, for a price the Smithsonian is letting the corporations associate their names with this revered institution, and increasingly to have an influence on what displays are promoted. I urge the regents of the Smithsonian to reconsider this decision, as directed by the report, and correct their error.

Finally, Mr. Chairman, again to congratulate Joe Skeen on his service as chairman of this subcommittee, on his service on the Committee on Appropriations, on his service to the State of New Mexico and to the United States of America. It has been a great pleasure to serve with this gentleman.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Chairman, I am pleased to support this bill and point out that the chairman and the ranking member have done a superb job of dealing with something that is our Nation's jewels and that is our parklands.

About a third of America that is public lands is fortunate to have the kind of leadership that JOE has brought to this assignment. Being a major landowner in New Mexico himself, he understands how vital land is to the health of a Nation and how vital these areas that we preserve are for all of the people.

I particularly was pleased at the increase to the backlog maintenance account because that is a severe problem in our parks, forests and public lands, and we need to continue to work on reducing. We have the same problem with the Smithsonian.

Also, I was pleased to note that he increased the conservation amount because, again, conservation is one of the ways that we can preserve these wonderful lands for future generations. I note, also, that there is a \$96 million increase in the Everglades funding. Some of my colleagues might have heard me speak on the rule, and I opposed it for the reason that it gives a right to exercise a point of order that would take the Secretary of Interior out of the loop on the management of the Everglades. After all, the Everglades is a national park and deserves the leadership of the Secretary of Interior. The \$96 million in this bill, added to \$1 billion that has been appropriated so far by this subcommittee, makes it very clear that the Interior Department is a player. I hope that those who have the right to do this under the rule will not exercise the point of order on the bill that takes out the Secretary of Interior from a leadership role, along with the Corps of Engineers and the South Florida Water Conservation District.

We will see how it plays out, but again, JOE, you have been a wonderful member of the subcommittee. We have served together for many, many years, and I will miss you. I hope you get rain out there as a reward when you get home because even Ohio is dry these days, and we have some sympathy for your problem of the absence of moisture. We will miss your insights and your leadership on this subcommittee. You bring it the firsthand knowledge of how vital all of this is to our Nation's future and to the preservation of this wonderful heritage we call our public lands, and we thank you for that great service that you have given us.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

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

Let me simply say that, with respect to the bill, that I fully support it. I am

especially pleased by the funding level for the new conservation trust fund, which is consistent with the agreement that was first worked out on that item 3 years ago when we converged with the Senate in conference. The result will be that it again will be fully funded, and that commitment will be honored.

I would like to spend the remainder of the time simply discussing our good friend JOE SKEEN. I said in committee and I want to say again publicly on the floor that many of us are familiar with Will Rogers' comment that he never met a man that he did not like. But as I said in committee, I do not believe there is ever a person who met JOE SKEEN who did not like JOE SKEEN.

JOE SKEEN has brought to this Chamber honesty, integrity, straight dealings with everyone in this institution. He has brought to this institution a love for the processes of democracy, and he has brought to this institution a fundamental decency which shows through in virtually everything that he does.

After you serve in this place for a while, you get to understand what is behind the partisan label, what is behind the ideological label, and you can tell whether someone in this House puts their ideology first, puts their party label first, or puts their duty to this institution first. We can all be partisan, we can all be strongly ideological from time to time, but in the end, what this institution needs from each and every one of us is respect for the processes of this institution, respect for people who we work with every day, and a recognition that from time to time there is nothing wrong with trying to make the work a little bit easier for each other, and JOE SKEEN has brought that attitude to this Chamber every day that I have known him.

I am proud to have served with him as a colleague, and I am pleased to have had him as a friend. We wish you Godspeed, and I think it is fair to say that there is a great deal of love in this Chamber on the part of all of the Members directed to you, JOE, and I hope you recognize that.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman for yielding me the time, and I thank my good friend from New Mexico for the recognition and for all the work he has done in this House and the work that he has done on this bill.

I appreciated the comments of the gentleman from Wisconsin, and though from time to time we have disagreements, we are in unanimity for our affection toward the affection of the subcommittee and my neighbor from New Mexico.

Mr. Chairman, I rise and come to the well for this time of general debate to make note of the fact that we have some differences in this, and indeed, there will be an amendment process,

but I felt it incumbent upon this Member, Mr. Chairman, to come to the well to offer my thinking overall in terms of this appropriations bill and to clear up any misconceptions that may have been reported by assumption and/or inuendo.

The West has been ravaged by wild-fire and the people of the 6th District of Arizona and the White Mountains have suffered the worst fire disaster in our history, hundreds of homes demolished, thousands of jobs lost. I thank my friend from Washington State for offering some changes that have been added here. In a bipartisan basis, this legislation deals with those challenges and problems.

Mr. Chairman, in a perfect world, I would love to see it in an emergency supplemental, but there are several hurdles that may preclude that fact. I appreciate, Mr. Chairman, the efforts of the administration to offer re-programming of funds, but I do not want to see fire suppression or further fire prevention jeopardized.

As I look around this Chamber, I see my good friend from Michigan and others who share my concern for the rights of the first Americans, and there will be amendments we will offer to try and perfect some things that we have a disagreement on, but Mr. Chairman, for my people who have suffered, this legislation at the end of the day offers me help with that problem.

Mr. DICKS. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Washington State for the time.

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

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

Mr. DICKS. Mr. Chairman, I want the gentleman to know, first of all, a couple of important facts.

One, the statement of administration policy is here, and it states that they support the bill. It gets into the question of \$700 million, and one of the things it says is, "Nevertheless, should Congress seek to add additional contingent emergency funds for fiscal year 2002, the proper place for consideration of this funding is in the context of the pending emergency supplemental."

I am perfectly willing if the conference committee on the supplemental appropriations bill would take the \$700 million. We could get it to the agencies faster than having it in the 2003 bill because I know the gentleman's concern is that the Forest Service and the BLM are running out of money. Yes, they can do transfers, but it means that all of their other programs suffer because of that.

So we are trying to get this money out there, and I have never been so frustrated. Maybe somebody could tell Mr. Daniels that there is fire in the West and we need this help.

Mr. HAYWORTH. Mr. Chairman, I thank my friend for the time.

I think, Mr. Chairman, what we are seeing on the floor is the process at work to help solve the problems. I have sat down with the administration. We do need to have the funds, whether in this bill or via supplemental. I pledge to work with the gentleman. I appreciate the collaborative efforts here to solve a problem, and it is in that spirit I come to the well looking forward to the amendment process and ultimately getting the money to the people who need it most.

Mr. DICKS. Mr. Chairman, I yield myself 4 minutes.

First of all, I want to join those who have complimented our chairman, the gentleman from New Mexico (Mr. SKEEN). He has done a great job as chairman of the Subcommittee on the Interior, coming after the gentleman from Ohio (Mr. REGULA) who was another outstanding chairman, and I would like to look back to the days of Sid Yates, who was also an outstanding chairman.

We have had great leadership and great bipartisan cooperation on the Subcommittee on the Interior, and the chairman properly mentioned all the staff people. I just do not think we could have a better staff on both sides of the aisle than we do on the Subcommittee on the Interior. They work with all the Members. They listen to everybody's concerns. This truly is a bipartisan bill that deserves the support of this institution.

I see the gentleman from Alaska, my good friend. I also want to mention that we are very pleased, for the third year in a row now we have fulfilled the commitment when we created the conservation trust fund a few years ago. When the other body would not enact the gentleman's legislation on CARA, we stepped in, and this year I want my good friend to know that we have taken the money from the original 2000 account, about \$680 million, we are up to \$1.44 billion, and the whole, we put Commerce-Justice-State together with Interior, \$1.92 billion. So we are keeping our commitment and living up to what we said that we would do in the days of CARA. So I am proud of that.

The gentleman from Ohio (Mr. REGULA) worked on that. This has been a bipartisan effort. The gentleman from Wisconsin (Mr. OBEY) was involved. This has been a bipartisan effort on creating this conservation trust fund that allows us to deal more appropriately with all of these problems.

The other thing I am pleased about in this bill is an initiative that I took on dealing with the problem in the Northwest of culvert replacement.

□ 1745

The forest service and the BLM, have not been doing a good job in replacing culverts that block salmon, from being able to go up and down the Columbia River, up and down all the rivers in the Pacific Northwest. There are about 5,000 of these culverts that need to be replaced, and we have to start on that

this year. This is a modest start, but one that I am proud of and that the committee responded to due to a GAO report in a hearing that we had on this issue this year.

So I am pleased to be here to support this bill, and I want to also compliment the gentleman from New Mexico (Mr. SKEEN), who has had an outstanding career, 22 years here. He has no enemies in this institution. He only has friends. And he will go back to New Mexico and enjoy the good life, as he deserves; but I want everyone to know that he has been a joy to work with. He has been a friend. We have traveled together, particularly on the Subcommittee on Defense, and I have really enjoyed working with him. We are going to miss you, but we are going to fight and get this bill passed.

And I want to remind everybody on that side of the aisle, this bill is supported by the Bush administration, and I think that is important. They accept the level. They say they would like to have this trimmed or that trimmed to have money to add back into things they want, but they accept this bill. So I hope that the Members on the other side of the aisle will join us in a bipartisan spirit and get this bill passed tonight. I hope we can do it in a timely way.

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

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, I want to thank the chairman; and as a member of the freshman class that we were part of, I want to pay tribute to you. God bless you, Joe, and your family. We are going to miss you, but we are going to stay in touch. You have been a good man. God bless, Joe.

Mr. Chairman, there is an amendment in here that is going to be offered to strike an amendment, which would, I believe, help Indians. Keep in mind that 80 percent of the Indians in the United States have received no money from gambling. None. None. Not one dime. Fifty percent of the gambling money has gone to 2 percent of the Indians. What are they afraid of?

Among Indians, the poverty level is 26 percent, and yet they do not want a commission to look at it. Health care among Indians, stroke, lung cancer, breast cancer, suicide is the highest in the Nation; and yet they do not want to look at it. The death rates among Indians is higher in seven categories; alcoholism, 620 percent higher, and yet they do not want to look at it; TB, 533 percent higher, and they do not want to look at it; diabetes, 249 percent higher, and they do not want to look at it. And on and on and on.

I would urge the defeat of the amendment that is going to be offered by the gentleman from Michigan and the gentleman from Arizona. My amendment to strike is a good amendment. There are people on the commission on both sides, those who are for gambling and

those who are against gambling. We have an opportunity to bring economic development, good housing, good health care, and good education for the Indians. I urge the defeat of the amendment if it is offered.

If my colleagues really care about Indians, what are you afraid of? What are you afraid of, an 18 month commission to look back and make recommendations? What are you afraid of? Let us do something to help the Indians. Let us defeat their amendment and keep the language we have in the bill.

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

The CHAIRMAN. The gentleman from Washington (Mr. DICKS) has 17½ minutes remaining, and the gentleman from New Mexico (Mr. SKEEN) has 16½ minutes remaining.

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

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. NUSSLE).

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

Mr. NUSSLE. Mr. Chairman, first of all, I want to congratulate the gentleman from New Mexico on a fine job of putting this appropriation bill together.

As the chairman of the House Committee on the Budget, I am pleased to report that this bill is consistent with the House concurrent resolution for the budget for fiscal year 2003, including the levels expressed in the subcommittee's 302(b) allocation. The levels of conservation-related spending in the bill are also consistent with the statutory caps.

So I will support this appropriations bill, but I would like to share with my colleagues one concern and a warning about the process. The bill designates \$700 million for emergency wildland fire suppression for 2002. We are all concerned about the wildfires that have destroyed lives and property in Arizona, Colorado and elsewhere. However, if the money is urgently needed to meet a current unanticipated emergency, the fiscal year 2002 supplemental is the more appropriate vehicle to pursue this objective; and I would urge that approach by my colleagues in the House, the other body, and the administration.

Overall, I would also like to mention some concerns I have with the direction of the process for appropriations. While this bill is within its 302(b) allocation, it is approximately \$700 million more than comparable levels in the President's budget. In addition, the Agriculture, Treasury Postal appropriation bills that we are expected to see on the floor later this week are also \$700 million more than the President's request and our resolution.

At this rate, we are going to have to reduce spending for VA-HUD, Com-

merce, State, and Justice and other appropriation bills by several billion dollars to comply with the budget resolution. I hope that Members of the Committee on Budget and the Committee on Appropriations, as well as colleagues on both sides of the aisle, will work together to pass the remaining bills at the levels that are sustainable through the entire appropriations process.

We just heard a report today by the Office of Management and Budget on the midsession review for the budget and for the deficit that we are currently operating under. Spending restraint is the only way to get out of the dire circumstance that we find ourselves in. I urge our colleagues to continue to be responsible as we work through this process, and I urge support for this appropriations bill.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I first want to join all my colleagues on both sides of the aisle in saying what a great chairman and a great Representative JOE SKEEN has been. I have enjoyed working with him and serving on his Subcommittee on the Interior, as well as the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations. I do not think a finer gentleman has ever been in the United States Congress.

I was very glad that this committee, on a bipartisan basis, joined together to honor him with an appropriate tribute to him in the form of a visitor's center.

I want to say also, Mr. Chairman, that this bill can be a very difficult bill because we are 435 independent type-A personalities in this body, with geographical differences, philosophical differences and, then provincial differences which can sometimes split us up. But this bill, in a final product, is cobbled together and is a kaleidoscope of philosophies and attempts to do a lot of difficult things with about a \$19 billion budget, a budget which I will say, although is slightly higher, is only about 2 percent higher than the funding for last year. I wish we could hold the line on all Federal funding to that modest 2 percent increase. But we have Members on both sides of the aisle who have demanded more studies, more land acquisition, and more increases; and so that is one of the reasons why the bill is higher than last year.

But this bill has good stuff for the National Park Service, catching us up on maintenance. It has money for firefighting, both for clearing out forests and putting more money in for emergency firefighting. There is money for energy research. At a time when we have a stalled bill in the other body

that we cannot move forward, here is an opportunity to put a lot of the great research forward that we need in terms of our national energy policy. There is money for the first Americans, Native Americans, in the Bureau of Indian Affairs. We have a lot more money for tribal health services and a lot of needed issues that they have. There is money for the PILT grants, payment in lieu of taxes, and something for our local governments.

This bill has a lot of great stuff for our national environmental policy, and so I strongly support it and join my colleagues on a bipartisan basis to move it forward today.

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

Mr. CUNNINGHAM. Mr. Chairman, it is not very often in a body like this that we get to honor someone like JOE SKEEN.

I remember Mr. Natcher. I was a young freshman Member of Congress in the minority; and I was upset, like I am about the Wolf portion of this bill today that is a strike against Native Americans, and I was so upset I remember Bill Natcher said, "Well, Duke, in Kentucky, we have horse races. And sometimes those horses come out of the block so fast that they break their legs and we have to shoot them." And he says, "If the gentleman will settle down, I will help him with his amendment." Bill Natcher was like that, and JOE SKEEN is the same way. He is a gentleman, and he works in a bipartisan fashion. You will be missed here, JOE; but we will not forget you.

I rise in support of the Hayworth amendment. There was a gentleman on the Republican side that offered an amendment in committee that was legislating on an appropriations bill. That is supposed to be against the rules, and yet the Committee on Rules protected his amendment. That is wrong. We stopped Members' amendments on the other side. The gentleman from Wisconsin (Mr. OBEY) knows and objects to legislating on an appropriations bill. We do it from time to time, but it does not make it right. And that is the fact with regard to this process.

What we are doing as Republicans is adding a brand-new bureaucracy that oversees Indian gaming, when there has been report after report after report. This would be just another bureaucracy where a report is written that sits on a dusty shelf. Instead, let us take that money and put it toward Native American health care or education centers. We have been told there is only a 2 percent increase.

Let us support the Hayworth amendment when it comes up and fight, for once, for Native Americans.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me this time; but I also rise in tribute to JOE SKEEN, who is a wonderful statesman, a very good friend, a man of integrity who worked across the aisle in the best interest of civility and in the best interest of the people of the United States of America. I salute you, JOE SKEEN; and I hope that you, as a role model, will carry on through the rest of us in this House of Representatives.

In addition to that, Mr. Chairman, I rise in strong support of an amendment that is going to be offered to this bill. It is the Slaughter-Dicks-Horn-Johnson-Morella amendment, and it would increase funding for the National Endowment for the Arts by \$10 million and the National Endowment for the Humanities by \$5 million.

As a long-time member of the Congressional Member Organization for the Arts, I really was not at all surprised by a recently released study which provides hard evidence that the arts improve critical skills in math, reading, language development, and writing.

□ 1800

The study, entitled Critical Links, shows that children who learn to use certain musical instruments develop spatial reasoning skills, which are necessary to understand and use mathematics.

Additionally, another study reports that the nonprofit arts industry is a \$134 billion economic engine, creating over 4 million jobs, \$89 billion in household income, \$6.6 billion in local government tax revenues, \$7 billion in State government tax revenues and \$10 billion in Federal income tax revenues. That is quite a listing of revenue that is saved.

The nonprofit arts, unlike most industries, leverage significant amounts of event-related spending by their audiences. Attendance at arts events generates related commerce for hotels, restaurants, parking garages and more. Statistics illustrate that the average person spends \$22.87 at arts events which generates into an estimated \$80 billion of valuable revenue for local merchants and their communities. The National Endowment for the Arts and the National Endowment for the Humanities support the creation and preservation of our Nation's artistic and cultural heritage, including learning opportunities for adults and children in communities across the country. I specifically want to mention local arts organizations in Montgomery County, Maryland which support over 800 full-time jobs, and last year alone generated over \$15 million in household income and contributed over \$1 million to State and local tax base.

Mr. Chairman, public investment in the arts benefits our Nation and its

citizenry. The Federal contribution of each U.S. taxpayer barely exceeds the cost of a single first class postage stamp. Funding for the arts recognizes and encourages artistic achievement and sustains our national tradition of excellence. Let us support this amendment. It is a sound investment in our Nation's cultural heritage, as well as our economic prosperity.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA), a strong supporter of this committee's activities.

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

Mr. FALEOMAVAEGA. Mr. Chairman, I stand to object to the proposed provision in the appropriations for 2003, the Interior appropriations bill, and I express my strong support to the amendment offered by our authorizing committee, the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. KILDEE), and the gentleman from Arizona (Mr. HAYWORTH), and this is in reference to the establishment of a commission with reference to needs of Native Americans.

Mr. Chairman, I will not question Members' motives and wanting to give assistance to Native American Indians, but this provision goes too far. The provision will limit billions of dollars of claims against the Federal Government for mismanaging Indian trust funds by limiting the accounting from 1985 forward.

Further, the provisions will presume the balances as of 1985 were correct, even though the government admits that money has been mismanaged for decades. The provision would overturn a central provision of the American Indian Trust Management Reform Act, legislation enacted in 1994 requiring the Secretary of the Interior to provide a full accounting. We have already expended over \$20 million plus even trying to get an auditing report from the Department of Interior which they have failed to do.

We owe the Native Americans. It is their money. We were the trustees, and we failed in that responsibility. I urge Members to support this proposed amendment that will be given at a later point by the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. KILDEE) and the gentleman from Arizona (Mr. HAYWORTH).

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from New Mexico (Mr. SKEEN) for his work on this bill.

In my home State of New Jersey, the most densely populated State of the Nation, the preservation of open space is a top public priority. That is why I am especially grateful to the gentleman from New Mexico (Mr. SKEEN)

and the members on the committee for supporting a number of our New Jersey priorities.

At my request, this bill contains continued funding for the preservation of New Jersey's highlands, one of New Jersey's most threatened and important watersheds. This bill provides, through the gentleman's efforts, \$6.3 million in critical funding for land purchases within this area. It also builds on our past successes at the Morristown National Historic Park and the Great Swamp National Wildlife Refuge. I thank the gentleman for his support and the committee's support for the New Jersey priorities.

Mrs. ROUKEMA. Mr. Chairman, today we will complete work on the Interior Appropriations Act. I am pleased that this bill includes \$6.3 million for preservation of lands in the New Jersey Highlands region. This is great news for the residents of New Jersey. Preservation of the Highlands region is critical to our fight to maintain the quality of our ground and surface drinking water sources, to preserve open spaces and protect the wildlife.

The Highlands region encompasses more than 2,000,000 acres extending from eastern Pennsylvania through New Jersey and New York to northwestern Connecticut. A wide diversity of significant rare and endangered plants, animals and ecosystems, as well as historical structures and developments, exist in this beautiful region. The Highlands also provides clean drinking water to over 11,000,000 people in metropolitan areas in all four states. Over half of New Jersey residents rely on drinking water from Highland sources.

Continued federal funding for the Highlands is a big win for northern New Jersey. In northern New Jersey, an area of such dense population, we treasure our open spaces. The Highlands region is truly a natural—and national—treasure, threatened by continuing development. This commitment from the federal government is an important step in the continued fight of our communities to protect these open spaces.

The proposed funding of the New Jersey Highlands would allow for the purchase of additional land in the region, including designating \$2.3 million for the expansion of the Walkkill River National Wildlife Refuge. The people of the northern New Jersey will truly see the effects of these well-allocated federal funds.

This is not only an accomplishment in the preservation of this beautiful land, but also in the protection of water sources for 3.5 million New Jersey residents. Additionally, we are committing \$5 million for the Delaware Water Gap National Recreation Area for the preservation and restoration of historic buildings—many of which are in desperate need of repair.

At times of extreme budget constraints, the House's action today underscores the national significance of these important regions. I would like to commend Congressman RODNEY FRELINGHUYSEN, a member of the Appropriations Subcommittee, who worked hard to see that these federal dollars became a reality for the people of New Jersey.

Mr. ISSA. Mr. Chairman, I had intended to offer an amendment today to withhold funds from the Government of American Samoa to protest the treatment of one of my constituents.

In January of 1997 a constituent of mine signed a special services employment contract with the government of American Samoa as Executive Director of the Centennial 2000 program.

In August of 2000 he was informed by the Governor's office that his employment and contract had been terminated. As a result reimbursements, per diem, travel expenses, and salary were never fully paid under the terms of the contract. To date, he is still owed \$87,942 by the government of American Samoa for services rendered.

I have pleaded with Governor Sunia to provide me with information necessary to make an independent judgment on my constituent's case. I have also requested that the Office of Insular Affairs withhold appropriate funds from the government of American Samoa until my constituent's claims are resolved. All my efforts to resolve this issue with the government of American Samoa have been unsuccessful.

Mr. Chairman, I was hesitant to bring these amendments to the floor but I felt that the appropriations process may be my only avenue to resolve this issue. Earlier today I was pleased to learn that my constituent was given an appointment with Governor Sunia to discuss this issue. I hope that a reasonable and just solution will result from their meeting and for this reason I will not be offering my amendment.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from New Mexico (Mr. SKEEN), the Chairman of the Interior Appropriations Subcommittee, and the distinguished gentleman from Washington (Mr. DICKS), the Ranking Member of the Subcommittee, for their exceptional work in bringing this bill to the Floor.

This Member recognizes that extremely tight budgetary constraints made the job of the Subcommittee much more difficult this year. Therefore, the Subcommittee is to be commended for its diligence in creating such a fiscally responsible measure. In light of these budgetary pressures, this Member would like to express his appreciation to all the members of the Subcommittee and formally recognize that the Interior appropriations bill for fiscal year 2003 includes funding for several projects that are of great importance to Nebraska.

This Member is very pleased that the bill includes \$400,000 from the U.S. Geological Survey-Biological Division for the establishment of a new fish and wildlife cooperative research unit at the University of Nebraska-Lincoln. This Member has requested funding for this cooperative research unit each year since 1990! The University of Nebraska and the Nebraska Game and Parks Commission has already committed funds and facilities for the unit, but a Federal earmark of \$400,000 is needed to make it a reality.

Nebraska's strategic location presents several very special research opportunities, particularly relating to migratory birds. However, Nebraska is one of the few states without a fish and wildlife cooperative research unit within the state. Locating a cooperative research unit in Nebraska to develop useful information relating to these issues upon which to base critical management decisions is an urgent need.

This Member is also pleased that Homestead National Monument of America receives \$300,000 under this legislation to begin implementing the recommendations of the recently

completed General Management Plan. This level of funding is needed for planning of a visitors center and for design of exhibits.

Homestead National Monument of America commemorates the lives and accomplishments of all pioneers and the changes to the land and the people as a result of the Homestead Act of 1862, which is recognized as one of the most important laws in U.S. history. This Monument was authorized by legislation enacted in 1936. The fiscal year 1996 Interior Appropriations legislation directed the National Park Service to complete a General Management Plan to begin planning for improvements at Homestead. The General Management Plan, which was completed last year, made recommendations for improvements that are needed to help ensure that Homestead is able to reach its full potential as a place where Americans can more effectively appreciate the Homestead Act and its effects upon the nation.

Homestead National Monument of America is truly a unique treasure among the National Park Service jewels. The authorizing legislation makes it clear that Homestead was intended to have a special place among Park Service units. According to the original legislation:

I shall be the duty of the Secretary of the Interior to lay out said land in a suitable and enduring manner so that the same may be maintained as an appropriate monument to retain for posterity a proper memorial emblematic of the hardships and the pioneer life through which the early settlers passed in the settlement, cultivation, and civilization of the great West. It shall be his duty to erect suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present state of high civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of this country mainly developed by the homestead law.

Clearly, this authorizing legislation sets some lofty goals. I believe that the funding included in this bill will begin the process of realizing these goals.

Also, this Member is most pleased that this bill contains an appropriation of \$8,241,000 to complete construction of the replacement facility for the Indian Health Service (IHS) hospital located in Winnebago, Nebraska. It has certainly been a long process and this Member would like to thank the Subcommittee for its invaluable assistance over the years in obtaining funding for this new hospital, which is much needed and will greatly benefit Native Americans in Nebraska and the adjacent states of Iowa and South Dakota.

Again Mr. Chairman, this Member commends the distinguished gentleman from New Mexico (Mr. SKEEN), the Chairman of the Interior Appropriations Subcommittee, and the distinguished gentleman from Washington (Mr. DICKS), the Ranking Member of the Subcommittee, for their support of projects which are important to Nebraska and the 1st Congressional District.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and the amendment printed in House Report 107-577 is adopted.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5093

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$826,932,000, to remain available until expended, of which \$1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act; of which \$2,228,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96-487 (16 U.S.C. 3150); and of which not to exceed \$1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)); and of which \$3,000,000 shall be available in fiscal year 2003 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, \$32,696,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$826,932,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors: *Provided further*, That of the amount provided, \$43,028,000 is for conservation spending category activities pursuant to 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits.

AMENDMENT OFFERED BY MR. TOOMEY

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

The Clerk read as follows:

Amendment offered by Mr. TOOMEY:

On page 2, line 13, insert after the dollar amount “(reduced by \$162,254,000)”.

Mr. TOOMEY. Mr. Chairman, I would like to begin this discussion with just a brief commendation of my own for the gentleman from New Mexico (Mr. SKEEN) who has provided such a great service to his constituents, to his State, and to America for many, many years. I think it is appropriate and fitting that he was recognized for the outstanding work that he has done over many years.

I am sure that very much of what is in this bill I would be happy to agree with. And let me start with recognition that the funds that are in here to fight the forest fires are an important topic for us to consider. First of all, there is no question this has been a devastating season for forest fires. It has been incredibly costly, and devastating to many Americans.

The point I want to make is we should not be putting this into this bill, an appropriation bill for fiscal year 2003. We should be putting this into the supplemental bill, which is long overdue, which would make the funds available much sooner, whatever the appropriate amount is. That is what we ought to be doing with the firefighting, and I think some Members on the other side of the aisle and our side probably agree with that.

But the bigger issue is the path that we are on, the path that this bill takes us down, in terms of overall spending. That is a path that will bust the budget that we adopted in this House, a budget which we later confirmed with a deeming resolution on this floor, and a budget that the President has indicated that he fully supports.

The gentleman from Wisconsin (Mr. OBEY) I think very accurately agreed with my assessment. In his comments during the discussion of rule, he talked about the fact that the big bills, the bills that are in many ways more difficult to pass, they have been rather low-balled, certainly with respect to the President's request. Funds have been taken from them and added to these earlier bills, the bills like Interior and Agriculture and Treasury-Postal. By loading up these bills, he can probably pass them because bills are easier to pass with the more spending there is.

But the problem is we will get to the end of this cycle, and we will find, as the gentleman from Wisconsin (Mr. OBEY) observed, that we do not have the votes to pass those bills. Now the gentleman from Wisconsin (Mr. OBEY) and I would probably disagree what we ought to do about this dilemma, but we agree that we have a fundamental dilemma here.

I would suggest that the chairman of the Committee on the Budget confirm that he has a concern about this proc-

ess, a concern that some of these smaller bills have been added to make them easier to pass, but making it harder to pass the final ones. I think this is a very serious concern.

The fact is in recent years, spending has been out of control. The Federal Government has grown much faster than the rate of inflation, much faster than the rate of economic growth of our country. In fact, in recent years it has approached an average rate of 9 percent per year. When that happens, the Federal Government is squeezing out the private sector, it is undermining the performance of our economy, and it is very harmful for our future because now, sadly, it is also contributing to a deficit.

We worked so hard for so many years to get this budget in balance, and we did it. We started paying down the debt. We did that, Mr. Chairman, by restraining spending. When spending is out of control, we will stay in deficits and go deeper in deficits. We learned just yesterday that we are now facing for fiscal year 2002 a budget deficit of about \$165 billion. There is a reason for that. We are fighting a war. We have got a war that is extremely costly. We have to rebuild the defense capabilities of our Nation from years of neglect. We need to put a lot of money into defense. That is appropriate.

We also have vulnerabilities here. We have vulnerabilities to future terrorist attacks, and we need to spend money to enhance ourselves to defend ourselves against those attacks, or to respond, God forbid, if they should occur.

These are big expenses, and we have to accept them. It is all the more reason that we have to tighten our belts in the other areas so we can get back to the budget surpluses that we want to return to. If we keep spending too much money, we will never get there. The reason we are in the dilemma we are in today, we have built the spending base up too high, and now we are adding to it.

Mr. Chairman, I have offered an amendment that simply says let us take a management fund, funds that are used to pay salaries and other administrative costs for the Bureau of Land Management, and let us reduce that back down to the level it would be at today if only we had grown spending on this account since 1996 at the rate of inflation. In other words, if we said the rate of inflation is an appropriate spending increase each and every year, we would be at the level that I am proposing in my amendment. Instead, we are much higher than that in the underlying bill. My amendment would have the effect of reducing spending by \$162,254,000, bringing us that much closer to getting this budget in balance and getting back to the surpluses that we ought to return to.

Mr. SKEEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Bureau of Land Management is the last well-funded land managing agency in this bill.

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

Mr. Chairman, I rise in very strong opposition to this amendment. First of all, this amendment would cut \$162 million. It is a 20 percent reduction, \$149 million below the President's budget request. Remember, the President of the United States in his statement of administration policy says he supports this bill.

It would cut \$6.8 million from wildlife and fisheries, \$21.4 million from energy development, \$19 million from transportation on Federal lands, \$15 million from resource protection.

As our former colleague, Silvio Conte, would say, this is nothing but a meat-ax approach by Members who have not read the bill, and their only possible course is to do across-the-board cuts rather than make specific cuts.

I rise in opposition, and I urge that we vote down the amendment and move along.

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

Mr. Chairman, I rise in support of the amendment. I have a holding here. It is called the Arizona Media Advisory, sent out by the Committee on Appropriations to my home State. As Members know, Arizona has lost about 450,000 acres to fire over the past month.

□ 1815

What this media advisory says, and I will not mention the other names included in there, “Representative FLAKE Works to Slash Firefighting Funds.”

We all know why the firefighting funds were put in there. It was to silence people from the West who have opposition to the runaway spending in this bill. This was sent out to the media in Arizona hoping that that would silence me and others who had opposition to the higher spending in this bill. Well, it will not. I think it is a horrible thing, and it is dirty politics at its worst to do this kind of thing; but let me say for the record that we have suffered a huge loss in Arizona. There is need for funding to fight fires. That ought to be handled in a supplemental appropriation bill, not here. Those funds will be needed now, not later.

This bill, if we look at the last 4 years, the soonest it has been passed, I believe, is October 4, or October 21. The latest is November. So if this money is not going to be available, anyway, why are we doing it now? The answer is simple. It is to silence those who want to stand up and say that we are engaging in runaway spending.

I appreciated the comments of the gentleman from Wisconsin (Mr. OBEY) earlier. He hit the nail right on the head. What we are doing here is we are plussing up, porking up the early bills after defense and military construction. We see here from the chart we are well above the President's request on these three; but lo and behold, when we



get to the end of the appropriation trail, then we are well below. Does anybody think for a minute that these bills at the end of the process can even get out of committee? The gentleman from Wisconsin does not believe so on the minority side and neither do I. I do not think that anybody in this body reasonably believes that those bills can actually get out of committee, let alone pass on the floor.

And so what we are participating in here is a charade. We passed a budget, and as Republicans we ought to stick to it. We know that if we engage and we go forward with this bill, we will not be able to stick to that budget. That is the objection I have, and that is why I am supporting this amendment, and we ought to support every amendment that would bring the level of spending down so that we can actually get back to the budget that we passed, get back out of deficit spending, get back to surpluses and get back to doing what we ought to do here.

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

Mr. Chairman, I rise in strong support of the amendment.

POINT OF ORDER

Mr. DICKS. Mr. Chairman, I have a point of order. Does the chart have to be taken down when the person who speaks is no longer speaking?

The CHAIRMAN. If the gentleman from Indiana is not using that chart, then it should be taken down. The gentleman from Indiana can use that chart if he so chooses.

Mr. DICKS. Is the gentleman from Indiana using the chart?

Mr. PENCE. Yes.

Mr. DICKS. I thank the gentleman.

Mr. PENCE. I thank the gentleman for the opportunity to clarify my chart usage. We likely, Mr. Chairman, will see this chart frequently tonight as we have conversation one with another about fiscal responsibility.

Let me begin tonight by joining so many others in commending Chairman SKEEN, whose integrity, whose career, whose commitment to public service represents a gold standard in the House of Representatives. I am honored to be able to say that I have served here for a time with him.

Mr. Chairman, it is not about challenging either the chairman or any member of this committee on either side of the aisle's sincerity in attempting to address the needs of this Nation in this important legislation. It is more, Mr. Chairman, in this amendment and in other amendments that will very likely be offered before the evening is out, before we may well be into the morning hours tomorrow, it is more about trying to live within our means.

The administration just recently this week indicated that if we will control spending, read that line within the budget that was adopted by resolution in this House, that we can return to surpluses within the next 2 years. That is a remarkable observation and asser-

tion, Mr. Chairman. To think that we have passed through recession, through an attack on our Nation and through war and yet if we will but tighten our belts in this institution and live up to that which we have committed ourselves to in the budget, that we can return to surpluses within the next 2 years. The analysis indicates, however, that if we continue to increase spending at 5 percent-plus a year, enact a prescription drug bill that I supported and many of us supported as necessary in this time and concurrent receipts for veterans, both of which have passed the House, that we will be in deficit for 9 out of the next 10 years. This is the contemporary analysis of the administration and experts in this community.

This amendment simply makes an attempt to reduce the budget for the Bureau of Land Management to the 1996 level, plus inflation. The current projection is a 24 percent increase. I would simply argue that this is not the time for us to respond to the impulse of generosity in the appropriations process. Rather, now is the time for us to recognize the time of national duress that is truly upon us.

And so I rise tonight in support of the amendment of the gentleman from Pennsylvania. I will continue so long as my energy holds out to rise into the evening and to rise into the morning and maybe into the daylight tomorrow to stand for the simple principle that if you owe debts, pay debts, that government ought to live within its means just like every American, like those in Anderson, Indiana, families today who maybe face, some 700 in number, losing their jobs at the Delphi plant in these uncertain economic times. Now is not the time for us to live beyond our means.

And so I will apply myself to this process and trust that my colleagues on both sides of the aisle will see the sincerity of our purpose and urge my colleagues to support the amendment.

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

I first would like to open my comments with my thoughts of Chairman SKEEN. He is an absolute gentleman. He is the epitome of what a legislator ought to be. I have had two staff people that worked for him for a number of years, and they have shared with me so many times what a wonderful man he was to work with and how well he trained them. I thank the gentleman for allowing me to have two of his ex-staff people who served me very well.

Mr. Chairman, I rise tonight to oppose this amendment. The interior bill is the one bill in Congress that invests in rural America. Rural America. I represent the most rural district east of the Mississippi. Everybody thinks that when you invest in rural America, you are talking about agriculture. That is true. But agriculture only impacts 10 percent of rural Americans. Ninety percent of rural Americans are not involved in agriculture. So this bill and

the 100 amendments or so that have been drafted is cutting rural America. Rural America is economically struggling. The national parks, very much a part of rural America's economy, manage 90 million acres. The forest service manages 192 million acres. The Fish and Wildlife Service manages 85 million acres. The Bureau of Land Management, which this amendment goes to, manages 262 million acres and makes those properties available to the American public so the American public can enjoy nature, can enjoy recreation and can enjoy the natural resources that come from there.

This bill deals with the special responsibility we have to Native Americans, our Indians. This bill deals with energy R&D and our future. The economy of this country depends on the future of energy and how we use it wisely and what alternative energies we come to. This is what this bill will fund. This bill finally, not completely, but funds PILT more fairly. That is Payment in Lieu of Taxes. All this land I mentioned, we have never paid our taxes to the local governments, to the local people. This bill funds the geological service that does natural resource science for America. The Smithsonian Institution. This is the bill that deals with rural America.

We are going tonight to be hit with dozens and dozens of amendments taking a cut out of rural America. I will rise to oppose them, because rural America needs a break. Rural America needs to be treated more fairly. This is the one bill, one of two, agriculture and interior, that deal with rural America that is being targeted for these cuts that I think is unfair. It is not well thought out; \$162 million out of management of one agency is not well thought out.

For that reason, I oppose this amendment. I urge those offering it to think more clearly about the impact they will have on the part of America that is struggling the most economically, rural America.

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

Twice now the House has voted to set an overall discretionary spending level of \$748 billion for fiscal year 2003. As we begin the appropriations process, we begin to put in place the pieces that will enable us to either hit that target or to miss that target.

POINT OF ORDER

Mr. DICKS. Point of order, Mr. Chairman. Does the gentleman want this chart?

Mr. HOEKSTRA. Mr. Chairman, is this coming out of my time?

The CHAIRMAN. No.

Mr. HOEKSTRA. This is not coming out of my time? Yes.

Mr. DICKS. Could we see it? We cannot even see it over here.

Mr. HOEKSTRA. We were pointing it over here so our colleagues could see it more, but we would be more than willing to have you see it as well.

Mr. DICKS. I thank the gentleman. We wanted to make sure we could see it.

Mr. HOEKSTRA. I would also like to commend my colleague, the gentleman from New Mexico (Mr. SKEEN), for his tremendous service to the House, to the people of his district and to his State. He is a great colleague and has done tremendous work here and I think has done tremendous work on the Committee on Appropriations.

As we take a look at putting the pieces together for these 13 appropriations bills, we see that the House has put a marker out there of \$748 billion. The other body has yet to pass a budget. President Bush has endorsed the House-spending level and indicated in numerous speeches that he will use his veto if necessary to enforce the House discretionary spending level. Why is this important? It is important because this year we are back in deficit. What we really want to do is we want to move back into surplus as quickly as possible. The House spending level that we have approved is almost identical to President Bush's fiscal year 2003 request. Any increase above the President's request in one bill will need to be offset by a decrease in another bill.

As we take a look at the schedule for this week, we see that three out of the first four bills that have been reported from appropriations are going to be above the President's request. The interior bill today is \$775 million above the request. That does not include the \$700 million in emergency firefighting. Treasury-Postal is \$538 million above the request. The agriculture bill is \$550 million above the request. The legislative branch looks like it will be reported out at the President's requested level. Collectively, these bills then are about \$1.8 billion above the President's request.

If we are going to plus-up these early bills, it means that at the later end of the process, we are going to have to have reductions in some very difficult bills. Is this House ready for a \$400 million-plus reduction from the President's request for Commerce-Justice-State? Are we ready for a \$1.8 billion reduction from the request for Veterans, HUD and FEMA? These bills are currently scheduled to move at the end of the appropriations process. If we are going to be cutting from the President's request, which is going to be a very difficult process, those should be the bills that we move first to show that we are disciplined and we are willing to make those choices. If the House passes the first appropriations bills at levels significantly above the request, I think then we will be forced at the end of the process to break the bank to pass the veterans, HUD and FEMA bill at levels significantly higher than what the Committee on Appropriations might otherwise report them here.

□ 1830

We need to get back to surplus. We need to get back to surplus, and one of

the ways, the most direct way that we can do this through this body is by controlling spending. That is 100 percent within our control. We should lower these bills to the President's request, or we should move the other bills first to show that we have the discipline to pass spending bills that are below the President's request.

This bill is about \$1 billion above last year, a more than 5 percent increase. That is more than twice the rate of inflation. The Committee bill is \$775 million above the President's request. If we had held over the last 8 years' spending on this bill at roughly the rate of inflation, this bill would be 30 percent smaller than what we see today.

The administration has also clearly indicated that the best way to get back to surplus is to control spending. We cannot continue to increase spending at 5 plus percent per year. If we increase spending at that kind of level, it is unlikely that we will be back in surplus any time soon.

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

Mr. Chairman, I rise to oppose this amendment. I certainly believe that the intent of the amendment is a good one, and I certainly appreciate the debate and the opportunity to debate what funding levels are appropriate and what funding levels are not appropriate.

The Bureau of Land Management account, however, is 1.5 percent above last year's limit. I would love to serve in the House of Representatives and look at each and every government agency and say that the level of funding is only 1.5 percent higher than it was last year. Frankly, I would like to see a lot of these agencies a lot less than that, and not just a reduction in the increase, but a cut in last year's level. But this is about a \$14 million level above the administration's request.

Now, why is that the case, Mr. Chairman? Why is not a flat level funded? I will say this, that if we look inside of this, much of this is driven by House Member requests and by the Secretary of the Interior.

For example, included in this was the oil and gas development money in the Powder River Basin in Idaho and in Montana. Also, the National Petroleum Reserve, the Challenge Cost Share programs, all at the request of the Secretary and a number of our western Members that have a particular concern in these particular accounts.

Just to give an example of why some of this money is needed, the land management plans now are obsolete. They have to be redone by the Secretary of the Interior. Why do we have to have a good land management plan? Because if we do not have an up-to-date, current plan, we cannot issue new permits. Remember, the purpose of a lot of these public lands is not just recreational, but actually commercial,

and leasing is very important. Leasing for timber harvests, leasing for grazing permits, leasing for oil and gas. All of that cannot be permitted until we have good land management plans.

So right now, what is happening is that the Secretary of the Interior is getting sued because environmental groups and groups who are not really concerned about the land, but more concerned about the encroachment of that evil free enterprise system which seems to be a problem with many members of our society today, this allows a balance between protecting the land on the Federal ledger and yet allowing the private enterprise to utilize this land, which was the original intent.

We have lots of land in America that is locked up and cannot be used for any purpose except for wilderness, and some of that not even for recreational purposes. This land, though, is not in that category. But to be able to permit the full public utilization of it, we have to have a good land management plan. So this particular amendment would make it very difficult to have a good land management plan. For that reason, Mr. Chairman, I urge Members to vote against it.

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

Mr. Chairman, the problem we are faced with is that the House has twice voted to set an overall discretionary spending level at \$748 billion for fiscal year 2003. The Senate has yet to pass a budget, and that should give us all great concern. President Bush has endorsed the House spending level and indicated in numerous speeches that he will use his veto, if necessary, to enforce the House discretionary spending levels. Because the House spending level is nearly identical to President Bush's fiscal year 2003 request, any increase above the request will need to be offset by a decrease in another spending bill.

Three of the four nondefense bills reported by the Committee on Appropriations are significantly above the President's request. The Interior bill is \$775 million over the request. The Treasury bill is \$538 million, the agriculture bill is \$550 million, and the fourth bill is the only one that really meets the requested level.

Collectively, these bills add up to \$1.8 billion above the request. We have to have the money from some place. In order to pay for the increased spending in these and other bills, the committee is proposing a \$400 million reduction in the President's request for Commerce, Justice, and State, and a \$1.8 billion reduction for the request of the Veterans, HUD, and FEMA bill, and I do not think that is right.

If the House passes the first appropriations bills at levels significantly above the request, then we will be forced at the end to either break the budget or pass a Veterans, HUD and FEMA bill at levels significantly below the request.

Should the House pass the bills that are below that request before passing any bill above the request, we will have a problem later with the budget, and I think it is important that we show fiscal discipline and do so at the very outset instead of waiting until later.

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

Mr. Chairman, I want to say to the gentleman from New Mexico (Mr. SKEEN), a wonderful man, a gentleman, a great Westerner. I grew up in rural America and he has the values of rural America, and so do I. So it will be a loss to the House, but all he has done to help parks and help the Forest Service is something that he can be very proud of, and we can be proud because of all of the leadership he provided.

Mr. Chairman, a few hours from now, the gentlewoman from New York (Ms. SLAUGHTER) will describe the benefits of the arts to our national economy and to our local communities. The arts contribute in many ways to our Nation's economic prosperity. This is well documented in an economic impact study from the Georgia Institute of Technology. The study provides a compelling argument for increased Federal funding for our cultural agencies, the National Endowment for the Arts and the National Endowment of the Humanities.

The proposed fiscal year 2003 budget provides a nominal increase for agency administrative costs, but no new funds for local projects. We can do better than that. An increase in funding for the arts would come with economic rewards for the entire country. Nonprivate arts groups generate \$134 billion in economic activity every year. That is in both rural and urban America. They generate \$10.5 billion in Federal income tax revenues. That is a phenomenal return on the taxpayers' investment. Investment in the arts also is an investment in our children's future. I was one who was brought up on a farm, and I still will feel there.

The Arts Education Partnership recently published a study called Critical Links. This important study provides solid evidence that arts education helps students master other critical subjects, including math, reading, language development, and writing. The study also shows that arts education helps academic achievement in young children, students from low-income communities, and those who are falling behind.

Last year, President Bush set the example when he signed a bill, the No Child Left Behind Act. This landmark legislation recognizes the arts as one of the core subjects that all schools should teach.

Learning is not limited to the classroom. The NEA and the NEH help bring the arts and cultural programs to millions of Americans, both rural and urban, including children, every year.

Mr. Chairman, I urge my colleagues to join us later this evening in supporting this amendment to increase

funding for the National Endowment for the Arts and the National Endowment for the Humanities.

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

Mr. Chairman, as one of the most conservative members of the Committee on Appropriations, I rise in support of the bill and in opposition to the amendment. I do rise to commend the author of the amendment and the team of budget hawks that have assembled to begin the process that will last through the year at trying to hold the line on spending, because I do share that goal and think it is important, particularly in times of deficit spending; again, that we attempt to rein in the growth of government and strive for a more efficient and effective government.

However, I say today as a member of this subcommittee for the past 6 years, this is unfortunate that the process begins on this bill to try to rein in spending when this bill was very carefully put together, with extreme caution and, really, the motives on this bill to cut spending would run counter to fiscal responsibility in many regards.

For instance, would it be wise as a homeowner to allow the shingles to fall off of the roof of his home? It is not frugal, or it is not responsible to do that. I can tell my colleagues, if they want to go to the authorization committee and debate whether or not the Federal Government should own one-third of the land in America, go do that, but the truth is we do own, the Federal Government, one-third of the lands in America.

If my colleagues want to travel, as we have traveled, and go to the parks and go to the forests and go to the BLM and see the buildings, see the infrastructure, see the \$14 billion backlog that we have on taking care of what we own, my colleagues will know that frugal, responsible leadership warrants investing in maintaining what we have. If my colleagues want to go fight the fight on not having so much, do that, but that is not done here.

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

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

Mr. DICKS. Mr. Chairman, I just want to commend the gentleman on a very thoughtful statement, to remind those people who have spoken earlier, if there is no money, if the BLM is cut by \$162 million, then there is not going to be money for them to borrow to fight the fires; these accounts in the BLM, the money that is borrowed that is used to fight the fires. So if that money is taken away in a meat ax approach like this, then they are not going to have that.

The gentleman from Tennessee (Mr. WAMP) is absolutely right about the maintenance. We have to maintain these parks, these facilities, et cetera. It has been a high priority of this committee to do a good job on that and we have increased the money for the main-

tenance. We still have, as the gentleman points out, this long backlog.

So a meat ax approach is not going to solve this problem. The gentleman should remind his colleagues that the President supports this bill and the chairman of the Committee on the Budget supports this bill. So what is the problem?

Mr. WAMP. Mr. Chairman, reclaiming my time, we also have had previous speakers talk about how twice the House has passed a budget resolution, and we have already heard the Committee on the Budget chairman speak in support of this bill. But I can also tell my colleagues that a few months ago, the House was overwhelmingly in support of the CARA bill which would have effectively tripled the spending in this bill, and if it were not for the good work, stewardship, and careful crafting of a compromise by this subcommittee, there would be an influx of spending on automatic entitlement payments on conservation and resource-type issues, and we struck a compromise and a balance.

Mr. Chairman, this is a bill that requires our stewardship. This is what Speaker Gingrich called the best subcommittee in the House, because we fund our public lands and these investments.

Let me also tell my colleagues that in a bipartisan way, I am the Co-Chairman of the Energy Efficiency and Renewable Energy Caucus in this House.

□ 1845

We have half the House that belongs. We have many Members from the conservative Republican faction that have written us saying, invest in energy efficiency and energy conservation programs. I fought for an increase in those programs. If we are going to wean ourselves off of reliance on Middle Eastern oil, Mr. Chairman, we have to invest in alternatives. We have to invest in conservation and energy efficiency technologies.

We are going to fight too many more wars at a huge cost if we do not make ourselves energy-independent. That is what this bill funds. We cannot have it both ways. We need to invest in America. This bill invests in America. It is carefully crafted.

I would encourage those who want to cut \$162 million out of this bill to be specific where they want to cut it. If it is fires, that has to be an emergency. We would love to put it in the supplemental, but the administration, our President from our party, has said no, it belongs in the 2003 bill and we cannot get it in the supplemental. Either way is fine with the committee, but we cannot do it that way, so it is very essential that we move this bill forward.

We are going to slug it out here on the floor for a few hours. At the end of the day, though, this is one of those bills that comes from the Committee on Appropriations that needs to pass in very close to its current form. It is a puzzle putting it together to make sure

that we balance the stewardship needs of the Federal Government. We have done just that.

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

Mr. Chairman, I want to thank the gentleman for some very important remarks. I appreciate the work of the Committee very much. I am sure everything in this bill is important and could be useful.

But as all of us know, this country is going through very difficult times; difficult with our economy, difficult with enemies all around the world. There are many priorities.

As we go through this appropriations process, it is very important that we look at our priorities and look at the means that we have to accomplish them, and make sure that we make the tough decisions now, rather than later.

We know that we need additional money to fight the war, to build our military, to equip our soldiers, and to pay them. That is going to cost more money.

We know that our Social Security system, which is a very important promise to our seniors, that must be kept, and we must begin the debate on how we can improve and guarantee that Social Security is always there.

But we know with this budget this year that we are already spending money that is coming in for Social Security, and we need to scrutinize every dollar that we spend to make sure that we do not spend the Social Security surplus unnecessarily.

Across the country, we see devastation with the problems with health care and the cuts at the Federal level with Medicaid, and we look at our own Medicare system and see that it is going to become increasingly difficult to fund it. Seniors all across the country are being turned away from physicians who no longer take Medicare because we do not pay enough.

We have to scrutinize this budget. We cannot continue to spend and to grow the government and make new promises when there are promises that we have made to seniors, as well as the promises we have made to other citizens, such as the children of this country in our education plan, because we have promised more money to education from the Federal level, new promises.

In this bill this year we are making new promises that we are going to have to keep out of money that we do not have. I rise in support of this amendment because it looks closely at this Interior bill, looks at the management area, not cutting any programs, but just makes a small cut. If we continue this process throughout appropriations, then maybe we can save the money that we need to keep the promises that we have already made, and not make new promises to folks when we cannot keep the promises and do not have the money to do it.

I do support the amendment, and I urge all of my fellow Members to do the same.

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

Mr. Chairman, I rise to enter into a colloquy with the chairman of the Subcommittee on the Interior of the Committee on Appropriations.

I would say to the gentleman from New Mexico (Mr. SKEEN), I want to commend him on the excellent legislation that he has brought before the House floor. I wanted to bring to the gentleman's attention an energy research program which I believe holds great promise.

Mr. SKEEN. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I would be pleased to engage in a colloquy with the gentlewoman.

Mrs. MORELLA. I thank the chairman. I note, Mr. Chairman, that the chairman of the subcommittee has included increases in the bill for fuel cell research.

There is a program in this area which I believe has tremendous potential. I am specifically referring to technologies to investigate and encourage power management systems, which facilitate the application of fuel cells to reduce peak electricity demand.

This so-called peak shaving, through the use of fuel cell technology, has the potential to reduce costly utility excess capacity requirements, minimize local conflicts related to transmission capacity upgrades, and provide emergency standby power for law enforcement, fire, and rescue, as well as other emergency response operations.

Over the past few years, fuel cell technology has experienced steady progress toward commercial reality. However, work remains to be done. Mr. Chairman, research into fuel cell technology for peak shaving is needed to demonstrate the extent to which fuel cells can provide essential power for emergency operations facilities, for homeland defense, and provide cost savings to reduce peak electricity demand in other operations.

Mr. Chairman, would this type of program qualify for funding under the budget recommendations in the Interior bill?

Mr. SKEEN. If the gentlewoman will yield further, as the gentlewoman knows, Mr. Chairman, the energy research program in the Interior bill is awarded through a competitive procurement process, and this program certainly sounds like it is worthy of consideration. It is a process by the Department of Energy.

Mrs. MORELLA. I thank the gentleman, Mr. Chairman.

POINT OF ORDER

Mr. DICKS. Point of order, Mr. Chairman. How can we have colloquies going on when there is an amendment being considered? Is there not an amendment still being considered by the House?

The CHAIRMAN. There is an amendment pending before the House.

Mr. DICKS. Should we not be debating that amendment?

The CHAIRMAN. The Chair waits for someone to raise a point of order on the question of relevancy.

Mr. DICKS. I make a point of order that we not have any colloquies; that we address this amendment, and we vote on the amendment.

The CHAIRMAN. The gentlewoman engaging in a colloquy has already yielded back her time.

Mr. DICKS. That is fine. I object to any future ones.

The CHAIRMAN. The Chair will keep that in mind.

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the requisite number of words. I am speaking on the amendment at hand.

Mr. Chairman, I would like to address a bigger issue that is at play tonight with the bringing of this appropriations bill to the floor; that is, our budget resolution is unraveling before us.

The reason we set budget resolutions in Congress is so that we make the entire Federal budget fit into a comprehensive plan. When we wrote the budget resolution earlier this spring, we had a budget surplus. Now we see, as of a few days ago, we have a budget deficit, but we are still moving with that budget resolution, hopefully. But as we see this appropriations process unravel, it looks as though this budget resolution will even be broken.

So, Mr. Chairman, I am very much enlightened by the comments by the senior delegation member from my own State who I know to be a man that not always is in agreement with me, and I do not always agree with him, but I know he is a straight-shooter and I know he usually calls it like he sees it.

Earlier, under consideration of the rule, this senior member of the Committee on Appropriations basically laid out the following scenario. He said what the leadership plans to do is to take the easier-to-pass bills, raise the levels of spending on that, and then do so at the expense of lowering spending on other more difficult-to-pass pieces of legislation.

What this will end up doing is breaking the budget resolution, breaking any fiscal discipline we have in place for this fiscal year for this Congress.

This is a problem, Mr. Chairman. This is a problem because, quite simply, we have a budget deficit now on our hands. We are at war. We are trying to fix the problems in our homeland, so our priorities ought to be a line such as this: Win the war on terrorism, give the troops what they need, win the war on our homeland security, fix those vulnerabilities that we have here in the country, make sure that our domestic infrastructure is prepared for terrorist attacks.

But when it comes to fixing the budget deficit, we realize those are the areas we cannot go to. We need to hold the line on domestic spending. That

means we need to have some budget discipline here in this body. But by moving forward with the appropriations process that we are engaging in this evening, and for the rest of the next few months this year, we are unraveling the very process that has a little bit of discipline left in it to try and get our hands around this budget deficit.

If we do not fix this budget deficit, Social Security will be dipped into for years. If we do not fix this budget deficit, we are going to see problems in the stock market. The markets are watching this body. The markets are watching to see if we have corporate accountability legislation passing, as we just did today; the markets are watching to see if there is accountability in accounting standards; but the markets are also watching to see if we have budget discipline. If Congress shows no discipline in balancing its budget, the markets are going to react in a way we are not going to like.

Mr. Chairman, our constituents are seeing their 401(k)s cut in half, they are seeing the market volatility take place in affecting their very livelihoods. This Congress can do a lot to re-instill confidence in our government, in our fiscal balance sheet, and in the stock market and the markets by making a stride for fiscal discipline.

That means taking this bill and the entire process and retooling it so that we actually do meet our budget resolution, a bill we have passed twice just this year through the House of Representatives. We did it once, we deemed it again, and we need to make sure that this budget resolution holds, that we do not break the ceiling on spending.

I am afraid the process we have right now is doing just that. That is why I urge passage of this amendment, Mr. Chairman. I thank the chairman of the committee for indulging me.

I do want to say one last point: They do a good job. The gentlemen are all here working hard, and I know that this is tough work. But I also know that the American people are watching, and that they want to see this budget deficit dealt with. They want to see fiscal discipline here in Congress.

We know how to make it happen, and we know how to make sure that it does not happen. I suggest we do more actions to make sure it does happen.

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

Mr. Chairman, I rise in opposition to the amendment. I feel inclined to do this at this time. I listened to my friend, the gentleman from Wisconsin (Mr. RYAN), who is my friend, and I have said many times on the floor I believe in years to come he will become one of our very strong leaders. He is right to want fiscal discipline in the Congress. Congress should not be spending any more money than is needed.

But I have to disagree with some of the comments that he made. For exam-

ple, he said the appropriations process has unraveled. On the contrary, the appropriations process is one of the few processes in this Congress that has not unraveled. The appropriations process works.

Look at some of the others. Why is it that appropriators are asked to include nonappropriations issues on appropriations bills? Because the other processes are not working, we are asked to do a lot of things that are not even appropriations matters. The appropriations process has not unraveled, not at all.

Let me tell the Members what has unraveled: The budget process that the gentleman seems to like so much has totally unraveled. We do not have a budget process, I will say to my friend, the gentleman from Wisconsin. There is no budget process in this Congress.

Here is the way it is supposed to work. Under the law, the House should pass a budget resolution. We did that. The Senate should pass a budget resolution. They did not do that; but nevertheless, they are supposed to. Then the two houses come together and we decide on what the top number is for the budget, referred to as a 302(a) number. That did not happen this year.

The House deemed, then, a budget resolution. But let me tell the Members what this budget resolution does when the Senate does not have the same top number.

How do I reconcile appropriations bills with my colleagues in the other body if their top number is \$9 billion higher than the House number? How do I force them down? Well, we try. On the supplemental we are working on, we have brought the Senate down almost to the House number that we passed. There are still some differences there, but we did bring them down. But it is very difficult if we do not have the same top number. So the budget process broke down.

And now about Social Security and fiscal discipline.

□ 1900

Spending, Mr. Chairman, spending is spending. Whether it is spending by a discretionary appropriations bill or whether it is spending by back-door spending, through mandated entitlement programs or mandatory programs. A dollar being spent as a mandated program, or back-door spending, if you will, is the same, as a dollar appropriated by the Congress.

Congress earlier this year approved an agriculture bill. That bill increased the baseline for agriculture by \$90 billion. Ninety billion, I would say to my friend from Wisconsin, spread over a 10-year period. Actually, it was supposed to be spread over a 6-year period, but it looked like it was less by doing it over a 10-year period. My friend from Wisconsin feels worried about Social Security, and I applaud him for that. I am too because I represent a lot of people on Social Security. But I voted against that farm bill because it provided a \$90 billion increase over the baseline.

The gentleman from Wisconsin, who just spoke talking about fiscal and budget discipline, voted for the \$90 billion increase over the baseline.

Now, we have got to be consistent in this House. If you are for spending, then vote to spend. If you are against spending, then vote not to spend; but do not stand up here after having voted for a very large increase in back-door spending and then criticize a small amount of money in a discretionary bill.

I am opposed to this amendment, and I hope the House will come down in large numbers to oppose this amendment. The gentleman from New Mexico (Mr. SKEEN) has worked hard to get this bill in balance, to make it a good bill. We can show you reasons why the BLM could use additional money, but we do not have additional money; and so we are not going to recommend it to the House. I hope the House will give us an overwhelming vote against this amendment.

We will not let this appropriations process unravel, and I know there are some that would like to see that happen. I read some comments in some of the in-house news media about how some people are going to disrupt totally the appropriations process. One of the few constitutional requirements and obligations that Congress has is the appropriations process, the power of the purse. Nobody else has the right to spend money for this Federal Government except the Congress of the United States, and we are going to protect that constitutional responsibility. We are going to keep the oath of office that we took to protect the Constitution. Stick with us on this bill. Vote down this amendment. It is not a good amendment.

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

Mr. Chairman, my grandfather used to be in town politics and county politics for about 30 years. And one of the things that he always told me is that the most dangerous thing you could do in politics is to believe your own baloney. And I think the problem that we have in this House is that there are a number of people who are so enamored of their own baloney that they do not even recognize it is baloney, and let me explain what I mean.

I appreciate the kind personal comments that the gentleman from Wisconsin made about this gentleman from Wisconsin. But I think we need to fairly analyze why it is that we have people with their noses out of joint tonight. We have a group of people in this House (and I do not attack them for it, I am simply stating fact), we have a group of people in this House who honestly believe that they can maintain the fiction that somehow the budget resolution which passed this House is a real instrument in divided government. It is not.

And the problem we face is that when you start the budget process with an erroneous initial set of assumptions,

then everything that happens after that point is a colossal waste of time. And so because we started with a budget resolution, which for the third year in a row makes an unrealistic assumption about what in the end the collective judgment of people on both sides of the aisle is going to be with respect to the budget, we wind up starting from a false base to begin with. And now you have a number of people in this House who are upset because we will not stick to that false base.

Now, the previous gentleman from Wisconsin (Mr. RYAN) who spoke has me confused because he talks about the Committee on Appropriations unraveling the budget process. I would say that if he wants to look to a committee that has unraveled the process, he ought to start with his own committee. Our committee operates in an unusually bipartisan fashion. We do not agree on everything, but we often resolve our differences. We had some major differences on this bill which we resolved.

In contrast, my observation is that the Committee on Ways and Means, the other side of the financial ledger, is so polarized that they often are barely speaking to each other. And the products that they bring to the floor demonstrate that as well. Because those products have essentially said that over the next 10 years we are going to spend \$1.7 trillion on tax reductions, and that is going to come largely out of borrowed money.

Now, I happen to think that tax cuts in the short term make sense because if the economy is sagging, you need to give the economy a kicker. And I do not think there is anything wrong with in the short run having some stimulus in the tax side as well as the spending side. But the problem with the markets is that they are looking at the long-term result of that decision, and that \$1.7 trillion in lost revenue over the next 10 years makes the differences on appropriations bills appear to be minuscule by comparison.

Does anybody really think the budget is going to be balanced if this amendment is passed tonight? Come on, give me a break.

The other thing I would point out is that I am, frankly, a little baffled because I have one gentleman from Wisconsin on that side of the aisle say we are going to spend too much money; and yet we are noticed by another gentleman from Wisconsin on that side of the aisle that he is going to ask us to spend more money on a program that is important to him and to me, Chronic Wasting Disease. Now he has an offset for that amendment, and I congratulate him for it; but the problem is that offset is going to be met with bipartisan opposition because the program that is being cut means as much to the folks who want that program as the program that the other gentleman from Wisconsin wants to see money added to, the Chronic Wasting Disease for the deer herd and the elk herd means to us.

So the Committee on Appropriations has committed the unpardonable sin of bringing to the House floor a realistic document which represents our best professional judgment on a bipartisan basis.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, our best professional judgment about what the realistic level is that Members want to see provided in this bill.

Now, we may have been on point. We may have missed it a little bit. Who knows? Nobody is perfect. But the fact is that I think the problem we have here is that on that side of the aisle there are a number of people who resent the fact that the Committee on Appropriations in the end has to deliver a reality message to both sides of the Capitol and both parties, and that is what this bill is attempting to do.

If people think it is wrong, then they ought to vote for this amendment. If they think we have made a reasonable effort to get through the week and move the process forward, then they ought to vote it down. I hope they vote it down.

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

Before I speak on the amendment, with the permission of the subcommittee ranking member and the chairman of that committee, I want to make a couple comments on JOE SKEEN.

JOE is a hero of American agriculture; and that is when I got to know him, doing the excellent job on the Committee on Appropriations Subcommittee on Agriculture. JOE first ran for Congress as a write-in candidate. Amazing. And most of us are politically aware enough that we know that that is an almost impossible task at local government, let alone for the United States Congress.

JOE served in the Navy. He was a graduate from Texas A&M, a farmer, a sheep rancher on a 15,000-acre-plus operation. JOE, maybe it has gotten bigger since I read the 15,000. At age 33, he was one of the youngest State senators in New Mexico. Later he ran for Governor, and lost by 1 percent point.

JOE, I am proud to have had the opportunity to serve with you. So my best compliment to you and your family.

Now, on the amendment, my nose probably is out of joint on overspending. Some of us in desperation do not know exactly what to do to try to reduce the tendency to spend a lot of money to try to please the Senate. Sometimes we say it is to please the other side of the aisle. So when an amendment comes forth to save \$162 million, it influences what I came here to Congress to do, and that is to keep Social Security solvent. I introduced

my first Social Security bill the first year that I entered Congress and every session since. Each has been scored to keep Social Security solvent.

So if this amendment saves some money and if this appropriations bill is the start of overspending, it has been my experience throughout my 9½ years in Congress that we pass a budget which may be irrelevant in terms of controlling spending. Obviously, if you look at the number of times that the budget numbers have prevailed, it is irrelevant because we never stick to it. But what happens is in the Committee on Appropriations when we come up with the 302(b)'s, the first bills that we pass and put before this Chamber are easy to pass because there is something in it for everybody. And so we pass the early bills that are somewhat popular, somewhat overspending and then we end up with the tough bills later on for veterans, for education; with an appropriation level that is so low, so below anybody's request that you have to increase the amount—overspend the budget, and you come up busting the budget.

Look, Republicans have done a bad job in terms of holding down spending. Sometimes we blame it on Democrats. Sometimes we blame it on the Senate. But somehow, someplace, somewhere we have to do the cutting that is tough.

Let me give you the statistic from the Heritage Foundation. Most of the benefits of government go to a population that pays less than 1 percent of the income tax. So we are evolving into a society where most of our constituents say, well, a little more spending and a little more help from government is good, because a lot of those constituents do not pay their equivalent share of the income taxes. That is because we have made the income tax so progressive.

This chart represents the biggest financial problem that government is facing, and that is where we are going on the future of Social Security. It is an entitlement program. We have made the promise. We have made the commitment. People have gauged their savings and their lives for their retirement to include what they are going to be getting from Social Security. We are moving into an era of spending frenzy that will lead us to a time when we will not be able to pay those benefits.

So I say, every chance we have, let us grit our teeth and let us come up with the courage we need to do what is right and that is to reduce spending and not dig ourselves into a kind of hole where we are forced to overspend in the last two or three appropriations bills.

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

Mr. Chairman, when I go back to my district in Maine and I try to explain what goes on in the people's House, I try to explain that only in this House, as contrasted with my constituents' houses, do we talk about revenues and

expenditures at different times, and it is as if they were completely disconnected from each other. And I think in some places I should tape this discussion on the proposed amendment and send it back to the people in Maine and say, this is what I am talking about, because I rise in opposition to the amendment. But what I have heard tonight calls for fiscal discipline, calls for being tough on spending, not one mention of the revenue side.

If I went to a businessman, businesswoman in Maine and they said to me, Here is my plan for next year: I am going to reduce my revenues, reduce my sales significantly by discontinuing a product line, but I am going to increase my expenses dramatically by spending more on staff, and I know that we will be in deficit for the next year and the year after that, but I have a plan.

□ 1915

The plan is I am going to borrow money from my children in order to get me through the next few years. There is not a businessman, a businesswoman in the State of Maine that would think that is the right approach. They would say go back and take another look.

Sure, take a look at the spending, but in this House, at this moment in our history, we have some serious security and defense expenditures that we all agree on.

The alternative is to go back and take a look at our revenues, and last year, when the rallying cry in this House from those who supported the President's tax cut was it is not the government's money, it is your money, there were those of us who said, wait a minute, we can support a tax cut of an appropriate size but not one that uses all of the non-Social Security surplus for the next 6 or 7 years.

Today, and what we see when taxes are discussed in the House here at other times, it is always that we have to make permanent the damage that was done last year. The urge to make permanent the tax cuts is a determination to make sure that people earning \$1 million a year, \$1 million a year, will be able to enjoy an average tax cut of \$53,000 every single year. That \$53,000 is more than 60 percent of what the American people make in a year.

All I am asking, Mr. Chairman, my friends on the other side is if we are going to talk about fiscal discipline, if we are going to talk about balanced budgets, if we are going to worry about the spending of the Social Security surplus, the least we should do is what every American family who is fiscally responsible does when they sit down to do their family budget and every responsible American businessman or businesswoman does when they sit down and do their budget for their company. They look at revenues and expenditures together and they say what is the right balance, how can we do this in a responsible way.

I submit that this House will never do its budgeting in a responsible way if it does not look at revenues and expenditures together. We are not doing that tonight. It is irresponsible not to do it.

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

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

Mr. DICKS. Mr. Chairman, the point is that, what is it, 67 percent of the budget is entitlements. We are talking about one-third of the budget, when we look at discretionary spending, a significant part of that is defense. A significant part of it is HHS with very crucial and sensitive programs.

I just hope that the same zeal and vigor will be applied by the people who are bringing us the Agriculture bill with that big expenditure that just went through this House of Representatives and when they look at tax cuts for the wealthiest people in this country. But to come after these bills that have been worked out on a bipartisan basis, that restrains spending, we can go through this exercise, but we all know what this is about.

As the gentleman from Wisconsin (Mr. OBEY) would say, you have a few people here posing for holy pictures, that is what this is all about. I would hope that we would quit wasting the committee's time and move forward and vote on this amendment and defeat it like it should be defeated.

Mr. ALLEN. Mr. Chairman, I align myself with the comments of the gentleman from Washington (Mr. DICKS), the ranking member.

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

Mr. Chairman, let me say as a person who has been here for 7 years, been through the 1995 period where we did not pass appropriations bills, 1996 we went through the process of not passing appropriations bills at the end of the process, we ended up spending more money than anybody wanted. So these 13 bills are bills we have to pass, and I think the point that is being tried to be made by many of us on the committee who worked through all this and do not like it exactly the way it is, but realize that there are votes on this side of the aisle and there are votes on that side of the aisle, and there are perspectives that differ broadly among the constituencies that are represented in this Congress, in this House.

We cannot pass a bill out of the committee if we do not have the votes. We cannot pass a bill out of the subcommittee or the full committee if we do not have the votes, and if they do not have the votes and they do not pass the bill, then what happens is that at the end of the process we get a bigger bill, we get an omnibus bill because we have to fund the Federal Government, whether we want to or not. We have to fund the Federal Government.

This attempt in this bill is an attempt to be balanced, to be fair. Is it

too much in some accounts, too little in others? Probably so. Does it frustrate us from time to time? I am from the West. I wish we had less money for certain things and more money for others to make sure we can manage ourselves in the West, but I tell my colleagues, we have worked diligently.

This chairman has worked his heart out. Our full committee chairman, the gentleman from Washington (Mr. DICKS), the gentleman from Wisconsin (Mr. OBEY), everybody is working hard to make this balance so we can get a bill out of committee, get a bill out of the full committee and then pass it and hopefully have the President sign it.

I caution my colleagues who are using this tactic to slow down this process. We get the message. We understand it. We are going to have to deal with it, but I think if we pass no appropriations bills other than the ones we have, we are in for a mighty difficult time at the end of the process as we pass nothing and we end up getting a bigger bill.

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

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

Mr. DICKS. Mr. Chairman, I do not think we want to go back to the days of massive continuing resolutions where this House has not even had a chance to exercise its goodwill and judgment on these individual bills. That is where the real mischief can occur.

These bills are responsible. We ought to deal with them, each one of them. That is the most effective thing we can do, fight amongst ourselves, get the best numbers that we can. But to go straight to continuing resolutions puts the power in just a handful of people, and this House, and its views on spending issues will be completely ignored.

Mr. NETHERCUTT. Mr. Chairman, reclaiming my time, I appreciate the gentleman's point.

My colleagues had to have been here because if we look at what happened in the wee hours of the day and night, with my own leadership and the leadership on the other side sort of sticking things in and taking things out and putting things in nobody really knew about, we ended up with a massive omnibus package that is not in the best interests of our constituents, of the House or anybody else, and frankly, let me say, I do not think it is in the best interests of our constituents to sort of delay this process, to frustrate the process, to obstruct the process. In the final analysis, it is something that probably is going to be worse than we all are looking at today.

So, again, I come at this as conservative as anybody else, but I am sitting in the room working on these bills and trying to figure out how to balance them, and that is what the chairman has done, the gentleman from Tennessee (Mr. WAMP) and the gentleman from Florida (Mr. YOUNG) and others, and the gentleman from Wisconsin (Mr.

OBEY) and Mr. DICKS. We are not all on the same page, but we have got a package that we think makes some sense, trying to get it through the process and work through and get 13 appropriations bills signed and into law and fund the Federal Government to the extent that a majority of the Members of the House and Senate and the President feel should be funded.

So I just say let us vote on the bill, on this amendment. Let us either defeat it or pass it, but I urge my colleagues, move the process along. Let us get through this system, get this bill passed and move on to the next one, and we will have more attempts, more opportunities to craft a bill, but we have to get through this first step first, and I think that is what we ought to be doing and moving along and respecting the chairman of the subcommittee and all of the people who have worked so hard to make this right.

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

I thank the Chair for allowing me these 5 minutes to speak on this, and the gentleman from Washington (Mr. NETHERCUTT) certainly raises some very good points here, and ones that we as the fiscal conservative group, that some, a renegade group as we have been branded here, suggested have discussed that, and we certainly do not want that type of an omnibus bill where the shenanigans take place where there are so many riders and additional spending that gets thrown in and it is thrown up at 9 o'clock in the morning and voted on at 10 o'clock in the morning, like what happened in my first year here with the smaller omnibus bill. I voted no on that one, just as I would vote no on any new one.

Still, it just frustrates me that those of us that are sincerely frustrated with the increased spending, especially at a time of decreasing revenues, are somehow branded as intellectually dishonest by the other gentleman from Washington, or somehow I forget the name that he called us, but the fact of the matter is that I am sincerely worried about the type of spending that we are engaging in; that I came here because I wanted to restrain spending; that I felt that that was important to our children's future; that we were taking out a credit card and passing the bill to our children.

The other gentleman from Maine had a very sincere discussion about family budgets and that at times the family budgets need restraint, and the businesses, a person certainly would not take away revenues and criticizing those of us, including me, and I am proud of the tax votes that we have taken because I think empowering families and allowing them to keep more of their own money, especially at a time of an economic downturn, is just simple, common sense, good economic family policy.

We have to adopt in coordination with a tax-cutting policy fiscal restraint. Certainly, most every family

has to live on a budget, even we in Congress, even though I get a lot of e-mails suggesting otherwise. We have to live on a budget, and if my revenues are running short, that means we take less trips to Target, and I am not apologetic that I stand up here and support amendments to decrease our trips to Target because that is what we are doing.

This Interior bill is \$950 million over last year's spending, \$775 million over what the President had suggested. All we are standing up here and doing is asking for a little bit of fiscal restraint on particularly these types of items. This amendment that I rise in favor of reduces the Bureau of Land Management's land and resources to \$664,678,000. It just simply takes \$162 billion out of it. It just reduces it by a small percent. What we are trying to do here is find little bits of money here and there so at the totality of this bill, we bring it down or maybe even below last year's spending level.

That is just the purpose here. It is not as malicious as the gentleman from Washington suggests.

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

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

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for yielding for a question.

Does the gentleman realize that that BLM increase is 1½ percent over last year? I am from the West. I know what the challenges are in environmental advocacy out in the West and some of the Federal lands that are subject to being under BLM authority. I know it is just numbers, but there is an impact on the ground that comes from the gentleman's amendment and the comments that he has made.

Mr. TERRY. Mr. Chairman, the amendment, as I understand it, was not a dramatic spending increase, but, as the gentleman from Maine suggested, that we have other priorities such as defense spending, national security, and he is absolutely right, and I think all of us in the House share those priorities. So it becomes a time where if we want to have the secondary goal of saving money, where do we cut?

The CHAIRMAN. The time of the gentleman from Nebraska (Mr. TERRY) has expired.

(On request of Mr. YOUNG of Florida, and by unanimous consent, Mr. TERRY was allowed to proceed for 1 additional minute.)

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I have a very simple question. If he would explain to me and to our colleagues in the House the difference in discretionary spending and mandatory spending, back-door spending in effect, and compare that to this amendment versus the farm bill that the gentleman voted for and that spends \$90 billion

over the baseline. If he could just explain the difference, explain the consistencies or inconsistencies.

Mr. TERRY. Mr. Chairman, I assume that is more of a rhetorical question to put me on the spot for voting for a farm bill, and I am anxious to see the Agriculture appropriations bill.

□ 1930

But I will admit to the gentleman, coming from the State of Nebraska, that I will have leanings towards securing, especially in a time when we are in a severe drought and I have already been told that for the State of Nebraska, from the gentleman's committee and the White House, not to expect any disaster relief; that we will have to find it within the budget. I am glad to do that. I am glad to take those type, instead of going off-budget like we had done when Texas certainly needed disaster relief. I am willing to take our money out of that.

Mr. YOUNG of Florida. If the gentleman will yield further, I commend the gentleman for that, for being realistic about the needs. But what is the difference in the mandatory dollar versus the discretionary dollar? It seems to me they are both the same. They are both spending.

Mr. TERRY. Well, granted.

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

I also very much appreciate the hard work that has gone on in trying to put all these numbers together and the long hours and the sincere efforts that have been made by everybody. I suppose I am a little concerned that maybe people worked about \$775 million too long on it, and that is what I wanted to try to talk about just briefly.

My concern is to try to put this thing into perspective. I understand the long hours that are spent, but perhaps the result of that is to take us a little too close to the trees to see the forest. The concern I have is that when I was just a little 2-year-old and we had an average family in this country, mom and dad and just two little kids, and dad would go off and earn a dollar a week, at the end of the time he had earned that dollar, three pennies of the dollar was spent on direct taxation, Federal, State, and local. All added together, three cents on the dollar.

Five years ago, that three cents had jumped to 38 cents. Mom and dad, two kids, with dad earning a dollar, 38 cents on the dollar goes to direct taxation. That is more than the average family pays for food, clothing, and shelter combined. My question is: Are we perhaps buying too much government?

The nation of Rome collapsed, apparently, with a 25 percent tax rate. We are talking about direct taxation on our families of 38 cents, and that was 5 years ago. So the question we have before us tonight is really how much government can we afford?

I think the first thing is to try to put that into perspective and to say, well,



what then is the state of our economy? If our economy is robust and thriving, then perhaps we can afford a little more government. But it does not seem to me that that is the case. In fact, there seems to be a great deal of jitters and concern about the condition of our economy.

So if we go ahead and ask people who have made a life study of economics, as we did, we had a conference call with all kinds of different people who are experts on the economy and asked them what it is Congress can do. We have these things we call economic stimulus packages. We pull a magic lever and somehow the economy is supposed to take off like a jet. What exactly is it we can do? These economists told us we only have two things we can do. The first thing is we can cut taxes. And if we cut taxes, it is not going to do a hoot of good if we do not follow it with the second thing we have to do, which is to cut spending.

I think that is what the concern is here. We are talking about too much spending. And I understand that there are priorities. I understand there are things we have to fund. But the bottom line is we have to take a look at the big picture. We have gone from three cents to 38 cents just in my own lifetime. I am not quite dead yet. And so the question is, can we continue to buy more and more and more government? That is the concern here.

It is not only this amendment, which makes an honest effort to try to reduce some of this \$775 million, but the overall question is just how much can our constituents afford? How many of the people, those little families, that instead of spending three pennies when dad goes to work, are now carrying more government than food and clothing and shelter combined? I think that this amendment is at least a step in the right direction to try to move us toward cutting that, cutting that \$775 million.

I do not pretend to be an expert on the details of it, but certainly we have to say something eventually to the point of where are we going to draw the line.

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

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

Mr. NETHERCUTT. Mr. Chairman, I just heard the gentleman say he is not an expert on the details of the request, that he just wants to cut money. And I appreciate that and understand that, and I respect the point of view of the gentleman. But the budget request that the President sent up, and by the way the President supports this bill, the administration has already said they support this bill, the interior appropriations bill. So it is not the President that is against this; it is Members of the House.

The budget request cut PILT funding, Payment in Lieu of Taxes. We have the Western Caucus, of which I am a member, who went nuts. That

hits our small counties out in the Northwest and the western States. So that is \$65 million. The science and water programs of the U.S. Geological Survey, two-thirds of those requests were from Republicans to restore U.S. Geological Survey money, \$61 million. The national fire plan. We have the Western Governors Association and the National Governors' Association and the Western Caucus that want that in.

So it is important what is in the details. It is not just money; it is not just the big number. It is what is in the details. I challenge the gentleman to look at these and to say where he does not like them.

Mr. JONES of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

To the gentleman from New Mexico (Mr. SKEEN), the gentleman from Florida (Mr. YOUNG), the gentleman from Washington (Mr. DICKS), and the gentleman from Wisconsin (Mr. OBEY) I want to say thank you for the leadership that you provide.

The reason I came down tonight, and to my friend, the gentleman from Washington (Mr. NETHERCUTT), is simply because I am extremely concerned about the next generation's future, quite frankly. I have been coming to the floor for the last 3 weeks. I have written to Secretary O'Neill and to the gentleman from Indiana (Mr. BURTON), because in the report from the Secretary of Treasury, Secretary O'Neill, the "2001 Financial Report of the United States Government," they acknowledge in this report that we have lost \$17.3 billion of the American people's money. I would hope somebody in this House, both Democrat and Republican, would join me in asking Mr. O'Neill where is \$17.3 billion of the American people's money.

Certainly I must say to my good friend, the gentleman from Maine (Mr. ALLEN), who is a good friend, that certainly many of my colleagues did not realize this, and I want to be very honest about it, I did not either until the July 4 break listening to a talk show host in Raleigh, North Carolina, reading a New York Post article and chastising the American Government and the Congress and the Secretary of the Treasury for reporting that we had lost \$17.3 billion. So I came down here tonight to speak on behalf of this amendment simply because I am concerned about the next generation's future.

We all hope that we do the right things when we are here on the floor of the House voting. But I really think about the way we are going with increased spending. And I was a former Democrat, by the way, who joined the Republican Party in 1993 because I believed that my party, quite frankly, would do the best job of holding down the growth of government. That has not happened yet, and I am somewhat surprised and disappointed. But as we continue to expand the Federal Government and the spending of the Federal Government, what we are doing to

the next generation is that by the year 2012 or 2015 we are going to be asking the next generation and those who are working that we need to increase their Federal taxes by 20 to 25 percent, 20 to 25 percent.

To everybody on this floor tonight, staff as well as Members, you know what you are paying in taxes. Think about the working people of this country who are making \$30,000, \$40,000 a year, maybe \$50,000 trying to raise their children and take care of their family. Think about their taxes. That is what we do when we increase the spending of the Federal Government.

Mr. Chairman, I must say that, again, there is a whole lot in this bill that I do like and I do support. But, again, when we expand the spending over what was requested, then that is when we have sincerely, I think, an obligation to the American people. Yes, we pay our taxes. We all work hard. I am always back home in my district, when I go into a school, I praise every Member of the United States House of Representatives, liberal or conservative; and I praise the staff, and I talk about how hard they work and how they do what they think is right for the American people. I believe that sincerely. But I will say that if we, in a bipartisan way, do not work to hold down the growth of government, then when our grandchildren, when many of us, not George and Tom, but when many of us are in our 70s and 80s, we will have our children who are trying to raise our grandchildren say to us, how in the world could you serve in the Congress and we are having to pay 35 and 40 percent in taxes?

This is just the beginning of the appropriation process; and, Mr. Chairman, I will yield to you because I did support you on the military issues, but let me say to you that all of us are guilty, including myself, of not doing a better job of holding down the growth of this Federal Government. And I hope that we will work together, and whether we agree on every issue, we can work together to do a better job.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for that, and I do not want to be combative about this, but I am looking for an explanation. I want to ask the same question that I asked of the gentleman from Nebraska (Mr. TERRY). What is the difference in back-door spending dollars versus the discretionary spending dollars?

Mr. JONES of North Carolina. Mr. Chairman, reclaiming my time, and since the chairman asked the question of the gentleman from Nebraska (Mr. TERRY), if I might, the one thing about the farm bill is it was consistent with the budget resolution. This is not.

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

Mr. Chairman, I reluctantly rise tonight to support this amendment, but, more importantly, to begin to raise the issue and the consciousness of this Congress about what has been happening in this Congress for the last 3 or 4 years.

Now, the gentleman from Washington (Mr. NETHERCUTT) and a number of us came here in 1994, and we were very serious about balancing the Federal budget. We were serious about controlling the growth in discretionary spending. And every time we passed an emergency supplemental bill, for the benefit of some of the Members who have come here in subsequent years, when we passed an emergency supplemental bill, there was an offset. And as a result, we balanced the budget in 4 consecutive years. We paid down over \$450 billion worth of publicly held debt. And that was the right thing to do.

Now, last year, after September 11, and because of the slowdown of the economy, we have begun to slip back into deficits. But we have a chance, as we go through this appropriation process, to begin to get the ship of state headed back in the right direction.

Now, I regret, I want to say to the gentleman from New Mexico (Mr. SKEEN) and all the members of the Subcommittee on Interior of the Committee on Appropriations that it just so happens that his bill is the first out of the chute, because I know that he does good work, and there are a lot of important things for all kinds of constituencies in this bill. But the question we ought to all ask ourselves is this: Why should the Federal budget grow at a rate of twice that of the average family budget?

The average family budget in America today is growing a little more than 3 percent. Discretionary spending, and I will be happy to talk to the chairman of the Committee on Appropriations, but discretionary spending is going to grow this year, unless we get serious about controlling that growth rate, by more than 7 percent. Now, at a time when the average family budget is growing 3 percent, discretionary spending is 7 percent.

The question is: How much is enough? When are we going to say enough is enough? Because, my colleagues, if we stay on the path we are on right now, and last week the House passed what is very important legislation as regards prescription drug coverage, but if we look at the charts that have been prepared by the Republican study committee, with that bill and with the continuing growth in discretionary spending in this budget and the next, we are going to be looking at \$250 billion deficits as far as the eye can see. Now, that is not what the American people sent us here to do.

So, unfortunately, we have to begin to stand and draw a line in the sand and say, enough is enough. And unfortunately, it happens to be that this is the first bill. What this amendment does, as I understand it, we simply go

back to what we agreed to back in 1996, where we said we are going to adjust this account to what the spending would be if that account had gone up every year at the rate of inflation.

□ 1945

Now, do not talk to us about draconian cuts. We are saying let us go back to what we thought we agreed to in 1995, 1996 and 1997 when this Congress was serious about balancing the budget.

There was a Pepsi commercial a few years ago that said life is a series of choices. What we do on the floor of this House every day is a series of choices. We have to decide whether we are going to allow the Federal spending machine to continue to grow at double the rate of the average family budget, or are we going to start to say enough is enough.

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

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

Mr. NETHERCUTT. Mr. Chairman, my understanding is that this bill is about 2.8 percent of an increase over last year. That is below what the family budget of most families would be if you look at inflation in this country. So this bill is staying within the guidelines, and we did so diligently, and with a lot of effort.

Mr. GUTKNECHT. Mr. Chairman, reclaiming my time, I will give all Members a medal and a kiss on the cheek.

But the point is that this account has grown by more than double the inflation rate. All we are saying is let us take this account back to the 1996 levels adjusted for inflation. I am not here to be critical of the Committee on Appropriations because they have done a good job.

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

Mr. GUTKNECHT. I yield to the gentleman from Pennsylvania.

Mr. TOOMEY. Mr. Chairman, if we exclude emergencies and look at the bill from last year and the bill that is proposed, my number suggests that this is an increase of 5.54 percent, to be exact, which is, of course, way above the rate of inflation and way above the growth of most families' budgets.

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

Mr. GUTKNECHT. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Chairman, we obviously have been wasting our time for quite some time because the gentleman is wrong. Without the emergencies that the gentleman is referring to, this bill is a 2.8 percent increase. That is a fact. I hope we are not held up all night long on an unfactual basis.

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

Mr. Chairman, I point out to Members that yes, it is true that we are facing budget deficits once again. But the reason we are facing these budget defi-

cits is not because of the incremental increases in some of these budgets, and as was just pointed out by the gentleman from Washington (Mr. NETHERCUTT), the increase in this particular budget is not a budget-breaker at all, it is quite modest.

The problem that we have is last year this Congress passed a tax cut which was way out of line. That tax cut is what is causing us to have these enormous budget deficits. Members do not want to admit that is the problem, but that is at the very root of any financial difficulty we have, and the reason why we are facing substantial budget deficits today and into the future.

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

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

Mr. DICKS. Mr. Chairman, one of the things about this bill, it generates \$6 billion in revenue. This is a revenue-producing bill, and a large amount of that revenue comes from the Bureau of Land Management. I want to point out to Members, this amendment will cut into the BLM and will hurt our ability to gain this revenue. This comes from oil leasing, cattle leases, mine leases, grazing leases, all of the various ways that we raise money through this bill.

Also, some Member said this is not a big cut. This is a 20 percent reduction in the activities of the Bureau of Land Management. It is \$149 million below the President. It cuts \$6.8 million from wildlife and fisheries. It cuts \$21.4 million from energy development. It cuts \$19 million from transportation on Federal lands. It cuts \$15 million from resource protection, and many other important accounts.

The chairman of the Committee on the Budget said he can support this bill. The President has set up his statement of administration policy. He can support this bill. What we have here is a small group of Members who are intent on making a point. I think they have made it, and I think the House now has to vote down this amendment and show them that they support the work of the Committee on Appropriations, and that we are in a position now to get some action on these 13 bills. We have a responsibility to the country. Let us get moving on these bills.

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

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I think we are getting close to the end of this debate, at least I have consulted with some of the potential speakers, and I think we are near the end.

I have to say I am a little uncomfortable here today because these Members who are proposing this amendment, I find myself more philosophically tuned in to their position than to my friends

who are supporting my position on this amendment. However, I still think these Members are wrong in this case.

I want to correct a couple of things. First of all, the President's budget, when he sent it down here, was \$768 billion for discretionary spending. The budget that we are working under in the House is not the \$768 billion that the President requested, it is \$759 billion. We are under the President's budget request by \$9 billion, but we are working with it.

One of the earlier speakers, the gentleman from Wisconsin, talked about how this is unraveling the appropriations process. He talked about how we are going to spend all the money on the easy bills, and then we are going to rip off the bills at the end. The gentleman specifically mentioned the Labor-HHS bill, the Veterans Affairs-HUD bill, and the Commerce-State-Justice bill.

The Labor-HHS bill under the Committee on Appropriations' 302(b) is exactly at the President's request.

The 302(b) for the Commerce-Justice-State bill is only one percent below the President's request.

The 302(b) for the VA-HUD bill is less than one percent below the President's request. So we are not messing up the appropriations process. It is not unraveling.

As I said, philosophically I tend to be more in tune with these Members, but in this case it is important that we defeat this amendment. The Bureau of Land Management is involved in processes that bring in \$6 billion a year because of leasing arrangements that have been ongoing. We do not want to unravel that process.

I want to close with this comment, and I did not ask all of my colleagues this question because there were too many of them. But what is the difference in a dollar spent by back-door spending in a mandated spending bill, and a dollar spent in a discretionary spending bill? The way I look at it, there is no difference. A dollar spent is a dollar spent. What is magic about mandatory programs versus discretionary programs?

I was happy to remind some of my friendly colleagues who support this amendment that they in fact voted for the farm bill, and I am not saying that it is a good vote or a bad vote, but it spent \$90 billion over the baseline. That is a \$90 billion increase over a period of years. What is the difference in \$90 billion spent there. And now they want to unravel this bill for \$162 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. TOOMEY).

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

## RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 84, noes 332, not voting 18, as follows:

[Roll No. 305]

## AYES—84

Akin	Goodlatte	Platts
Armey	Graham	Portman
Barr	Graves	Rogers (MI)
Bartlett	Green (WI)	Rohrabacher
Barton	Gutknecht	Royce
Bass	Hart	Ryan (WI)
Berry	Hefley	Ryun (KS)
Boehner	Hill	Schaffer
Boozman	Hilleary	Sensenbrenner
Brady (TX)	Hoekstra	Sessions
Burr	Hostettler	Shadegg
Burton	Johnson, Sam	Shimkus
Cantor	Jones (NC)	Shows
Chabot	Keller	Smith (MI)
Coble	Kennedy (MN)	Souder
Collins	Kerns	Stearns
Cox	Kirk	Stenholm
Crane	Lucas (KY)	Sullivan
Culberson	Manzullo	Tancredo
Davis, Jo Ann	Mica	Taylor (MS)
DeLay	Miller, Jeff	Terry
DeMint	Myrick	Thornberry
Doggett	Norwood	Tiberi
Duncan	Nussle	Toomey
Flake	Paul	Turner
Forbes	Pence	Upton
Fossella	Petri	Weldon (FL)
Goode	Pitts	Wilson (SC)

## NOES—332

Abercrombie	Davis (L)	Houghton
Ackerman	Davis, Tom	Hoyer
Aderholt	Deal	Hulshof
Allen	DeFazio	Hunter
Andrews	DeGette	Hyde
Baca	Delahunt	Inslee
Bachus	DeLauro	Isakson
Baird	Deutsch	Israel
Baker	Diaz-Balart	Issa
Baldacci	Dicks	Jackson (IL)
Baldwin	Dingell	Jackson-Lee
Ballenger	Doolittle	(TX)
Barcia	Doyle	Jefferson
Barrett	Dreier	Jenkins
Becerra	Dunn	John
Bentsen	Edwards	Johnson (CT)
Bereuter	Ehlers	Johnson (IL)
Berkley	Emerson	Johnson, E. B.
Berman	Engel	Jones (OH)
Biggert	English	Kanjorski
Bilirakis	Eshoo	Kaptur
Bishop	Etheridge	Kelly
Blumenauer	Evans	Kennedy (RI)
Blunt	Everett	Kildee
Boehlert	Farr	Kilpatrick
Bonilla	Fattah	Kind (WI)
Bono	Ferguson	King (NY)
Borski	Filner	Kingston
Boswell	Fletcher	Klecza
Boucher	Foley	Knollenberg
Boyd	Ford	Kolbe
Brady (PA)	Frank	Kucinich
Brown (FL)	Frelinghuysen	LaFalce
Brown (OH)	Frost	LaHood
Brown (SC)	Gallely	Lampson
Bryant	Ganske	Langevin
Buyer	Gekas	Lantos
Callahan	Gephardt	Larsen (WA)
Calvert	Gibbons	Larson (CT)
Camp	Gilchrest	Latham
Cannon	Gillmor	LaTourette
Capito	Gonzalez	Leach
Capps	Gordon	Lee
Capuano	Goss	Levin
Cardin	Granger	Lewis (CA)
Carson (IN)	Green (TX)	Lewis (GA)
Carson (OK)	Greenwood	Lewis (KY)
Castle	Grucci	Linder
Chambliss	Gutierrez	Lipinski
Clayton	Hall (OH)	LoBiondo
Clement	Hall (TX)	Lofgren
Clyburn	Hansen	Lowey
Combust	Hastings (WA)	Lucas (OK)
Condit	Hayes	Luther
Conyers	Hayworth	Maloney (CT)
Cooksey	Heger	Maloney (NY)
Costello	Hilliard	Markey
Coyne	Hinchey	Matheson
Cramer	Hinojosa	Matsui
Crenshaw	Hobson	McCarthy (MO)
Cubin	Hoeffel	McCarthy (NY)
Crowley	Holden	McCollum
Cummings	Holt	McCrery
Cunningham	Honda	McDermott
Davis (CA)	Hooley	McGovern
Davis (FL)	Horn	McHugh

McInnis	Price (NC)	Stark
McIntyre	Pryce (OH)	Strickland
McKeon	Putnam	Stump
McKinney	Radanovich	Stupak
McNulty	Rahall	Sweeney
Meehan	Ramstad	Tanner
Meek (FL)	Rangel	Tauscher
Meeks (NY)	Regula	Tauzin
Menendez	Rehberg	Taylor (NC)
Millender-	Reyes	Thomas
McDonald	Reynolds	Thompson (CA)
Miller, Dan	Rivers	Thompson (MS)
Miller, Gary	Rodriguez	Thune
Miller, George	Roemer	Thurman
Mink	Rogers (KY)	Tiahrt
Mollohan	Ros-Lehtinen	Tierney
Moore	Ross	Towns
Moran (KS)	Rothman	Udall (CO)
Moran (VA)	Roukema	Udall (NM)
Morella	Rush	Velazquez
Murtha	Sabo	Visclosky
Napolitano	Sanchez	Vitter
Neal	Sanders	Walden
Nethercutt	Sandin	Walsh
Ney	Sawyer	Wamp
Northup	Saxton	Waters
Oberstar	Schakowsky	Watkins (OK)
Obey	Schiff	Watson (CA)
Olver	Schrock	Watt (NC)
Ortiz	Scott	Watts (OK)
Osborne	Serrano	Waxman
Ose	Shaw	Weiner
Otter	Shays	Weldon (PA)
Owens	Sherman	Weller
Oxley	Sherwood	Wexler
Pallone	Shuster	Whitfield
Pascrell	Simmons	Wicker
Pastor	Simpson	Wilson (NM)
Payne	Skeen	Wolf
Pelosi	Skelton	Woolsey
Peterson (MN)	Slaughter	Wu
Peterson (PA)	Smith (NJ)	Wynn
Phelps	Smith (TX)	Young (AK)
Pickering	Snyder	Young (FL)
Pombo	Soilis	
Pomeroy		

## NOT VOTING—18

Blagojevich	Harman	Quinn
Bonior	Hastings (FL)	Riley
Clay	Istook	Smith (WA)
Dooley	Lynch	Spratt
Ehrlich	Mascara	Sununu
Gilman	Nadler	Traficant

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Messrs. COMBEST, OTTER, RANGEL, WYNN and SAXTON changed their vote from "aye" to "no."

Messrs. TERRY, FORBES, LUCAS of Kentucky and FOSSELLA, and Mrs. JO ANN DAVIS of Virginia changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GILMAN. Mr. Speaker, earlier this evening, I attempted to vote on the Toomey Amendment to H.R. 5093 but my vote was not recorded. Accordingly, if I had been able to vote on roll-call No. 305, I would have voted "no."

Mr. ALLEN. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the distinguished chairman of the Subcommittee on Interior Appropriations.

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

Mr. ALLEN. I certainly will yield.

Mr. NETHERCUTT. Mr. Chairman, on behalf of the chairman of the subcommittee, I would be pleased to have a colloquy with the gentleman from Maine.

Mr. ALLEN. Mr. Chairman, I would like to bring to the attention of the chairman of the subcommittee, the gentleman from New Mexico (Mr.

SKEEN), the need for land acquisition funding at the Rachel Carson National Wildlife Refuge at my district in Maine. I appreciate the chairman's past support for the refuge and its land acquisition program, which purchases critical coastal, estuarine and upland properties from willing sellers in order to conserve critical wildlife habitat that is being lost to development up and down the coast of Maine.

While I understand the difficulties the chairman faced in crafting this bill, I also must point out that in fiscal year 2003, there was a continuing need for funding to acquire a number of properties within the Rachel Carson refuge boundary.

The refuge, working in partnership with other organizations, has agreements with willing landowners to purchase several properties. If funds are not available this year, these critical natural resource lands could be lost forever to development.

As the chairman is aware, the Senate Interior appropriations includes \$3 million for Rachel Carson National Wildlife Refuge. I respectfully urge the chairman to consider including this amount in the final conference report.

Mr. NETHERCUTT. Mr. Chairman, if the gentleman will yield, I thank the gentleman for his comments; and we appreciate the gentleman's arguments on behalf of the Rachel Carson refuge. On behalf of the chairman of the subcommittee, we can assure the gentleman that we will consider his request as we work towards completion of this bill.

Mr. DAN MILLER of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to ask to have a colloquy with the chairman of the subcommittee, or if the gentleman from Washington (Mr. NETHERCUTT) would engage in a colloquy with me.

Mr. Chairman, I would like to add my compliments to the great job that the gentleman from New Mexico (Mr. SKEEN) has done over the past years. I have had the pleasure of serving for the past 8 years on the Committee on Appropriations with him. It has always been a pleasure and he has been a real leader. I will be retiring with the gentleman, and we can look forward to the next years.

I would like to talk about Egmont Key. As the chairman may know, I will be authorizing legislation, bipartisan legislation very soon to convey a small island in my district named Egmont Key in the mouth of Tampa Bay to the Florida State Park Service. This island in Tampa Bay is currently under the jurisdiction of the U.S. Fish and Wildlife Service, but it is operated by the Florida State Park Service, and it has three full-time State park rangers already stationed on the island.

Egmont Key is unique and is natural in its cultural history, and that has made that island a very valuable resource to our area. Area residents, including my family and I, have enjoyed

Egmont Key's cultural and recreational benefits for years, and the local support for conveying the ownership of this island to the Florida State Park Service is strong, and I do have bipartisan support. I anticipate the legislation will be enacted before the commencement of the conference committee on interior appropriations for the fiscal year 2003, and upon enactment of authorization legislation, I will be requesting appropriations from the distinguished gentleman's subcommittee.

This island in the middle of Tampa Bay is really kind of in three Members' districts, including the gentleman from Florida (Mr. YOUNG), the chairman of the full Committee on Appropriations, and the gentleman from Florida (Mr. DAVIS) of the Tampa area, and he will be working with me on this issue.

Let me make one other comment. Upon conveyance of land by the Federal Government, the Federal Government will actually save money in the long term, and I want to make sure my colleagues are aware that there will be a savings in the long term.

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

Mr. DAN MILLER of Florida. I yield to the gentleman from Washington.

Mr. NETHERCUTT. Mr. Chairman, the subcommittee is aware of the gentleman's good work and also has the same understanding as the gentleman that there will be a savings of money.

Mr. DAN MILLER of Florida. Mr. Chairman, I yield to my colleague from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I would just like to join in the gentleman's comments and to thank the chairman for his recognition of this very important issue. This is one of the most historic parts of the Tampa Bay area. It is a convergence of the gentleman of Florida's (Mr. DAN MILLER), the gentleman of Florida's (Chairman Young), and the district I represent; and we will be introducing legislation shortly to transfer title, and there certainly will be appropriation issues accompanying that. This is also a piece of land that the gentleman from Washington (Mr. DICKS), the ranking member of the subcommittee, is very familiar with as well.

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

Mr. DAN MILLER of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, we certainly will help and cooperate and do everything we can to be supportive.

Mr. DAN MILLER of Florida. Mr. Chairman, I might add in concluding that the Florida State Park Service, under the authorizing legislation, will have to continue to preserve the wildlife, habitat, and the environment that exists on the island. I look forward to working with the Committee on Appropriations once we get the authorization legislation moving forward. I thank the chairman for hopefully working with us on this.

Mr. NETHERCUTT. Mr. Chairman, if the gentleman will yield further, the committee will look forward to working with the gentleman after the Egmont Key transformation legislation has been enacted.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the last word to engage in a colloquy with the distinguished gentleman from New Mexico (Mr. SKEEN) or his representative.

Mr. Chairman, I very much appreciate the gentleman from New Mexico. He is truly a man of the West. He has distinguished himself as such, and I just wish to offer my congratulations to him on his service here and well wishes for the future after his service is concluded.

Mr. Chairman, I thank the gentleman for agreeing to engage in this colloquy. As the chairman is aware, my colleague, the gentleman from California (Mr. RADANOVICH), and I both sent letters expressing our support for funding in the amount of \$2,943,150 from the fiscal year 2003 interior appropriations measure to compensate the High Sierra Packers Associations for losses incurred as a result of a recent injunction issued against the United States Forest Service.

The injunction resulted in tremendous decreases in pack use within the Ansel Adams and John Muir Wilderness Areas located in both the Inyo and Sierra National Forests within California. Losses accumulated from this court mandate were based on the forest service's own violation of the law. This is simply unacceptable. Therefore, my colleague and I respectfully requested that the Federal Government reimburse the High Sierra Packers Associations in the sum of \$2,943,150 for the unjust decision dealt to them.

We look forward to working with the distinguished gentleman from New Mexico to see what avenues may be available to help the packers who, through no fault of their own, have been injured.

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

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

Mr. NETHERCUTT. Mr. Chairman, on behalf of the subcommittee and the chairman of the subcommittee, we thank the gentleman from California for bringing this important issue to our attention. The staff and the chairman are prepared to assist the gentleman and the gentleman from California (Mr. RADANOVICH) in finding alternative means to rectify the situation.

Mr. DEAL of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to also engage in a colloquy with the subcommittee chairman or his representative.

First of all, I would like to extend my congratulations too for the hard work that the gentleman from New Mexico (Mr. SKEEN), the chairman of the subcommittee, has given to us, not only this year, but in many past years.

We are going to miss him in the next Congress.

Mr. Chairman, I would like to call to the attention of the Congress and this subcommittee an issue that is of serious concern to my constituents in the Chattahoochee-Oconee National Forests area in the State of Georgia.

Additional funding is needed to correct a shortfall in law enforcement funding for these forests that are at the doorstep of the metropolitan area in Atlanta, Georgia. Additional law enforcement personnel are needed to provide adequate protection for visitors, adequate protection of the forests' natural resources, and to increase efforts to combat illegal drug production and trafficking. Viable options include hiring additional personnel or increasing cooperative law enforcement agreements with State and county law enforcement agencies.

I realize that tough decisions will be made in this year's budget, but I believe that safety of the users of public lands rises to a high priority level. I am encouraged by the chairman's efforts to work with me, and I expect that he will be able to address this request as he moves this bill through conference.

Mr. Chairman, I yield to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Chairman, I wanted to take a minute to thank the gentleman from New Mexico (Mr. SKEN) too and thank the gentleman from Georgia (Mr. DEAL) for their hard work on this issue. Since I hope I will be representing many of the forests in question that we are discussing here in the 108th Congress, this issue will continue to be very important to me.

Securing sufficient dollars for law enforcement to ensure the safety, environmental quality, and the security of the Chattahoochee-Oconee National Forests is critically important, as future generations deserve to enjoy this treasure as those have in the past. I look forward to working with both gentlemen in the coming weeks to preserve this objective within our Georgia forests.

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

Mr. DEAL of Georgia. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding, and I want to say that I support the efforts of my colleagues from Georgia and know of their efforts to try to get this corrected.

I have been disappointed that we as a committee have not been able to come up with a satisfactory solution, but I know the gentlemen from Georgia (Mr. DEAL) and (Mr. NORWOOD) have a serious local problem here that we have got to address on a national basis, because I think there are some issues that have been inherited from past administrations that we are now suffering from.

So I wanted to say to my colleagues from Georgia that I stand in support of

what they are trying to do; and I want to say in terms of the conference, I want to do everything I can, Mr. Chairman, to try to get this thing corrected.

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

Mr. DEAL of Georgia. I yield to the gentleman from Washington.

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Mr. NETHERCUTT. Mr. Chairman, on behalf of the chairman of the subcommittee, I thank all three gentlemen from Georgia for their kind words about the chairman on this issue, and I can assure the gentlemen that the chairman and the committee will work in conference to address their concerns regarding adequate protection of visitors and resources in Georgia's national forests.

Mr. DEAL of Georgia. I thank both gentlemen for their cooperation. I do look forward to working with them in conference.

Mr. GREEN of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to make a statement, and then to engage in a colloquy with the chairman or his representative.

Mr. Chairman, I rise today to talk about a crisis in my home State of Wisconsin, something that folks around here may not have heard much about, but I fear that they will. The subject is chronic wasting disease, which is a disease that afflicts elk and deer. There is no cure. There is no treatment. In fact, we are not even sure, quite frankly, how it is spread.

It was first recognized in the State of Colorado back in 1967. Now, sadly, some nine States, including my home State of Wisconsin, have been afflicted by it. It is a health challenge because we do not understand how this disease is spread, and we want to make certain that it cannot spread into other species.

It is obviously an environmental challenge, and it is also a cultural challenge, because deer hunting and wildlife management is a critical part of the culture in my home State and some other States. It is certainly an economic challenge, because there are 1.6 million deer in Wisconsin, 600,000 hunters, and the deer harvest each year is approximately 300,000 animals.

The sad news, Mr. Chairman, is that we are short on research, and we are just as short on testing capacity. I came here today with an amendment which would have provided money to relevant agencies to try to implement part of a comprehensive plan, but in discussing this matter with the chairman in his office, I am confident that we can reach that goal without an amendment.

Mr. Chairman, I would like to engage in a colloquy with the distinguished chairman of the subcommittee, the gentleman from New Mexico (Mr. SKEN), or his representative.

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

Mr. GREEN of Wisconsin. I yield to the gentleman from Washington.

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

Mr. Chairman, I would say to the gentleman, I know that we have agreed we need to take quick action to deal with this chronic wasting disease. From the information the gentleman has shared with us, it appears that more funding is needed in order to address this problem.

Mr. GREEN of Wisconsin. That is correct, Mr. Chairman. As part of the new Federal task force on chronic wasting disease, the U.S. Geologic Survey needs additional funding. The current estimated total dollar funding need for the USGS for chronic wasting disease activity is about \$6.6 million for fiscal year 2003 alone.

Keeping in mind that my colleague, the gentleman from Wisconsin (Mr. OBEY), has already secured \$2.7 million for the needs in the bill before us today, we are left with a need of an additional \$3.9 million which is required to meet the funding goal. That is why I was going to offer this amendment.

Mr. NETHERCUTT. If the gentleman will continue to yield, Mr. Chairman, the gentleman and other Members of the Wisconsin delegation are to be congratulated for their hard work on this matter.

The chairman believes we can meet that goal as the appropriations process goes forward. We have his pledge to the gentlemen from Wisconsin, Mr. GREEN and Mr. RYAN, and to the other Members that the chairman will use his position in the conference committee on this bill with the Senate to do everything that we can to see that the needed funding is provided.

Mr. GREEN of Wisconsin. I thank the chairman very much, and my colleagues from Wisconsin, for their cooperation and hard work, and I look forward to working together with them and with the chairman in the future on this issue that affects our home State.

I will not offer my amendment, but I thank the gentleman for engaging me in a colloquy.

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

Mr. Chairman, I simply want to, in a continuing comment on the previous subject, note that this committee has been quite generous, I think, in helping us to meet our responsibilities in dealing with this problem, chronic wasting disease.

Last year, the committee provided \$2.25 million for the Department of Agriculture and the Centers for Disease Control. In the supplemental appropriation bill, which passed the House and the Senate, the committee provided \$12 million in the House version, and thanks to the efforts of the other body, Senators KOHL and FEINGOLD, they have provided \$21 million in the Senate bill.

In the Interior bill so far we have \$2.7 million, and in the Agriculture bill, which will follow on, we have \$16.4 million. So I think we have received fine

cooperation on the legislative end from the committee, and I appreciate it.

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

Mr. OBEY. I yield to the gentleman from Wisconsin.

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding to me. I just want to commend the ranking member on the Committee on Appropriations for his attention to this very serious issue that has afflicted the State of Wisconsin, chronic wasting disease.

Mr. Chairman, I am an avid hunter myself, with two little boys, and this has sent shock waves across the entire State of Wisconsin. This is the first time the disease has been detected east of the Mississippi. It has now been detected west of the Continental Divide. It has also been detected down in New Mexico.

This is a disease that is spreading across the continent, and the paucity of scientific research has led to a lot of bad options on how to contain it. That is why earlier this year I introduced legislation to establish a comprehensive scientific research program so we can start getting some answers in regard to CWD, and what we can best do to contain it and hopefully eradicate it, so future generations may enjoy the sport of hunting whitetail in the State of Wisconsin.

But this has received a lot of attention. We have been working in a bipartisan fashion within the Wisconsin delegation. Our leader here, the gentleman from Wisconsin (Mr. OBEY), on the Committee on Appropriations has been very attentive to these issues, and the mounting expenses and the great concern we have in Wisconsin over the impact of this disease.

I am heartened to hear the assurance from the other Members of the committee, the ranking member and the chairman himself, whom we have been in touch with, in regard to their attention to this issue. I am confident that if we can continue proceeding in a bipartisan fashion, hopefully we will be able to get things in place in order to prevent the further spread of this disease, and hopefully, eventually the eradication of it.

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

Mr. OBEY. I yield to the gentleman from Wisconsin.

Ms. BALDWIN. Mr. Chairman, I thank the gentleman for yielding to me.

Last February, when the first case of chronic wasting disease was documented in my district, a quiet panic began to race against south central Wisconsin. People wondered how seriously this disease would affect the health of the deer population, as well as the health of their own families.

On behalf of my constituents, I would like to thank the chairman, the gentleman from New Mexico (Mr. SKEEN), the ranking member, the gentleman from Washington (Mr. DICKS), and the dean of our delegation, the gentleman

from Wisconsin (Mr. OBEY), for understanding the importance of this needed funding. This funding will be vital in slowing the spread of the disease, as well as learning a lot more about it.

Mr. OBEY. Mr. Chairman, I thank the gentlewoman. I simply want to say, a lot more money will be required in the future, not just in Wisconsin but in a number of States around the country. We will have to deal with this as a national problem, because it is a national problem.

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Washington (Mr. NETHERCUTT).

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

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

Mr. NETHERCUTT. Mr. Chairman, I would be happy to have a colloquy with the gentleman from North Carolina.

Mr. HAYES. Mr. Chairman, I would like to share with my colleagues an issue of importance regarding the Energy Star program.

Over the last 18 months, the Department of Energy has solicited public comment for proposals to change the criteria applicable to its Energy Star windows, doors, and skylights program. A recent decision by the Department of Energy confirms that no new criteria will be implemented, and the current Energy Star criteria for windows, doors, and skylights will remain in effect.

I would like to take this opportunity to commend the DOE for removing from consideration the proposal to change the criteria so that the Department of Energy may more carefully analyze the significance of solar heat again in certain regions of the country. By withdrawing this proposal from consideration, DOE has averted the creation of a government-sanctioned monopoly, and determined that competition is preferred and marketplace forces should prevail.

I would also like to commend DOE on their intention to complete additional research concerning technical issues before proposing any future change to the current criteria.

Is it my colleague's position that any proposed changes to the criteria for this program by DOE should be based on sound science, should rely on the collective input of stakeholders in the program and, above all, should continue to rely on the marketplace to determine the structure of the industries affected by this program?

Mr. NETHERCUTT. If the gentleman will continue to yield, the gentleman from North Carolina makes a very good point. We commend him for his excellent work in this area. I note on behalf of the chairman of the subcommittee that we look forward to working with the gentleman from North Carolina to ensure the continued integrity of the Energy Star program. We thank the gentleman very much for bringing this to the committee's attention.

Mr. HAYES. Mr. Chairman, I thank the chairman of the committee, the gentleman from New Mexico (Mr. SKEEN), for all his wonderful work.

Mr. FORBES. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with the chairman or his designee.

Mr. Chairman, I would first like to thank my colleague, the gentleman from New Mexico (Mr. SKEEN), for his hard work on this bill before us today. I recognize the difficult choices that must be made, and appreciate the fair and balanced bill he has developed.

The Fourth District in Virginia is home to a large part of the Great Dismal Swamp National Wildlife Refuge. The remaining portion is in North Carolina. This refuge was established nearly 30 years ago with the express purpose of protecting a unique ecosystem. Its 109,000 acres are home to a large diversity of fish, bird, animal, and plant species.

As of late, it has become an increasingly popular attraction for ecotourists from across the region, the State, and the Nation.

The U.S. Fish and Wildlife Service is currently in the process of developing its comprehensive conservation plan for the Great Dismal Swamp. As part of this process, the service is planning the construction of a visitors center. It is my hope that ultimately the service will determine that the most appropriate location for the visitors center is on the Virginia side of the refuge.

In fact, according to a letter my office received from Lloyd Culp, the refuge manager, on January 18, this outcome is the most logical and efficient conclusion. As Mr. Culp indicated, "One cannot plan for visitor access to the Great Dismal Swamp National Wildlife Refuge without working on improved access to Lake Drummond, which is undoubtedly the most popular attraction for the refuge. All current land access to Lake Drummond is within the city of Suffolk, Virginia, and I don't see that changing."

I would appreciate the opportunity to continue working with my colleague, the gentleman from New Mexico, towards ensuring that the conference report on this bill and future appropriation bills leads to the establishment of a topnotch visitors center for the Great Dismal Swamp refuge, which makes the most of the natural advantages of spots like Lake Drummond to ensure its success.

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

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

Mr. NETHERCUTT. Mr. Chairman, we appreciate my colleague's interest in this matter, and certainly offer to work with him toward that end. I speak on behalf of the chairman and the entire subcommittee.

Mr. FORBES. Mr. Chairman, I thank the chairman.

AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk read as follows:

Amendment offered by Mr. FLAKE:  
On page 2, line 13, insert after the dollar amount "(reduced by \$51,300,000)."

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 10 minutes.

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

Mr. TOOMEY. I object, Mr. Chairman.

The CHAIRMAN. The Chair hears an objection.

MOTION TO LIMIT DEBATE OFFERED BY MR. NETHERCUTT

Mr. NETHERCUTT. Mr. Chairman, I move that all debate on the amendment and all amendments thereto be limited to 10 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Washington.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 324, noes 79, not voting 31, as follows:

[Roll No. 306]

AYES—324

Abercrombie	Combest	Gonzalez
Ackerman	Conyers	Gooch
Aderholt	Costello	Goodlatte
Allen	Cramer	Goss
Andrews	Crenshaw	Granger
Army	Crowley	Green (TX)
Baca	Culberson	Green (WI)
Bachus	Cummings	Greenwood
Baker	Cunningham	Grucci
Baldacci	Davis (CA)	Gutierrez
Baldwin	Davis (FL)	Hall (TX)
Ballenger	Davis (IL)	Hansen
Barcia	Davis, Jo Ann	Harman
Barr	Davis, Tom	Hastings (WA)
Barrett	Deal	Hayes
Bass	DeFazio	Hefley
Becerra	DeGette	Heger
Bentsen	DeLauro	Hill
Bereuter	Deutsch	Hilliard
Berkley	Diaz-Balart	Hobson
Berman	Dicks	Hoeffel
Berry	Dingell	Holden
Biggert	Doyle	Holt
Billirakis	Dreier	Honda
Bishop	Duncan	Hooley
Blumenauer	Dunn	Horn
Boehlert	Edwards	Houghton
Bonilla	Ehlers	Hoyer
Bono	Ehrlich	Hulshof
Boozman	Emerson	Hunter
Borski	Engel	Hyde
Boswell	English	Inslee
Boucher	Eshoo	Issa
Boyd	Etheridge	Issa
Brady (PA)	Evans	Istook
Brown (FL)	Everett	Jackson (IL)
Brown (OH)	Farr	Jefferson
Brown (SC)	Fattah	John
Bryant	Ferguson	Johnson (CT)
Callahan	Fletcher	Johnson (IL)
Calvert	Foley	Johnson, E. B.
Camp	Forbes	Jones (OH)
Capito	Ford	Kanjorski
Capps	Frelinghuysen	Kaptur
Cardin	Frost	Keller
Carson (OK)	Galleghy	Kelly
Castle	Ganske	Kennedy (MN)
Chambliss	Gekas	Kennedy (RI)
Clement	Gephardt	Kerns
Clyburn	Gibbons	Kildee
Coble	Gillmor	Kilpatrick
Collins	Gilman	Kind (WI)

King (NY)	Ney	Shows
Kingston	Northup	Shuster
Kleczka	Norwood	Simmons
Knollenberg	Oberstar	Simpson
Kolbe	Obey	Skeen
Kucinich	Olver	Skelton
LaFalce	Ortiz	Slaughter
LaHood	Osborne	Smith (NJ)
Lampson	Ose	Smith (TX)
Langevin	Owens	Snyder
Lantos	Oxley	Solis
Larsen (WA)	Pallone	Stearns
Larson (CT)	Pascarell	Strickland
Latham	Payne	Stupak
Leach	Pelosi	Sweeney
Levin	Peterson (MN)	Tanner
Lewis (CA)	Peterson (PA)	Tauscher
Lewis (KY)	Petri	Taylor (MS)
Linder	Phelps	Taylor (NC)
Lipinski	Pickering	Thomas
LoBiondo	Pomeroy	Thompson (CA)
Lofgren	Portman	Thompson (MS)
Lowe	Price (NC)	Thornberry
Lucas (KY)	Pryce (OH)	Thune
Lucas (OK)	Putnam	Thurman
Maloney (CT)	Radanovich	Tiahrt
Maloney (NY)	Rahall	Tiberi
Manzullo	Ramstad	Tierney
Markey	Rangel	Towns
Matsui	Regula	Turner
McCarthy (MO)	Rehberg	Udall (CO)
McCarthy (NY)	Reyes	Udall (NM)
McCrery	Reynolds	Upton
McHugh	Rivers	Velazquez
McInnis	Rodriguez	Visclosky
McIntyre	Roemer	Vitter
McKeon	Rogers (KY)	Walden
McNulty	Ros-Lehtinen	Walsh
Meehan	Ross	Wamp
Meek (FL)	Rothman	Watkins (OK)
Meeks (NY)	Roybal-Allard	Watson (CA)
Menendez	Rush	Watt (NC)
Mica	Sabo	Waxman
Millender-McDonald	Sanchez	Weiner
Miller, Dan	Sanders	Weldon (FL)
Miller, Gary	Sandlin	Weldon (PA)
Miller, Jeff	Sawyer	Weller
Mink	Saxton	Wexler
Mollohan	Schakowsky	Whitfield
Moore	Schiff	Wilson (NM)
Moran (VA)	Schrock	Wolf
Morella	Scott	Woolsey
Murtha	Sensenbrenner	Wynn
Napolitano	Shaw	Young (AK)
Neal	Shays	Young (FL)
Nethercutt	Sherman	
	Sherwood	

NOES—79

Akin	Graves	Pitts
Baird	Gutknecht	Platts
Bartlett	Hart	Pombo
Barton	Hayworth	Rogers (MI)
Blunt	Hillery	Rohrabacher
Brady (TX)	Hinchey	Royce
Burton	Hoekstra	Ryan (WI)
Cantor	Hostettler	Ryun (KS)
Capuano	Jackson-Lee	Schaffer
Carson (IN)	(TX)	Serrano
Chabot	Jenkins	Sessions
Clay	Johnson, Sam	Shadegg
Condit	Jones (NC)	Shimkus
Cox	Lee	Smith (MI)
Crane	Lewis (GA)	Souder
Cubin	Luther	Stark
DeLahunt	Matheson	Stenholm
DeLay	McCollum	Stump
DeMint	McDermott	Sullivan
Doggett	McGovern	Sununu
Doolittle	McKinney	Tancredo
Filner	Miller, George	Terry
Flake	Moran (KS)	Toomey
Fossella	Myrick	Waters
Frank	Otter	Wilson (SC)
Gilchrest	Pastor	Wu
Graham	Pence	

NOT VOTING—31

Blagojevich	Hall (OH)	Quinn
Boehner	Hastings (FL)	Riley
Bonior	Hinojosa	Roukema
Burr	Isakson	Smith (WA)
Buyer	Kirk	Spratt
Cannon	LaTourette	Tauzin
Clayton	Lynch	Trafficant
Cooksey	Mascara	Watts (OK)
Coyne	Nadler	Wicker
Dooley	Nussle	
Gordon	Paul	

□ 2105

Messrs. TERRY, ROHRBACHER, BURTON of Indiana, MCGOVERN, Ms. JACKSON-LEE of Texas and Mr. FOSSELLA changed their vote from "aye" to "no."

Ms. DEGETTE and Ms. WOOLSEY changed their vote from "no" to "aye." So the motion was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The gentleman from Arizona (Mr. FLAKE) will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

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

Let me just say I feel particularly honored that they have chosen to limit the debate on my amendment. I am not sure what the opposition is afraid of, but in any event, we will move ahead.

The last amendment that we voted on, it was said by the Democratic opposition that that was a meat ax approach to this bill. I am pleased to say that this is more of a machete kind of approach. The last one cut about \$162 million from the Interior bill. This will cut about \$51 million. It is about a third of the original amendment. If they do not like that, then we will take, I guess, the scalpel approach. The next amendment offered by the gentleman from Indiana (Mr. PENCE) will cut, I believe, \$13 million from the bill. So we are here to please and to offer a variety of amendments.

A lot has been said about the farm bill. In fact, many Members were asked if they had voted for the farm bill, yet were supporting the amendments that were offered here.

I would gladly yield to the gentleman from Florida if he wants to ask if I voted for the farm bill. I did not. I will be glad to yield if anybody asked if I voted for the airline bailout. I did not. I will be glad to yield if anybody asked if I voted for the President's education bill. I did not.

I have not voted for any of the big spending bills. I think they are spending far too much. The average American has to work 181 days of the year simply to pay the cost of government. That is, I believe, six days longer than we had to work last year. We are spending simply too much.

Early this year Citizens Against Government Waste identified \$20.1 billion in Federal pork projects. This is an increase of 9 percent over last year's total. The money was spread out over 8,341 projects injected into the appropriations bills in fiscal year 2002. This is an increase of 32 percent.

The report also identified \$1.2 trillion in savings over 5 years in its prime cuts report. For those who say that we simply cannot cut anymore, that is wrong. We can cut. We are simply spending too much. The problem is not tax cuts. The problem is spending. We are spending far more this year than we spent the year before. We spent far

more last year than we did the year before that. We have got a long way to go before we reach fiscal discipline.

In fact, we have heard a lot over the last couple of weeks about corporate crooks. Let me tell my colleagues, over the past 5 years, lawmakers have spent a total of \$142 billion above the levels in corresponding budgets. These are our own budgets that we passed, and yet we go above, \$142 billion over 5 years. That is more than 12 times the misstated earnings from Enron, Xerox and WorldCom combined. For us to lecture the private sector on what they have to do to have transparency and to get their books in order when we are ourselves \$142 billion over 5 years in excess of our own corresponding budgets.

It has been said that the farm bill, \$9 billion, and we are talking here just a couple of hundred million dollars. I am not here to defend the farm bill, believe me. I think that was the worst piece of legislation passed in a long time here, but we are talking here, if we go ahead with the appropriations request, \$9 billion this year above the President's request. We have to remember that the President's request was modified to match the House budget. So we are \$9 billion above this year's request. That, over 10 years, is more than the farm bill.

As I said, I am not here to defend the farm bill, but there are some who point out the farm bill, \$9 billion over 10 years, that is a lot of money. I am not here to defend the farm bill at all, but we need to put it in perspective. We are over the President's request.

Mr. Chairman, on January 30, 2002, President George W. Bush said, To achieve these great national objectives, to win the war, protect the homeland, to revitalize our economy, our budget will run a deficit that will be small and short term so long as Congress restrains spending and acts in a fiscally responsible manner. That is the case. The problem is spending. We simply need to get it under control.

That is why we are offering amendments. That is why we are stepping in tonight and making sure that we restore a bit of fiscal discipline. That is all we are trying to do here, and when I took to the floor last week, we were being lectured on lifting the debt ceiling. We were told that we were acting irresponsibly because we wanted to lift the debt ceiling because we had to lift the debt ceiling. We were being lectured over here by those who had approved and had voted for big spending projects that we had never approved and we had never voted for. Yet we were being lectured on that.

My time is ending, but I just want to say that I urge everyone to vote for this amendment.

Mr. SKEEN. Mr. Chairman, I rise in opposition, and I yield 2½ 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, the Bureau of Land Management, just in case some people would like to know, for the multiple use management protection and development of a full range of natural resources, including minerals, timber, rangeland, fish, wildlife habitat and wilderness of about 262 million acres of the Nation's public lands, and for management of 700 million additional acres of federally owned subsurface mineral rights, the bureau is the second largest supplier of public outdoor recreation in the Western United States.

Under the multiple use and ecosystem management concept, the bureau administers the grazing of approximately 4.3 million head of livestock on some 161 million acres of public land ranges and manages over 48,000 wild horses and burros, some 262 million acres of wildlife habitat, and over 117,000 miles of fisheries habitat. Grazing receipts are significant as are other receipts.

I would just like to ask the gentleman who sponsored the amendment, tell me one account in this bill that he would like to cut. Can the gentleman tell me one specific line item that he would cut with his meat cleaver instead of his meat ax? Can the gentleman tell me one line item in this bill that he would like to cut, and name it specifically?

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

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

Mr. FLAKE. Mr. Chairman, the one I just proposed. I just proposed going back to the fiscal 2002 levels.

Mr. DICKS. What is it the gentleman wants to cut?

Mr. FLAKE. Mr. Chairman, we are in a situation now, since the gentleman yielded, where American families all over the country are having to cut their own budget.

Mr. DICKS. I take it the gentleman is not going to answer the question. Let me give my colleagues a few choices.

□ 2115

Range management, wild horses and burrow management, oil and gas, coal management, mineral management, Alaskan minerals for the gentleman from Alaska (Mr. YOUNG), hazardous materials management. I mean, I think if the gentleman is going to cut something, he ought to be able to at least identify an account or two and how he would like to cut it.

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

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

Mr. Chairman, I object to the amendment. Like the previous amendment, it cuts entirely the good programs under the guise of fiscal responsibility. This is not a responsible approach. We have before us a good balanced bill, and I urge my colleagues to vote "no".

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 85, noes 337, not voting 12, as follows:

[Roll No. 307]

AYES—85

Akin	Goodlatte	Platts
Armey	Graham	Portman
Barr	Graves	Rogers (MI)
Barrett	Green (WI)	Rohrabacher
Bartlett	Gutknecht	Royce
Barton	Hart	Ryan (WI)
Berry	Hefley	Ryun (KS)
Boehner	Hill	Schaffer
Boswell	Hilleary	Sensenbrenner
Brady (TX)	Hoekstra	Sessions
Burr	Hostettler	Shadegg
Burton	Johnson, Sam	Shimkus
Chabot	Jones (NC)	Shuster
Chambliss	Keller	Smith (MI)
Clay	Kennedy (MN)	Souder
Coble	Kerns	Stearns
Collins	Kirk	Stenholm
Cox	Luther	Sullivan
Crane	Manzullo	Sununu
Culberson	Miller, Gary	Tancredo
Davis, Jo Ann	Miller, Jeff	Taylor (MS)
Deal	Myrick	Terry
DeLay	Norwood	Tiberi
DeMint	Nussle	Toomey
Doggett	Otter	Turner
Duncan	Paul	Upton
Flake	Pence	Petri
Fossella	Petri	Wilson (SC)
Gilchrest	Pitts	

NOES—337

Abercrombie	Clayton	Frank
Ackerman	Clement	Frelinghuysen
Aderholt	Clyburn	Frost
Allen	Combest	Gallegly
Andrews	Condit	Ganske
Baca	Conyers	Gekas
Bachus	Costello	Gephardt
Baird	Coyne	Gibbons
Baker	Cramer	Gillmor
Baldacci	Crenshaw	Gilman
Baldwin	Crowley	Gonzalez
Ballenger	Cubin	Goode
Barcia	Cummings	Gordon
Bass	Cunningham	Goss
Becerra	Davis (CA)	Granger
Bentsen	Davis (FL)	Green (TX)
Bereuter	Davis (IL)	Greenwood
Berkley	Davis, Tom	Grucci
Berman	DeFazio	Gutierrez
Biggart	DeGette	Hall (OH)
Bilirakis	Delahunt	Hall (TX)
Bishop	DeLauro	Hansen
Blumenauer	Deutsch	Harman
Blunt	Diaz-Balart	Hastings (WA)
Boehlert	Dicks	Hayes
Bonilla	Dingell	Hayworth
Bono	Doolittle	Herger
Boozman	Doyle	Hilliard
Borski	Dreier	Hinchee
Boucher	Dunn	Hobson
Boyd	Edwards	Hoefel
Brady (PA)	Ehlers	Holden
Brown (FL)	Ehrlich	Holt
Brown (OH)	Emerson	Honda
Brown (SC)	Engel	Hooley
Bryant	English	Horn
Callahan	Eshoo	Houghton
Calvert	Etheridge	Hoyer
Camp	Evans	Hulshof
Cannon	Everett	Hunter
Cantor	Farr	Hyde
Capito	Fattah	Insee
Capps	Ferguson	Isakson
Capuano	Filner	Israel
Cardin	Fletcher	Issa
Carson (IN)	Foley	Istook
Carson (OK)	Forbes	Jackson (IL)
Castle	Ford	



Jackson-Lee (TX)	Mica	Scott
Jefferson	Millender-McDonald	Serrano
Jenkins	Miller, Dan	Shaw
John	Miller, George	Shays
Johnson (CT)	Mink	Sherman
Johnson (IL)	Mollohan	Sherwood
Johnson, E. B.	Moore	Shows
Jones (OH)	Moran (KS)	Simmons
Kanjorski	Moran (VA)	Simpson
Kaptur	Morella	Skeen
Kelly	Murtha	Skelton
Kennedy (RI)	Napolitano	Slaughter
Kildee	Neal	Smith (NJ)
Kilpatrick	Nethercutt	Smith (TX)
Kind (WI)	Ney	Smith (WA)
King (NY)	Northup	Snyder
Kingston	Oberstar	Solis
Kleczka	Obey	Spratt
Knollenberg	Oliver	Stark
Kolbe	Ortiz	Strickland
Kucinich	Osborne	Stump
LaFalce	Ose	Stupak
LaHood	Owens	Sweeney
Lampson	Oxley	Tanner
Langevin	Pallone	Tauscher
Lantos	Pascarell	Tauzin
Larsen (WA)	Pastor	Taylor (NC)
Larson (CT)	Payne	Thomas
Latham	Pelosi	Thompson (CA)
LaTourette	Peterson (MN)	Thompson (MS)
Leach	Peterson (PA)	Thornberry
Lee	Phelps	Thune
Levin	Pickering	Thurman
Lewis (CA)	Pombo	Tiahrt
Lewis (GA)	Pomeroy	Tierney
Lewis (KY)	Price (NC)	Towns
Linder	Pryce (OH)	Udall (CO)
Lipinski	Putnam	Udall (NM)
LoBiondo	Quinn	Velazquez
Lofgren	Radanovich	Vislosky
Lowe	Rahall	Vitter
Lucas (KY)	Ramstad	Walden
Lucas (OK)	Rangel	Walsh
Lynch	Regula	Wamp
Maloney (CT)	Rehberg	Waters
Maloney (NY)	Reyes	Watkins (OK)
Markey	Reynolds	Watson (CA)
Matheson	Rivers	Watt (NC)
Matsui	Rodriguez	Watts (OK)
McCarthy (MO)	Roemer	Waxman
McCarthy (NY)	Rogers (KY)	Weiner
McCollum	Ros-Lehtinen	Weldon (FL)
McCrery	Ross	Weldon (PA)
McDermott	Rothman	Weller
McGovern	Roybal-Allard	Wexler
McHugh	Rush	Whitfield
McInnis	Sabo	Wicker
McIntyre	Sanchez	Wilson (NM)
McKeon	Sanders	Wolf
McKinney	Sandlin	Woolsey
McNulty	Sawyer	Wu
Meehan	Saxton	Wynn
Meek (FL)	Schakowsky	Young (AK)
Meeks (NY)	Schiff	Young (FL)
Menendez	Schrock	

## NOT VOTING—12

Blagojevich	Dooley	Nadler
Bonior	Hastings (FL)	Riley
Buyer	Hinojosa	Roukema
Cooksey	Mascara	Traficant

□ 2135

Ms. PELOSI changed her vote from "aye" to "no."

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I would like to discuss briefly a little bit about what we are trying to do here procedurally. This is not a happy occasion for anyone. This is not something that we enjoy doing. In fact, this is a painful process. We have no interest in making this any more of a painful process than it needs to be, but we think that there is an important issue that we need to discuss.

The issue is very simply some of us think that our budget process has gone awry, and if we continue down this road, we will not adhere to the budget resolution that we have passed. Some of us do not want to adhere to that budget, and I understand that. Some of us think in light of the economic downturn and other things that have happened since budget resolution, we should be spending less than that budget resolution.

But we want to have an opportunity for all Members to have this discussion, have this debate, have a chance to air their amendments. We have 75-odd Republicans and 8 or 10 Democrats vote in favor of some dramatic cuts right out of the block on the first line of this bill.

As we move through the process, I strongly suspect there will be more interest in some of these cuts because I believe there is a recognition that there is a problem here. As we work to try to reach a consensus, and we would like to, we are open to rolling votes and finding whatever way can cause the minimum inconvenience for our Members. We are open to reaching a unanimous consent agreement, and we are prepared to speak with Members about that. But it is very important that we have this discussion. We think that it is vitally important that we have this debate and give every Member to have their day and represent their constituents on each and every amendment that we offer.

I do not think that it was appropriate to limit the discussion on the amendment of the gentleman from Arizona (Mr. FLAKE) to 10 minutes, but let me assure Members we are trying to find a way, find a procedure under which we can do this expeditiously, but we are going to have this discussion.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it is obvious to Members what exercise we are going through here and why. There has been a lot of debate. I remind Members of a very famous Member of this House, Morris Udall, and I think many know him, if not personally, by reputation. If I can paraphrase what he said, everything that needs to be said has already been said; the problem is that not everybody has said it yet.

We have had a fairly good debate here. I would like to ask someone representing the organized effort to amend this bill, if someone could tell me how many amendments we might be looking at in title I of this bill, for example. We have some colloquies and some points of order we need to get to. We could open up title I and deal with the amendments that are at the desk, but I am wondering how many amendments are at the desk or would be if that request is made. I wonder if some Member could respond to me with an answer.

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

Mr. YOUNG of Florida. I yield to the gentleman from Pennsylvania.

Mr. TOOMEY. Mr. Chairman, I do not know exactly how many amendments we have. I would be happy to step off the floor and have this discussion, and see if we can reach an agreement on this vote. I am not prepared to do that at the moment.

Mr. YOUNG of Florida. Mr. Chairman, I think that is fair; but before we make any motion to open the title or close the title, I think we need to have an idea. If Members intend to keep us here all night, we ought to know that.

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

Mr. YOUNG of Florida. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Chairman, I would like Members to know we have 17 other amendments besides the untold number of amendments from this group, from the rest of the House, that we would like to consider as well, plus the colloquy, so we can get on with the business of other amendments from both sides of the aisle.

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

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, what process are we going to go through in terms of recognition? There have been several amendments recognized on that side. There has not been an amendment recognized on this side. Is it the Chair's intention to recognize our side for amendments?

The CHAIRMAN. The Chair attempts to alternate between majority and minority Members.

Mr. DICKS. But we have to go right at the point we are in the bill, until the bill is opened up.

The CHAIRMAN. The gentleman is correct.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, it is now almost 10 p.m., and Members have a right to know what the plan is for the balance of the evening or the morning, whatever the case might be. Maybe as the gentleman from Pennsylvania (Mr. TOOMEY) suggested, we can have an off-site conversation about this. That being the case, we will report back.

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

As the chairman of the Committee on Science, the committee with jurisdiction over a number of the energy conservation programs funded under the bill, I rise to engage the floor manager of the bill in a colloquy.

First, I want to compliment the committee for providing the needed funding for these important research, development and demonstration programs that do so much to advance new energy technologies. One program I am particularly interested in is residential micro cogeneration of energy. In my district, I am familiar with companies that are developing new combined heating, cooling, electricity and hot water that is far more efficient than residential systems which are commercially available today.

It is my understanding that funding provided in the bill will allow DOE to undertake the needed testing, evaluation and demonstration of residential cogeneration technologies.

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

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

Mr. WAMP. Mr. Chairman, the gentleman is correct. The committee has provided \$79.7 million in funding for distributed generation technologies in the power technologies account under the energy conservation appropriation, an increase of \$15.5 million over the amount requested by the President, and \$15.9 million over the amount provided last year.

□ 2145

These funds are available to assist with a variety of projects, including residential cogeneration systems. I would like for the chairman to know that this is just one of many very justified requests by Republicans to increase accounts in this bill above the President's request.

Mr. BOEHLERT. I would like to thank the gentleman and pledge to work with the chairman and members of the committee as this bill moves forward to ensure that the funding needed to carry out these important projects is made available.

Mr. WAMP. We look forward to working with the gentleman on this important issue.

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

Mr. Chairman, I rise because I have seen something tonight that I have not ever seen in the 8 years that I have been in Congress. And I think it is a sad night tonight. I do not believe that our party would limit the debate by a Member on an open rule on an appropriations bill. They would not do that to the other side, and I do not believe the other side would do that to us. Yet we have done this to one of our own tonight. While I oppose the goal of the gentleman from Arizona, I am in favor of this bill, I think it is a good bill, and I intend to support it and vote against the amendments; but I think what happened here procedurally tonight was very wrong. If we have an open rule, then we need to have an open rule and to limit one gentleman, Mr. Chairman, is not right. I hope that we do not fall into that later because we do not like the issue that someone is bringing forward.

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

Mr. Chairman, I rise tonight finding myself feeling like it is early in the day and not late in the day. I am invigorated by this debate. I am invigorated by the quality and integrity of the debate on both sides of the aisle and that 85-some-odd colleagues of mine still believe in what the gentleman from Wisconsin referred to earlier as baloney.

Mr. Chairman, I have often associated many things with Wisconsin, usu-

ally cheese; but henceforth I will always associate Wisconsin with baloney as well because it was the distinguished member of the minority, the ranking member, who said on this floor tonight that the problem with this group of conservatives was that we did what his late father, a man active in public life, said one should never do: we believe our own baloney. I would amend the record to say his late and distinguished grandfather, who said that politicians should never believe their own baloney.

Let me give a few examples as we try and talk about the issues that we confront tonight. We are not here in some vain exercise to exact a torturous schedule on our colleagues this early in the legislative week. Neither are we ignorant of the long days that are ahead of us before we break and return to be with our families. But the enforcement of the budget resolution that we adopted in this Chamber once and deemed another time is at stake. This bill that we consider today is \$775 million over our budget. Treasury-Postal is \$538 million. The agriculture approps bill is \$550 million. We will have to extract severe cuts in VA-HUD and Commerce-Justice-State. Those two pieces of legislation will have to give off over \$2 billion from previous-year levels just to stay within our budget resolution.

The truth is when we speak about the vision of a balanced Federal budget, that is not baloney. That I argue, Mr. Chairman, is what most of our constituents sent us here to do. I would even argue that, with very few exceptions, the constituents who voted for my Democrat colleagues to come to this august institution sent them here to advocate some basic American values, believing in the American dream that if our generation works hard and makes sacrifices, we can actually leave our children a better life and a better future than we inherited.

Another simple piece of the American dream was the dream of a balanced Federal budget, the dream that governments, like families, just like my wife, Karen, and my children who may well be sitting at home in our living room tonight in Bartholomew County watching, they live within their budget at our home on the Flat Rock River, and Americans looking in tonight, Mr. Chairman, expect us to do no different. We have written a budget. Chairman JIM NUSSLE led this institution with vigor and with vision and with commitment; and we gave the American people, in the midst of recession and war, the vision for a budget that returns to balance within 24 months. Yet tonight, however inconvenient it might be to some, we are actually laboring over whether or not we will endorse and embrace that budget.

Some, and I say this with respect and no small attempt at humor, some may consider that baloney. Some may consider it baloney that people in Congress ought to make the income meet the outgo to the best of their abilities, that

we ought to balance the Federal budget. I say rather, Mr. Chairman, that it is what we are all, Republicans and Democrats, sent here to do: to be careful stewards of the public resources that are entrusted to us.

The Good Book has this admonishment, and with this I close. It admonishes the shepherd. It says, "Pay careful attention to your herds, keep careful watch over your sheep, for riches do not endure forever." It is precisely because we do not know the future, Mr. Chairman, and the challenges that our Nation may face in even darker days ahead that this skirmish that happens on this floor tonight matters, that we must enforce the budget resolution that we labored to adopt, that we endorsed twice in this institution. It is my hope that even if we are here when the sun is peeking its way through the windows, that we will do just that, living within our means.

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

I would like to discuss the process that brings us here, but first I want to begin by expressing my strong admiration for the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), for the work he does and for the dedication he brings to his job. But also on this particular night, I want to express my deep respect for and admiration for the chairman of this subcommittee. You come here as a young freshman and you get various assignments. Some of them you do not anticipate, and some of them you are unaware of. I am elected from Arizona. I did not know JOE SKEEN when I was first elected, but I got assigned here and I became a deputy whip. As a whip, I was assigned to whip various Members. One of the Members I was assigned to whip was JOE SKEEN. I think that happened just as a matter of serendipity. It was not preplanned. As it turned out, someone was already whipping the Arizona delegation, and so I suppose it made sense to somebody that I should whip the New Mexico delegation. And so I did.

For the duration of my tenure here in Congress, I have had the privilege of whipping JOE SKEEN. What that has meant is that I have had the honor to have conversations with him week in and week out and have him impart to me his wisdom and his knowledge of this institution, of the pressures that move in each direction, of the people that are at play, of the great traditions of this institution. It would be difficult for me to express how many times JOE SKEEN in those days when I have chatted with him has been able to educate me, to give me as a younger Member of this House advice and counsel.

JOE is leaving this institution after this session of Congress, and I simply want it to be known to my colleagues here in Congress and the people across America that this institution will be diminished by his departure. He is indeed a dedicated public servant. He is a man of the people, revered by the people of New Mexico and of his district.

He is a man who has come here from his ranch and who has brought the common knowledge and the common understanding of the people across America to his job here. I would be remiss if I did not say thank you, JOE, for all you do.

We tend to look at our inconvenience tonight being here on the floor at approximately 10 p.m. at night as a great imposition. Yet there is not a one of us who wears this pin, not a one of us that is elected to this institution that does not understand the immense privilege and the immense honor it is to serve in this institution. For those who are perhaps frustrated that on this particular Tuesday evening we might debate late into the night these issues and for those who are frustrated and do not like the amendments that are being offered, I would simply remind you, I would urge you to perhaps step outside and look at the dome that is above our heads, contemplate the task we are about, because each and every amendment offered here tonight, and I have three or four that I would like to offer, is a serious amendment offered by a Member with deep beliefs.

I happen to be embroiled in a scandal in my own State on the issue of fire-fighting. I feel very strongly about fighting wildfires. It is vitally important that we fight wildfires. But this institution is the people's House. This is the place where debate should occur. This is the institution where we should talk about whether it is appropriate to put \$700 million into this bill, as the gentleman from Washington (Mr. Dicks) offered in committee and as was adopted by committee or whether it would be more appropriate to put that money into the supplemental bill which can become law much sooner.

We are engaged in a huge debate and it is a serious debate, as my colleague from Pennsylvania pointed out. These are grave issues. Spending is running out of control in this Congress, and the American people are worried about it. Go home and ask them. Go home this weekend. Think about the conversations you had last weekend. I would remind my colleagues that when we adopted this budget, we thought there was going to be a surplus or perhaps a small deficit. The reality is last weekend's paper, at least my home paper on Saturday morning blared with a gigantic headline, "\$165 Billion Deficit." It occurs to me that when we adopted the budget resolution and we believed we were going to have a surplus and we are now here tonight recognizing we are going to have not a small deficit but a massive deficit, not only is it wrong to limit debate as we just did on the dimensions of this budget and our spending but it is what the American people would want us to do. They would want us here debating these issues.

One of the definitions of insanity is to do the same thing over and over again. We are in changed circumstances, and those changed cir-

cumstances demand that we debate this budget tonight in a serious fashion.

Mr. FARR of California. Mr. Chairman, I move to strike the last word. Let me just remind the other side that we have had a big debate tonight about appropriating money which is spending money. But the other side is collecting money. And the other side led the biggest tax cut, created the biggest hole in our ability to carry out the functions of this country. So let us be a little bit more reasonable about being balanced. It is an income and an outflow. This is the discussion about the outflow, but you have already taken the biggest bite in history out of the income, and that has also affected this picture; and that is what has caused the great big deficit that we have.

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

Mr. FARR of California. I yield to the gentleman from Washington.

Mr. DICKS. I can remember the debate on this on the floor. Many of us on this side of the aisle said the tax cut was going to be too big and that it could result in deficits, that we could see our surplus go away. I see that OMB said today that it is lack of revenue coming in, some of it to deal with the stock transactions. These were all foreseeable things. If you want to be fiscally responsible, if somebody wants to get serious over there, why do we not have a budget summit where we go back and revisit the tax cut and then we will talk to you about spending. But to pick out one-third of the budget is hypocrisy, and everybody in this place understands that. So you can continue to pose for the holy pictures and say we are going to cut spending, but you are not going to deal with the problem except in a very marginal way. The only way this is ever going to get fixed, the budget gets fixed, is if we go back and review everything; and that is what you are not willing to do.

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

It is interesting as my colleagues talk about the spending side and the revenue side, we have had the discussion on the revenue side; now we are talking about spending. It is amazing that the Federal Government at a time where the economy is not growing, where there is not a high rate of inflation, there are some that believe that growing the Federal Government at twice the rate of inflation may not be enough; that as household incomes grow at a smaller rate that somehow the Federal Government is entitled to grow twice as fast as the rate of inflation, that the Federal Government has priority over other sources of income and revenue in this country.

□ 2200

I do not know where that has been established. This House has set out a mandate. We have said that we will grow spending to a level of \$748 billion in 2003. We have not done it once, we

have done it twice. The other body has yet to pass a budget. President Bush has embraced the spending level of the House. President Bush has indicated that, if necessary, he will use the veto to make sure that we control spending and achieve the number of \$748 billion at the end of the process.

Because the House's number is almost identical to the President's, it is important that we take a look at each individual bill as it goes through the process. Each bill where we spend more than what the President has proposed means that later on in the process, we will have to reduce those bills significantly from what the President's recommendation is. Three of the first four bills or the nondefense bills that have been reported by the Committee on Appropriations are significantly above the President's request.

The Interior bill is at \$775 million above the request, without including the \$700 million in emergency fire-fighting money. Treasury-Postal is \$538 million above the President's request, and the Agriculture bill is going to be \$550 million above the request. Collectively, these bills are about \$1.8 billion above the request of the President.

In order to pay for these increased spending levels, the Committee is proposing a \$400 million reduction from the President's request for the Commerce, Justice, State bill, and a \$1.8 billion reduction for the request from the Veterans, HUD, and FEMA bill. These bills are scheduled to move later in the appropriations process.

If the House passes the first appropriations bills at levels significantly above the request, I think there are many of us that question whether we will be able to pass the other bills because they will be so far below the President's request. If that is the strategy that we are going to have where we are going to have significant differences between the levels passed by the House and the levels requested by the President, we should bring to the floor first those bills that are significantly lower than the President's request, move those first so that we can show and demonstrate that we are disciplined and that we will make those tough decisions, and that we can then accumulate that money and move it into some of these other bills. But we should not begin the process by fattening up the earlier bills with the belief that later on in the process we will be able to deviate significantly from the President's request.

This bill is a good place to start. We should try to move that back down to the President's request.

Mr. Chairman, today in the Committee on the Budget, Mitch Daniels talked about the projections. We are no longer in an era of surpluses. We are projected to have a deficit of \$165 billion. What we need to do to get back into surplus is we need to control that area that we have significant control over.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Michigan. Mr. Chairman, the gentleman seems to be suggesting that we should stick to the budget, to the President's request. If a family loses income, a family loses their job and they go on unemployment, the budget they started when they had a full job is not going to continue spending as usual. Maybe we should even reduce it below the budget.

Mr. HOEKSTRA. Mr. Chairman, reclaiming my time, I think what my colleague points out is the fallacy in this process if we increase over the President's spending.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to strike the last word.

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

There was no objection.

Mr. OBEY. Mr. Chairman, I want to address and comment on two things that I have heard, if I could. I am somewhat bemused as I sit here tonight listening to some of the comments about the sanctity of open debate and legislative alternatives. Some of the same people who have been uttering those platitudes are the same people who voted to deny the minority an alternative on prescription drugs. They voted to deny us the opportunity to debate and produce an alternative to the very budget resolution which has this place wrapped around the axle. They voted to deny us the opportunity to debate and offer an alternative to the economic stimulus package, to the airline bailout, to the antiterrorism bill, to the fast track trade bill, and they have engaged in incredible legislative legerdemain in order to avoid the regular processes of this House, but now suddenly express tonight their concern for open debate. I find that quaint, to be polite.

Second, I would simply note a comment of my old friend, Archie the Cockroach. Archie said this once: "Man always fails because he is not honest enough to succeed. There are not enough men continuously on the square with themselves and with other men. The system of government does not matter so much; the thing that matters is what men do with any kind of system they happen to have."

The fact is that the reason we are having such problems here tonight is because the budget resolution that passed this House early in the year was not on the square; it contained tricky accounting. It rejected CBO accounting after, several years earlier, our Republican friends were willing to shut down the Congress in order to require it. I would simply say that if Members feel that they are on the hook tonight, they have not been put there by the Committee on Appropriations; they have been put there by their own votes on their own budget resolution. That budget resolution essentially picked a number of numbers out of the air in

order to pretend that there was room to do everything for everybody and, now, the chickens are coming home to roost.

That is why tonight what we are seeing really is not a mini filibuster; we are seeing a philosophical war within the majority party between the realists, those who are still trying to function and produce bipartisan product that this House can pass, even though none of us may be thrilled by what it produces; and those who would like to reject realism. It will be interesting to see how that fight comes out. I hope it is decided in time to get some productive work done in this institution, but we do not have very many days to go before that August recess. But only time will tell.

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

Mr. Chairman, I want to agree, in part, with what the gentleman from Wisconsin just said. He said that there is not enough money to do all of the things that we want to do. That is exactly right, and that is why we have a budget, and that is why the family has a budget. What we are saying tonight is you cannot allow the Federal budget to continue to grow at twice the rate of the average family budget. You have to make some choices.

Now, we had a Committee on the Budget meeting today and we talked about what has happened to the Federal budget in the last 12 months. A lot of what has happened to the budget is the result of what happened on September 11. Revenues are about \$234 billion less than we expected.

Now, let us be honest. About 14 percent of that is because of the tax cuts that we passed. Frankly, I think if we had that vote again, every one of us who voted for those tax cuts would vote for them again. It was exactly the right thing to do and, as it turns out, with the economy slowing down, I think it was a brilliant thing to do. So we are not going to back off on the tax relief.

Let me tell my colleagues something. I was visiting with a farmer friend of mine a few years ago, and we were sitting on bales of hay. He said something pretty profound. He said, the problem with you guys in Washington is not that we do not send enough money into Washington; he said, the problem is you spend it faster than we can send it in. And that is the problem.

Now, we have said earlier that we do not fault the Subcommittee on Interior of the Committee on Appropriations; we think they have done a pretty good job. But they are part of the problem. Let us be honest. Let us look at this chart. Do my colleagues see the green line right here? That is the inflation rate. For a few years, we were doing a pretty good job. We were keeping spending at just slightly above the inflation rate. But then somehow in about 2000, and it might have something to do with the fact that we began to have these big surpluses, that rate began to increase. That is the red line.

The question we have to answer tonight and during the next several weeks is, will we be able to slow the rate of that growth back to the inflation rate, or are we going to continue to allow it to grow? If we do, here is what we are going to face. We are going to face big, big deficits. We are going to lead to perpetual deficits.

It is not the Interior appropriations, it is not Treasury-Postal, it is not any one of those individual bills, it is not even prescription drugs; it is a combination of that. We wind up with a chart that looks like this.

Now, how many of us really want to go home this November and explain to the folks back home why we started with a chart just a few years ago where we were paying down anywhere from \$100 billion to \$200 billion worth of publicly held debt every year and go home and explain, but now we have decided that we are going to go on a spending spree? We can blame Agriculture, we can blame all of the various committees, but it is like Pogo. We have met the enemy and the enemy is us.

As I say, it is unfortunate that the Skeen bill is the first one out of the chute, but I say to my colleagues, we have to start getting serious about this budget. I think every person that we represent understands that there is absolutely no reason that the Federal budget ought to grow at a rate twice that of the average family budget. So tonight the only option that some of us have is to come to the floor of the House and ask our colleagues to slow the machine down, just slow down the spending. We are not asking to cut the Interior appropriations; all we are asking to do is bring it down to the rate of inflation. If we do that, good things will happen. The good thing is that within 2 years, I believe we will be back on the path towards a balanced budget and paying off that debt.

One other thing. Back in the Midwest, it used to be that part of the American dream was to pay off the mortgage and leave your kids the farm. Well, I think that is still a dream. But unfortunately, we are going to go back to that old saw here in Washington where we are literally going to sell off the farm and leave our kids the mortgage, and every one of us knows that it is wrong. It starts tonight, and the question is, do we have the discipline, do we have the courage to do what we really know is right, and that is to get off this spending track, get back on a reasonable spending track of slowing the rate of growth in the Federal Government to roughly the inflation rate and, if we do that, we can balance the budget and, yes, we will have plenty of room to provide tax relief to the American families as we go forward.

So the money is there. It is not that they are not sending it in fast enough; it is that we want to spend it faster than they send it in.

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

Mr. Chairman, I certainly agree with my colleagues that just like all of our

families, we try not to spend more than we take in. I do not think, though, that for most Americans, given the fact that we are now going through a very important, dangerous, and necessary war on terrorism that we ought to give up the war on terrorism because it is going to cost us some money in the short term, and we have to spend what it takes to protect our homeland and to bring to justice or bring justice to those who have attacked us. Nor do I think we can do much, although we are trying, in terms of corporate accountability, to deal with our coming out of this recession or our lack of confidence in the markets.

But we do have another tool at our disposal to eliminate perhaps as much as 45 percent of the financial hole this Congress, or the majority, has created over the next 10 years; a financial hole created by the majority in this Congress of about \$1.7 trillion over the next 10 years.

□ 2215

I am speaking of the tax cut that the Republican Party and a handful of Democrats, but most of the Members of the Republican Party, passed; a tax cut costing \$1.7 trillion over 10 years that benefits disproportionately the top 2 percent of Americans.

I think most Americans today, given the war on terrorism and the difficulties in the stock market, would say, maybe we ought to hold off for 1 year on that tax cut. Let us see how the war on terrorism goes. Let us see how the stock market rebounds, hopefully, within that 1-year period, before we execute on this tax cut, just for this 1 year; postpone it 1 year. Would that not be the prudent thing to do?

But my colleagues on the other side of the aisle say, no, we are going ahead with this tax cut, which will cost \$1.7 trillion over 10 years, benefitting disproportionately the top 2 percent of Americans, and then cry or complain that we are spending too much money, and too much money is going out and not enough is coming in.

I think average Americans would say let us postpone this tax cut for at least a year and see what the economy, what the world situation is like; take all that savings that was going to the top 2 percent of Americans, who, by the way, are doing very well, and God bless them, and not have this battle today over which essential program we are going to cut or not cut, rather than mess with this tax cut.

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

Mr. ROTHMAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I simply want to note, since we have heard of this so-called spending spree that the Committee on Appropriations is engaging in, I want to simply note that since 1980 through today, the percentage of our total national income which we spend on domestic discretionary programs financed by this committee and

approved by this House has dropped by 35 percent.

It seems to me that a 35 percent contraction as a percentage of the total national family income that we spend on domestic needs is some pretty hefty fiscal discipline, no matter how myopically some other Members might view it.

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

Mr. Chairman, I rise to engage in a colloquy with the ranking Democrat on the Subcommittee of the Interior of the Committee on Appropriations, the gentleman from Washington (Mr. DICKS), but before that I would like to join my colleagues in thanking the gentleman from New Mexico (Mr. SKEEN) for his outstanding leadership.

I remember one of the first things he said to me when I came to this body was that the best legislation was bipartisan, and I have appreciated how he and the gentleman from Washington (Mr. DICKS) have worked together on this subcommittee in a bipartisan way to help our country in so many ways.

I want to especially thank him for his leadership on the Parkinson's Task Force, in which he, along with many of my colleagues, called upon the National Institutes of Health to come forward with a 5-year plan to cure Parkinson's, and he has worked diligently to implement that plan. We will miss the gentleman.

As the gentleman knows, I say to the gentleman from Washington (Mr. DICKS), he may be aware that Governor's Island at the entrance to New York harbor has played an extremely important role in the history of our country.

Two forts on the island, Fort Jay and Castle Williams, helped protect New York harbor from invasion in both the War of 1812 and the Civil War. New York gave the island to the Federal Government to serve as a military base. For more than 200 years it served our country, first for our Armed Forces, and since the 1960s, as a Coast Guard base.

One of President Clinton's last acts was to declare the fort a national monument, and one of President Bush's first acts was to publish this executive order in the Federal Register.

I am very pleased that President Bush has continued to show his support for the island with the promise to give it back to New York State so that it can be developed for the enjoyment of all Americans.

We hope that the forts will remain national monuments under the jurisdiction of the Park Service. The forts should soon be included in one of the most revered park systems of the Nation, along with Ellis Island and the Statue of Liberty, at the gateway to New York harbor.

Unfortunately, the forts are in very bad shape. In fact, they are on the National Trust for Historic Preservation's list of the 11 most endangered historic

sites and buildings, a measure both of their bad condition and their historic importance.

The Park Service needs appropriate funds to protect the forts from further destruction, and to help restore them so that the public may soon have an opportunity to visit them and to learn more about the important role that they played in the history of our country.

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

Mrs. MALONEY of New York. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I thank the gentleman for the work she has done on this important issue, and for bringing it to the subcommittee's attention. I share her concern for protecting national monuments.

I want to assure the gentleman that I will work with her and the majority to find the best source of funding for this important project.

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman for his leadership and his assistance on this matter, and I look forward to working with him and the gentleman from New Mexico (Mr. SKEEN) in a bipartisan way to preserve these forts for our country.

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

Mr. Chairman, I appreciate some of the comments of the previous speaker, because he kind of laid out the character for the debate tonight, or really, the essence of what the debate is all about.

I believe one of my colleagues suggested that maybe, instead of giving Americans tax relief, that we withhold that tax relief so that we can spend more here in the Congress, instead of taking the time to have the debate on the floor, look through these 13 spending bills carefully and determine if there are ways that we can save, so that we can keep more money in the pockets of Americans and continue to improve consumer confidence in spending, which has really held up our economy over the last year.

We have some tough decisions to make. On our side, while we might be fussing and arguing tonight, our whole point is to try to keep spending at its lowest level. If we look back at this chart that was reviewed a minute ago, we know that we are on a course for some pretty heavy deficits.

But I want to give just one example of why these deficits are so detrimental to the future of this country, and why it is so important that we take the time tonight to go through this appropriation bill, and all of the ones that we have this year, to see if there are some things that we can do to reduce the growth of the spending.

That is really all we are talking about, because this deficit we see does not take into account doing anything to secure the future for American seniors by improving and strengthening Social Security. We are doing nothing

over the next 10 years to guarantee that future Americans have the Social Security that they have been promised.

We have to remember, as Members of Congress, that this is not some hand-out to Americans, this is something they have paid for. It is something they have paid for, with a promise that we have to be prepared to keep. And instead of spending every dime that comes in, we need to establish a mechanism where we can really save at least part of what people put into Social Security.

There are several goals that we have to have for Social Security in addition to reducing spending so that we can really save for the future. One is, we need to reassure every American, regardless of age, that they will never receive less from Social Security than they are receiving today. This talk of cutting benefits needs to be thrown out the front door of this House. We need to guarantee the benefits for every American and establish where we are as the floor.

In addition, instead of spending every dime that people put into Social Security, as we are doing today, we need to establish a mechanism within Social Security so that individuals can save part of what they are putting into Social Security for their future, so that when they retire they own something and have some control of their lives; and particularly for the poor, that they have something to pass on to the next generation.

If we leave Social Security the way it is today, within 15 years, just a few years after this chart ends, we will begin to take money from the general fund just to pay the benefits of seniors, without changing anything on Social Security.

Over the next 75 years, Members have heard some figures thrown out tonight, like \$1.7 trillion over the next 10 years, but we are talking about, with no changes to Social Security, \$25 trillion from the general fund that has to be transferred in addition to what is being paid into Social Security now so that we can continue to pay benefits in the future.

We cannot continue to overlook this promise that we have made to Americans and continue to spend on everything, even though these are important things that we are talking about. All of us probably have something in these appropriation bills, but all of us have to be willing to give a little, and to at least slow the spending so that we can keep the promises to the seniors that we have made, and to help them really save and really own and really have independence when they retire.

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

Mr. Chairman, to begin, I want to join the gentleman from Wisconsin in welcoming those to the "don't-shut-off-debate" club. I voted against the motion to limit debate to 10 minutes. I am sorry it lost. But I am also sorry that we had rule after rule this year that

brutally shut down this House. We had rule after rule where we had hours of free time on Tuesdays and Wednesdays and Thursdays, but the minority was not allowed to offer amendments.

I voted not to shut down debate, and I hope that the commitment to open debate was not simply a fleeting one.

Beyond that, I want to talk about what is really a very important philosophical issue. I am pleased that this has come forward, because we are talking here not about petty issues, we are talking about one of the most fundamental questions we can, as elected representatives, discuss: What is the appropriate level of public activity in our society?

I think what is happening here is that it is being made clear that the reduction in revenue that went through in 2001 was unsustainable, according to the majority. After all, and it is very important to note in this debate, I have not heard those offering amendments and pushing for cuts denouncing the spending as bad. That is very important. This is not a case where people are saying, that is a bad thing; do not do it. What people are saying, and I respect the philosophical fount that it comes from, people are saying, yes, that is a good activity, but we cannot afford to do this much of it.

No one is saying that the appropriations bill is funding things that should not be funded. The argument is that we are fiscally constrained. Well, that is a serious problem. I would have some sympathy for the majority Members of the Committee on Appropriations who found themselves in this dilemma if they had not put themselves in the dilemma.

What we have here is a very clear example of a fact: The Republican Party is more committed to spending reduction in general than it is to spending reduction in particular. Unfortunately, they cannot cut spending in general, they have to cut spending in particular.

So when it comes to cutting revenues, everybody wants to cut, but then when it comes to cutting programs to meet those revenue cuts, nobody wants to cut; not nobody, I take it back, about a third of the Republican Party, or maybe 40 percent wants to, and I honor them for having the courage of their convictions.

But I must say, the majority of the Republican Party, I have heard of wanting to eat one's cake and have it, too. When they vote for tax cuts, and then they vote for appropriation bills above the level that the tax revenues will now support, they have a variation on eating the cake and have it too. They want to eat their cake, but also get credit for giving it away. First they reduce the revenues, then they commit themselves to spending more than they get in revenues.

I am reminded of a piece of philosophical wisdom I got from a Boston city councillor in 1968 when I complained about what seemed to me to be

inconsistency on the part of the voters. He patted me on the knee and said, hey, kid, ain't you heard the news: Everybody wants to go to heaven, but nobody wants to die.

They want to cut taxes and get credit for reducing the revenues of this government, but then when their own majority brings forward appropriations, which they acknowledge are for good purposes, they say we cannot afford them. Why can we not afford them? Because they cut the revenues too much.

Mr. Chairman, people ought to understand this, go back to David Stockman. In his book he said, here is why we cut taxes under President Reagan: We knew that if the money was there, the American public would want it spent. We knew that there were programs that were popular, and the only way to control the spending was to cut the revenue.

If it was done to stimulate the economy, boy, that did not work, did it? In fact, the President in 2000 said, as a candidate, let us cut the taxes because the economy is doing so well. In 2001, he said, let us cut taxes because the economy is not doing well.

Why cut taxes? To prevent spending from going forward. It turns out that much of this spending is essential, it is desirable, and only the Federal Government can do it. Only the Federal Government can fight the fires and do the other things in this bill.

And again, I want to stress, I have not heard people denouncing the spending as bad spending.

□ 2230

There is an implicit acknowledgment that these are good things that we cannot afford. So what we are seeing today is an example of what I think, frankly, is a philosophical incoherence on the part of the Republican majority. There is a Republican minority that is philosophically consistent and is prepared to live up to the tax cut, but the rest of the Republican Party wants to have it both ways.

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

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

Mr. DICKS. I would just say to the gentleman, I just went through this. We were looking at this. I want these Members who have been so critical of the Committee on Appropriations in a sense, although they have been very kind towards the chairman and all of the rest of us to be aware of this.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. FRANK) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. FRANK was allowed to proceed for 1 additional minute.)

Mr. DICKS. Mr. Chairman, I want you to know we made some cuts in the subcommittee. Some of these are very painful. For example, the Cooperative Conservation Initiative, minus 100 million; Stateside Land and Water conservation, minus 46 million; Park Service Construction, minus 62 million;

Land Acquisition National Parks, minus 31 million; Technology Road Maps, Department of Energy, minus 4.5 million; the Kennedy Center, minus 4 million. So we made some cuts.

Mr. FRANK. Reclaiming my time, I appreciate that, but do not expect too much credit for the cuts. I will be ready to come down here and apologize the day I read that Member after Member who voted for the tax cut went back to his or her district and said, I have good news for you. Thanks to the tax cut I voted for, we will not get the following project. Are we not glad for what we did for America?

The day I hear Members who voted for the tax cut take credit for its consequences, I will acknowledge error.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is easy to say we should spend more money, but think for a moment of what is happening to American families. A lot of individuals around the United States are losing their jobs. Do you think they will be spending as usual? No, they are not. And all we are suggesting is simply to limit our increase in discretionary spending to inflation. We are not talking about cutting the interior budget or any other budget. If we could simply limit our spending to what the rest of the American people are doing. They are tightening their belts.

We have had an emergency in this country. That emergency was being hit on September 11 by terrorists. That means we have got to come up with more money for that war on terror. If you have a war, if you have an emergency, it is reasonable, it is logical, it is practical to reduce some of the other spending that has lesser importance, not to go on spending as usual. That is not what an American family can do. That is not what an American business can do.

I know we are in a situation where the people that lobby us say let us have more spending for this, for that. I know that we tend to go to the committees that we support and that we push for more spending as we gain seniority on those particular committees, but that is a problem we have got to deal with. Somehow we have got to realize that what made this country great was not being overtaxed. What made this country great was a Constitution that says that those that work hard, that try, that invest, that educate themselves are going to end up better off than those who do not. Yet we have continually pushed for increased taxes on corporations, increased taxes on bills.

If a young couple decides to get a second job so they can have more for their families, we not only tax them at the same rate, we increase the rate of taxation so they have to pay more taxes to the Federal Government.

Let us get back to our roots. Let us get back to what makes this country great. Let us not overtax ourselves and discourage business expansion. Let us do what we need to do in this House.

We have let, and the gentleman from Washington (Mr. DICKS) has said that a lot of this is now entitlement spending; and we have got to deal with that too. But the discretionary spending is what we are talking about tonight. That is what we should deal with. That is what we should say is reasonable, to limit that spending increase to inflation.

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

Mr. Chairman, I rise to enter into a colloquy with the Chair.

Mr. Chairman, I listen with great interest to this debate this afternoon, and it is always amazing to me that these debates always take place at night, and they always take place by a majority of those participating in it who come from the west coast, which just happens to be prime time there. I am not making that innuendo that that is the reason that they are doing that now, but I rise to ask you a question.

Mr. Chairman, the legislative appropriations that we will pass that we, most everyone, will vote for this year will be \$3.4 billion. And, Mr. Chairman, if you break that down into 8 months of annual sessions, which is generally where we are in, at 5 days a week, which generally we are only in 3 days a week, that amounts to 160 legislative days. If you break the 160 legislative days down into weeks or to 1 day, it amounts to \$21 million a week, or 2.65 thousand dollars an hour in which we debate.

So every 5 minutes we spend debating an issue, it is costing the American taxpayer \$44,000. By my calculations, if I have 5 minutes under the House rules to engage in this discussion with you, Mr. Chairman, if I yield back 2 minutes of my time, will I not save the American taxpayers \$88,000?

The CHAIRMAN. The gentleman is not stating a parliamentary inquiry.

Mr. CALLAHAN. Mr. Chairman, I was just engaging in a colloquy with you because we all respect your judgment and know your tremendous knowledge of the operations of this House.

The fact is it costs \$44,000 a minute to run this House. It would appear to me that every time they talk about reducing a bill by \$10,000, if they are going to spend \$44,000 of Social Security money, it looks to me like we are losing money, and I would encourage them to try to work out something and they ought to do it in advance. They ought to go to the chairman of the Committee on Appropriations. They ought to go to the people who write the various appropriations bills and suggest to them before prime time television and then try to iron out their differences.

But, Mr. Chairman, I want to be sure and yield back 2 minutes of my 5 minutes so I can save the American taxpayers \$88,000.

Mr. TAYLOR of Mississippi. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I do commend anyone who tries to save the taxpayers a buck, and I have actually voted with you guys on these things tonight. But the net effect of what you have done tonight is sort of like a flea biting into the hide of an elephant and saying, I have really got him now.

The last vote was for 50 million. To give you some idea of just how broke this Nation is, at the end of last month our Nation was \$6,126,468,760,400.48 in debt.

When the gentleman from Illinois (Mr. HASTERT) was sworn in as Speaker, the Nation's debts was only, comparatively, \$5,615,428,551,461.33. That means in the approximately 1,290 days he has been Speaker, \$511,040,208,938 have been added to the debt, and you are worried about 50.

See, in those approximately 1,290 days the Speaker has not allowed this body to vote on what really matters, and that is in the cutting a little bit here or a little bit of a tax break there, it is a constitutional amendment to balance the budget. So whether the R's or the D's or the I's or the chickens are running this House, the rules are you cannot cut taxes more than it takes to balance a budget, and you cannot spend more than you have in the bank.

See, the biggest problem with this country is that we are squandering a billion dollars a day on interest on the national debt. I really appreciate what the gentleman from Alabama (Mr. CALLAHAN) had to say. Where I come from, \$44,000 is a heck of a lot of money. So if \$44,000 is a heck of a lot of money, what do you think a billion a day is? A billion a day is a thousand times a thousand times a thousand. This year we will spend a thousand times a thousand times a thousand times 365 just on interest on the national debt. It will not educate one kid. It will not fight one fire. It will not help the farmers. It will not defend our Nation. It is just squandered interest on the national debt.

If you guys want to do something about it, why do you not ask the Speaker for a straight up-or-down vote on a balanced budget amendment to the Constitution? It just says we will live within our means. We passed it 7 years ago through this body. It went to the other body. It only failed by one vote. Maybe some of you think it might interfere with the \$50 billion a year that we lose to the estate tax vote. Maybe some think it means we will not have money for social spending.

Maybe all of us ought to be willing to give a little something up because all we are doing is sticking our kids with the bill. And in the past 23 years we have added over \$5 trillion to the national debt. Just the Speaker's bill alone is more than this Nation borrowed between George Washington becoming President and 1975. That is 199 years of this Republic has been surpassed in debt during the Speaker's watch. I am ready to say enough is

enough, but the only way we can do that is get a vote on a balanced budget amendment.

I will help you with some of our amendments. I will vote against some of the amendments. If you are really sincere about doing something for the American people, if you want to leave a legacy, let us pass a balanced budget amendment to the Constitution, so that regardless of who is running this House it lives within its means. And before somebody gets too ambitious with tax cuts, they do not do it at the next generation's expense. All we have really done is the equivalent of someone going off to the car lot and saying, I want the most expensive car out there. And by the way, bill my 6-year-old kid. Or I want the most expensive house in the State of Mississippi; and, by the way, I have a 3-year-old grandson; just stick him with the bill, plus interest.

That is what we have been doing for the past 23 years in this Nation. I am ashamed of that. I think in your heart of hearts you are too.

We have a few days left in this session. We can pass that. We can send it to the other body. If you are really serious about the spending, let us not go after the fleas. Let us go after the real problem. Let us balance the budget.

Mr. JONES of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, to my friend from Mississippi (Mr. TAYLOR), and he is my friend, I concur with you 110 percent; and there are many on this side of the aisle that do concur with you.

I also want to say something else. I came in 1995 to my first year in the United States Congress, and I am proud to be a foot soldier here in the United States House, and I consider myself a foot soldier. There are a number of us on both sides of the aisle who are foot soldiers, who believe and hope that the majority of the time we are doing what is right for American people.

I mention that because recently my friend from Mississippi, who is in the back of the Chamber, kept us here until like 2 or 3 in the morning making motions; and because he believed so strongly in what he was doing, I never was offended. Some Members on both sides of the aisle, I heard grumbling; but quite frankly, I did not because I thought that the gentleman was doing what he was elected to do if he believed what he was doing. I know the gentleman well enough to know that he believed in what he was doing.

I want to say that tonight because we have Members on our side of the aisle and certainly those on the Democratic aisle that feel very passionately about these issues tonight. I want to mention, again, I did the first time I spoke 30, 40 minutes ago, that I have been on the floor once a week with a chart that I would hope some of the Members here tonight and those that will be in their offices would join me in a letter that I wrote to Secretary O'Neill.

Now, we have been talking about billions of dollars here and billions of dollars there and millions of dollars here. Let me just read to you who might not be familiar with this. In the "2001 Financial Report of the United States Government," which came out in March of this year, in March of this year, the report provides minimal data and information regarding these unreconciled transactions. Not only is the Federal Government missing \$17.3 billion, but there is no reason given for this loss.

Now, that is in the report to the American people. I know that makes the taxpayers of this country feel real good about their tax money.

Now, I know this is not part of this interior bill or this debate, but I wanted to have this opportunity to say to my colleagues on both sides of the aisle, we should be demanding that the Secretary of the Treasury come forward and explain where \$17.3 billion has been lost by this Federal Government.

□ 2245

I am just as upset as anybody about the fact that WorldCom and Enron and the corporate executives cheated and committed fraud to those investors, but what I want to say to my colleagues, the taxpayers do not have a choice. They have to pay their taxes. I am not defending those who created the fraud because those people made investments, which we all do, most of us do from time to time, but the fact that the taxpayers of this country cannot get an explanation as to why in the 2001 report we have lost \$17.3 billion.

So as this debate continues tonight or tomorrow or both days, it is, and we do agree, I agree with the gentleman from Massachusetts (Mr. FRANK) a while ago in what he was saying. We have got to make decisions. We cannot cut taxes and expand government at the same time.

That is the problem in my State of North Carolina. They are \$2 billion in debt today, and I do not know how my State of North Carolina is going to work out of this problem in the next 3 years, but part of that problem is when they did cut the taxes, they expanded the governmental programs, and it caught up with them.

I just want for my children and grandchildren and my colleagues' children and grandchildren that they are not going to have to be paying a tax on the Federal taxes that they owe this government of 35 and 40 percent over what we are paying today. In my opinion, that would be the economic downfall of this country.

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to add my voice to the debate that is taking place tonight. What this debate is about is trying to get our arms around this budget process. When the budget resolution passed earlier in the spring, it was passed at a time when we still had

a budget surplus, and now when we find out just a few days ago we actually have a \$165 billion budget deficit, and yet even still we are having a hard time getting an agreement to stick to the budget resolution that we created when we had a budget surplus.

What this debate is all about, Mr. Chairman, is trying to make sense in the process. The men and the women who serve on the Committee on Appropriations who are managing these bills this evening are hardworking, good people, but the concern is bigger than just the appropriations process. It is bigger than the Committee on Appropriations.

The concern is, are we going to put together a process, absent with the fact that the Senate did not pass a budget resolution, that gives us some spending discipline here in Congress? We have serious challenges facing our country this year, Mr. Chairman. We went to war. We are just trying to get ourselves out of a recession, and we have serious vulnerabilities on our homeland that we are trying to protect. At the same time, we have a very significant and large budget deficit that just popped onto us for the first time in 5 years.

We need to deal with this and we need this Congress to deal with it in a very serious way, and that is why we see these amendments coming through on the floor tonight because tonight is the first time we are approaching domestic discretionary spending. We passed defense bills for military construction. We passed a defense bill to fund the Pentagon, and we passed the supplemental to fund homeland security and to fund the ongoing operations in Afghanistan.

Tonight is the beginning of the funding of domestic discretionary spending. That is why this debate is taking place tonight, because now as we move forward on funding domestic priorities, we realize that these priorities have not been adequately addressed by this Congress yet.

That is why we are saying this, hold the line on domestic spending, address the need to fight the war, address the need to protect the homeland, and let us get a handle on getting rid of this budget deficit. That is why this debate is taking place.

When we take a look at the budget process and we take a look at the budget resolution we have, the process has always broken down along the following logic, put the easier-to-pass bills earlier in the process, put them in the queue, raise the spending level on those bills and then lower the spending levels under levels that are not acceptable by this conference for the difficult appropriation bills. My own senior delegation member, the ranking member of the Committee on Appropriations, probably put it better than anybody has on the floor tonight; that is, that this is a process that is doomed to fail and that is doomed to spend more money at the end of the day.

That is what we are trying to get our arms around right now. We are trying



to make this a process that is not doomed to fail, that is not a process that is doomed to spend more money at the end of the day. We are trying to bring sense to this process so that it is a process that helps us get our handle on this budget deficit while fixing our problems in the homeland, while fighting our priorities in the war and making sure that we go to the American people and we show them that we are being good stewards of their money.

Mr. Chairman, we have corporate accounting scandals that are popping up in the Wall Street Journal and the New York Times every week, and these corporate accounting scandals are showing that corporations are misrepresenting the facts, that they are over-reporting income. Mr. Chairman, look at the kind of accounting problems we have had here in effect. It has already been mentioned over and over again that just in the last 5 or 6 years the corresponding budget amendments that have passed this House have been exceeded by this Congress by about \$142 billion, five times the reported scandals that have occurred in the private sector.

So we need to get our handle on our fiscal responsibilities. We need to put our fiscal house in order, and we need to bring some common sense to this budget process because this is not a common year.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to any amendment at any point.

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

There was no objection.

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

#### WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$655,332,000, to remain available until expended, of which not to exceed \$12,374,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-

Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease.

For an additional amount for "Wildland Fire Management" for fiscal year 2002 in addition to the amounts made available by Public Law 107-63, \$200,000,000, to remain available until December 31, 2002, for the cost of fire suppression activities carried out by the Bureau of Land Management and other Federal agencies related to the 2002 fire season, including reimbursement of funds borrowed from other Department of Interior programs to fight such fires: *Provided*, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

#### CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$9,978,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks,

bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

#### CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$10,976,000, to remain available until expended.

#### PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$230,000,000, of which not to exceed \$400,000 shall be available for administrative expenses and of which \$70,000,000 is for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

#### LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$49,286,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

#### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; \$105,633,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

#### FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

##### (REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102-381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, *implementing*, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f-1 et seq., and Public Law 106-393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

#### RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50

percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

#### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

#### MISCELLANEOUS TRUST FUNDS

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

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

#### UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, \$918,359,000 to remain available until September 30, 2004, except as otherwise provided herein, of which \$69,006,000 is for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That not less than \$2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: *Provided further*, That \$2,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided further*, That not to exceed \$9,077,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed \$5,000,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species already listed pursuant to subsection (a)(1) as of the date of enactment this Act: *Provided further*, That of the amount available for law enforcement, up to \$400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

#### CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$51,308,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, a single procurement for the expansion of the Clark R. Bavin Forensics Laboratory in Oregon may be issued, which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

#### LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for

acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$82,250,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

#### LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$40,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, Tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish, or supplement existing, landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, or candidate species, or other at-risk species on private lands.

#### STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$10,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: *Provided*, That the amount provided herein is for the Secretary to establish a Private Stewardship Grants Program to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, or candidate species, or other at-risk species.

#### COOPERATIVE ENDANGERED SPECIES

##### CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as amended, \$121,400,000, of which \$42,929,000 is to be derived from the Cooperative Endangered Species Conservation Fund and \$86,471,000 is to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

#### NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$19,414,000, of which \$5,000,000 is for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and

Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, as amended, \$43,560,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That, notwithstanding any other provision of law, amounts in excess of funds provided in fiscal year 2001 shall be used only for projects in the United States.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106-247 (16 U.S.C. 6101-6109), \$5,000,000, to remain available until expended, and to be for conservation spending activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), and the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), \$4,800,000, to remain available until expended, and to be for conservation spending activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits.

STATE WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$100,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That of the amount provided herein, \$5,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting said \$5,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (B) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such State bears to

the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: *Provided further*, That any amount apportioned in 2003 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2004, shall be reapportioned, together with funds appropriated in 2005, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 102 passenger motor vehicles, of which 75 are for replacement only (including 39 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105-56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general admin-

istration of the National Park Service, \$1,605,593,000, of which \$9,000,000 is for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits and of which \$10,892,000 for research, planning and interagency coordination in support of Everglades restoration shall remain available until expended; and of which \$90,280,000 to remain available until September 30, 2004, is for maintenance repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which \$2,000,000 is for the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act, for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject to the review and concurrence of the Washington headquarters office: *Provided further*, That none of the funds in this or any other Act may be used to fund a new Associate Director position for Law Enforcement, Protection, and Emergency Services.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$78,431,000.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$56,330,000.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), \$30,000,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$76,500,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2004, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That, of the amount provided herein, \$2,500,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: *Provided further*, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out herein: *Provided*

further, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, of nationally significant sites, structures, and artifacts: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations and the Secretary of the Interior in consultation with the President's Committee on the Arts and Humanities prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior, in consultation with the House and Senate Committees on Appropriations and the President's Committee on the Arts and Humanities.

#### CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$325,186,000, to remain available until expended, of which \$53,736,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That none of the funds in this or any other Act, may be used to pay the salaries and expenses of more than 160 Full Time Equivalent personnel working for the National Park Service's Denver Service Center funded under the construction program management and operations activity: *Provided further*, That none of the funds provided in this or any other Act may be used to pre-design, plan, or construct any new facility (including visitor centers, curatorial facilities, administrative buildings), for which appropriations have not been specifically provided if the net construction cost of such facility is in excess of \$5,000,000, without prior approval of the House and Senate Committees on Appropriations: *Provided further*, That this restriction applies to all funds available to the National Park Service, including partnership and fee demonstration projects: *Provided further*, That the National Park Service may transfer to the City of Carlsbad, New Mexico, funds for the construction of the National Cave and Karst Research Institute to be built and operated in accordance with provisions in Public Law 105-325 and all other applicable laws and regulations. Title to the Institute will be held by the City of Carlsbad.

#### LAND AND WATER CONSERVATION FUND (RESCISSION)

The contract authority provided for fiscal year 2003 by 16 U.S.C. 4601-10a is rescinded.

#### LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$253,099,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act, of which \$150,000,000 is for the State assistance program including \$4,000,000 to administer the State assistance program: *Provided*, That of the amounts provided under this heading,

\$20,000,000 may be for Federal grants, including Federal administrative expenses, to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State, or are matched by the State pursuant to the cost-sharing provisions of section 316(b) of Public Law 104-303, and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That none of the funds provided for the State assistance program may be used to establish a contingency fund: *Provided further*, That notwithstanding any other provision of law, funds provided in this Act and in prior Acts for project modifications by the Army Corps of Engineers pursuant to section 104 of the Everglades National Park Protection and Expansion Act of 1989 shall be made available to the Army Corps of Engineers, which shall implement without further delay Alternative 6D, including acquisition of lands and interests in lands, as generally described in the Central and Southern Florida Project, Modified Water Deliveries to Everglades National Park, Florida, 8.5 Square Mile Area, General Reevaluation Report and Final Supplemental Environmental Impact Statement, dated July 2000, for the purpose of providing a flood protection system for the 8.5 Square Mile Area.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 301 passenger motor vehicles, of which 273 shall be for replacement only, including not to exceed 226 for police-type use, 10 buses, and 8 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, in fiscal year 2003 and thereafter, sums provided to the National Park Service by private entities for utility services shall be credited to the appropriate account and remain available until expended. Heretofore and hereafter, in carrying out the work under reimbursable agreements with any State, local or tribal government, the National Park Service may, without regard to 31 U.S.C. 1341 or any other provision of law or regulation, record obligations against accounts receivable from such entities, and shall credit amounts received from such entities to the appropriate account, such credit to occur within 90 days of the date of the original request by the National Park Service for payment.

#### UNITED STATES GEOLOGICAL SURVEY SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; \$928,405,000, of which \$64,855,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which \$15,650,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; of which \$24,448,000 shall be available until September 30, 2004 for the operation and maintenance of facilities and deferred maintenance; and of which \$170,414,000 shall be available until September 30, 2004 for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That of the amount provided herein, \$25,000,000 is for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

#### ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and

payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may use cooperative agreements for joint research and data collection programs with Federal, State, and academic partners and may obtain space in cooperator facilities incident to such cooperative agreements.

MINERAL MANAGEMENT SERVICE  
ROYALTY AND OFFSHORE MINERALS  
MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, \$164,721,000, of which \$83,284,000, shall be available for royalty management activities; and an amount not to exceed \$100,230,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$100,230,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$100,230,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2004: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *Provided further*, That not to exceed \$3,000,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service (MMS) concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That MMS may under the royalty-in-kind pilot program, or under its authority to transfer oil to the Strategic Petroleum Reserve, use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, to process or otherwise dispose of royalty production taken in kind, and to recover MMS transportation costs, salaries, and other administrative costs directly related to filling the Strategic Petroleum Reserve: *Provided further*, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$6,105,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$105,367,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2003 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$184,745,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2003: *Provided further*, That of the funds herein provided up to \$18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed \$11,000,000: *Provided further*, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, in-

cluding the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,859,064,000, to remain available until September 30, 2004 except as otherwise provided herein, of which not to exceed \$89,857,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$133,209,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2003, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and up to \$2,000,000 shall be for the Indian Self-Determination Fund which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts or cooperative agreements with the Bureau under such Act; and of which not to exceed \$454,985,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2003, and shall remain available until September 30, 2004; and of which not to exceed \$57,536,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$49,065,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2004, may be transferred during fiscal year 2005 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2005.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$345,252,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2003, in implementing new construction or facilities improvement and repair project

grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

#### INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$60,949,000, to remain available until expended; of which \$24,870,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101-618 and 102-575, and for implementation of other enacted water rights settlements; of which \$5,068,000 shall be available for future water supplies facilities under Public Law 106-163; of which \$31,011,000 shall be available pursuant to Public Laws 99-264, 100-580, 106-263, 106-425, and 106-554: *Provided*, That of the amount provided for implementation of Public Law 106-263, \$3,000,000 for a water rights and habitat acquisition program shall be derived from the Land and Water Conservation Fund.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, \$5,000,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$72,424,000.

In addition, for administrative expenses to carry out the guaranteed and insured loan programs, \$493,000.

#### ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of In-

dian Affairs for central office operations, pooled overhead general administration (except facilities operations and maintenance), or provided to implement the recommendations of the National Academy of Public Administration's August 1999 report shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act").

#### DEPARTMENTAL OFFICES

##### INSULAR AFFAIRS

##### ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$73,217,000, of which: (1) \$67,922,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as au-

thorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$5,295,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That of the amounts provided for Northern Mariana Islands Covenant grant funding, \$1,000,000 shall be granted to the Prior Service Benefits Administration: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure, with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

#### COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, \$21,045,000, to remain available until expended, as authorized by Public Law 99-239 and Public Law 99-658.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$72,533,000, of which not to exceed \$8,500 may be for official reception and representation expenses, and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

##### OFFICE OF THE SOLICITOR

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$47,473,000.

##### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$36,239,000, of which \$3,812,000 shall be for procurement by contract of independent auditing services to audit the consolidated Department of the Interior annual financial statement and the annual financial statement of the Department of the Interior bureaus and offices funded in this Act.

NATIONAL INDIAN GAMING COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100-497, \$2,000,000, to remain available until expended.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN  
INDIANS  
FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$141,277,000, to remain available until expended, including not to exceed \$15,000,000 to perform a historical accounting of each Individual Indian Money Account open on December 31, 2000, covering the period from the date on which the account was opened or January 1, 1985, whichever is later, to December 31, 2000: *Provided*, That hereafter no funds provided under this or any other Act shall be available to conduct a historical accounting of Individual Indian Money Accounts other than an accounting for the period specified in this Act of accounts open on December 31, 2000, unless such accounting is specifically provided for in a subsequent Act of Congress: *Provided further*, That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs "Operation of Indian Programs" account and to the Departmental Management "Salaries and Expenses" account: *Provided further*, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2003, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$1.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to this account.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with re-determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, \$7,980,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management.

NATURAL RESOURCE DAMAGE ASSESSMENT  
AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND  
To conduct natural resource damage assessment and restoration activities by the

Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 1911 et seq.), \$5,538,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF  
THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other

equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

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

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

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

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 113. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management and reform activities.

SEC. 114. Notwithstanding any other provision of law, the Secretary of the Interior hereafter has ongoing authority to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity, for all or part of the property within Fort Baker administered by the Secretary as part of the Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall remain available until expended, without further appropriation, for the preservation, restoration, operation, maintenance, interpretation, public programs, and related expenses of the National Park Service and nonprofit park partners incurred with respect to Fort Baker properties.

SEC. 115. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, gov-

erning the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 116. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2003. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 117. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2003 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 118. (a) The Secretary of the Interior shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas (as described in section 123 of Public Law 106-291) are used only in accordance with this section.

(b) The lands of the Huron Cemetery shall be used only: (1) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and (2) as a burial ground.

SEC. 119. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 120. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is further amended by striking "2002" and inserting "2003".

SEC. 121. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 122. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2002, may be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

#### WHITE RIVER OIL SHALE MINE, UTAH—SALE

SEC. 123. Subject to the terms and conditions of section 126 of the Department of the Interior and Related Agencies Act, 2002, the Administrator of General Services shall sell all right, title, and interest of the United States in and to the improvements and equipment of the White River Oil Shale Mine.

SEC. 124. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the

Act of September 8, 1959 (73 Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 125. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District, and Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other governmental land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 126. 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. 127. 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 such pedestrian use is consistent with generally accepted safety standards.

SEC. 128. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 129. Notwithstanding any other provision of law, the United States Fish and Wildlife Service may use funds appropriated in this Act for incidental expenses related to promoting and celebrating the Centennial of the National Wildlife Refuge System.

SEC. 130. The National Park Service may in fiscal year 2003 and thereafter enter into a cooperative agreement with and transfer funds to Capital Concerts, a nonprofit organization, for the purpose of carrying out programs pursuant to 31 U.S.C. 6305.

SEC. 131. No later than 30 days after enactment of this Act, the Secretary of the Interior shall provide to the House and Senate Committees on Appropriations and the House Committee on Resources and the Senate Committee on Indian Affairs a summary of the Ernst and Young report on the historical accounting for the five named plaintiffs in *Cobell v. Norton*. The summary shall not provide individually identifiable financial information, but shall fully describe the aggregate results of the historical accounting.

SEC. 132. None of the funds in this or any other Act for the Department of the Interior or the Department of Justice can be used to compensate the Special Master and the Court Monitor appointed by the United States District Court for the District of Columbia in the *Cobell v. Norton* litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 133. Within 90 days of enactment of this Act the Special Trustee for American Indians, in consultation with the Secretary of the Interior and the Tribes, shall appoint new members to the Special Trustee Advisory Board.

SEC. 134. The Secretary of the Interior may use discretionary funds to pay private attorneys fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with *Cobell v. Norton* to the extent that such fees and costs are not paid by the Department of



Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in *Cobell v. Norton*.

SEC. 135. Section 124(a) of the Department of the Interior and Related Agencies Appropriation Act, 1997 (16 U.S.C. 1011 (a)), as amended, is further amended by inserting after the phrase "appropriations made for the Bureau of Land Management" the phrase "including appropriations for the Wildland Fire Management account allocated to the National Park Service, Fish and Wildlife Service, and Bureau of Indian Affairs".

SEC. 136. Public Law 107-106 is amended as follows: in section 5(a) strike "9 months after the date of enactment of the Act" and insert in lieu thereof "September 30, 2003".

SEC. 137. Notwithstanding any other provision of law, the funds provided in the Labor, Health and Human Services, Education and Related Agencies Appropriations Act of 2002, Public Law 107-116, for the National Museum of African American History and Culture Plan for Action Presidential Commission shall remain available until expended.

SEC. 138. Activities of the Restoration, Coordination and Verification team, as described in the final feasibility report and programmatic environmental impact statement for the comprehensive review of the Central and Southern Florida project, shall be directed jointly by the Secretary of the Army, the Secretary of the Interior, and the South Florida Water Management District.

SEC. 139. The U.S. Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks released from Federally operated or Federally financed hatcheries including but not limited to fish releases of the coho, chinook, and steelhead species. The requirements of this section shall not be applicable when the hatchery fish are produced for conservation purposes.

SEC. 140. The visitor center at the Bitter Lake National Wildlife Refuge in New Mexico shall be named for Joseph R. Skeen and, hereafter, shall be referred to in any law, document, or record of the United States as the "Joseph R. Skeen Visitor Center".

#### SEC. 141. COMMISSION ON NATIVE AMERICAN POLICY.

(a) ESTABLISHMENT.—Hereafter, there is established a commission to be known as the "Commission on Native American Policy" (in this section referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall be composed of 13 members appointed for the life of the Commission by the President as follows:

(1) A representative from the National Governors' Association.

(2) A representative from the National Association of Attorneys General.

(3) The Attorney General, or a designee.

(4) The Secretary of the Treasury, or a designee.

(5) The Secretary of the Interior, or a designee.

(6) The Secretary of Commerce, or a designee.

(7) The Chairman of the National Indian Gaming Commission, or a designee.

(8) 2 representatives from Indian tribes that operate Indian gaming facilities.

(9) 2 representatives from Indian tribes that do not operate Indian gaming facilities.

(10) 1 representative from a unit of local government that is located near an Indian gaming facility.

(11) 1 representative from the chamber of commerce of a unit of local government that is located near an Indian gaming facility.

(c) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(e) CHAIRPERSON.—The Chairperson of the Commission shall be elected by the members of the Commission. The term of office of the Chairperson shall be for the life of the Commission.

(f) BASIC PAY.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government, or whose compensation is not precluded by a State, local, or Native American tribal government position, shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for Level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(g) HEARINGS AND SESSIONS.—

(1) IN GENERAL.—The Commission may, for the purpose of carrying out its duties, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Commission.

(h) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(i) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out its duties. Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(j) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(k) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its duties.

(l) CONTRACT AUTHORITY.—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons for services, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(m) STUDY; REPORT.—

(1) STUDY.—Not later than 18 months after funds are first made available for this section, the Commission shall complete a study on the following:

(A) Living standards in Indian country, including health, infrastructure, economic development, educational opportunities, and housing.

(B) The effectiveness of current Federal programs designed to improve living standards in Indian country, including health, infrastructure, economic development, educational opportunities, and housing.

(C) Crime control on Indian reservations.

(D) The influence of non-Native American private investors on the Indian Federal recognition process.

(E) The influence of non-Native American private investors on the establishment and operation Indian gaming facilities.

(F) The influence of organized crime on Indian gaming.

(G) The impact of Indian gaming facilities on local communities, including the impact on economic, environmental, and social issues.

(2) REPORT.—Not later than 6 months after completion of the study required by paragraph (1), the Commission shall submit to Congress a report containing a detailed statement of the findings and conclusions of the Commission, together with its legislative recommendations for improving—

(A) the welfare of Native Americans, including health infrastructure, economic development, educational opportunities, and housing;

(B) the relationship between tribal entities and nontribal communities that live in the same area as tribal entities or Indian gaming facilities; and

(C) regulations that govern tribal gaming to reduce the potential for crime and exploitation of Indians and Indian tribes.

(n) TERMINATION.—The Commission shall terminate 30 days after submitting its final report pursuant to this section.

(o) FUNDING.—Of the amount appropriated in this Act for "BUREAU OF INDIAN AFFAIRS—OPERATION OF INDIAN PROGRAMS", \$200,000 shall be available to carry out this section.

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

POINT OF ORDER

Mr. HANSEN. Mr. Chairman, I make a point of order against the language contained in section 138 of the bill. This section, on page 68 of the bill, requiring the Army Corps of Engineers and the Department of Interior to jointly manage the central and southern Florida remediation project without delay, constitutes legislation on an appropriations bill in violation of clause 2(b) of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. SKEEN. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from New Mexico is recognized.

Mr. SKEEN. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. The language is stricken.

POINT OF ORDER

Mr. HANSEN. Mr. Chairman, I make a point of order against the language contained at pages 29-30 of the bill. This language, starting with the word "provided" at page 29, line 22, through line 11 at page 30, requiring the Army Corps of Engineers to implement so-called alternative 6D without further delay, constitutes legislation on an appropriations bill in violation of clause

2(b) of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. SKEEN. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from New Mexico is recognized.

Mr. SKEEN. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. The language will be stricken.

AMENDMENT OFFERED BY MR. HANSEN

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

The Clerk read as follows:

Amendment offered by Mr. HANSEN:

Page 8, line 16, after the dollar amount insert "(reduced by \$1,800,000)".

Page 15, line 1, after the dollar amount insert "(increased by \$1,800,000)".

Mr. HANSEN. Mr. Chairman, this amendment would shift \$1.8 million from Bureau of Land Management land acquisition for Utah's Grand Staircase Escalante National Monument to the Fish and Wildlife Service construction account. The purpose is to provide the final installment of \$1.8 million that is required to start construction and provide for the completion of the Bear River Migratory Bird Refuge Education Center in Brigham City, Utah.

This center has been previously authorized by the House pursuant to its recent passage of H.R. 3322 which approved the project for a total of \$11 million. This \$1.8 million provides the last and final installment which allows the project to move forward to completion.

According to the Congressional Budget Office, and this is the important part, this amendment is revenue-neutral and does not increase outlays or spending rates. This amendment does not affect projects in any other State.

Mr. SKEEN. Mr. Chairman, I have seen the amendment by the gentleman from Utah and the chairman of the House Committee on Resources and my good friend. I note that it moves money from one project in Utah to another, and as such, I have no objection.

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

Mr. Chairman, I would just say that I hope that the gentleman will make certain that the commitments that were made about matching funds are made and kept on this project. From the majority staff, we have been told that there has been a question about that, but if the gentleman has assured me that those questions will be answered affirmatively and positively with his personal commitment, I will have not have any objection to the project.

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

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

Mr. HANSEN. Mr. Chairman, I would be happy to make that commitment to the gentleman. I was personally involved in some of the fundraisers that have been involved in this, and I have

no problem taking care of the gentleman's concern.

MOTION TO RISE OFFERED BY MR. DICKS

Mr. DICKS. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Washington (Mr. DICKS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 210, not voting 15, as follows:

[ROLL No. 308]

YEAS—209

- |             |                |               |
|-------------|----------------|---------------|
| Abercrombie | Hilliard       | Oberstar      |
| Ackerman    | Hinchev        | Obey          |
| Allen       | Hinojosa       | Olver         |
| Andrews     | Hoeffel        | Ortiz         |
| Baca        | Hoekstra       | Owens         |
| Baird       | Holden         | Pallone       |
| Baker       | Holt           | Pascarell     |
| Baldacci    | Honda          | Pastor        |
| Baldwin     | Hooley         | Paul          |
| Barcia      | Hoyer          | Payne         |
| Barrett     | Inslee         | Pelosi        |
| Becerra     | Israel         | Peterson (MN) |
| Bentsen     | Jackson (IL)   | Phelps        |
| Berkley     | Jackson-Lee    | Pomeroy       |
| Berman      | (TX)           | Price (NC)    |
| Berry       | Jefferson      | Rahall        |
| Bishop      | John           | Rangel        |
| Blumenauer  | Johnson, E. B. | Reyes         |
| Borski      | Jones (NC)     | Rivers        |
| Boyd        | Jones (OH)     | Rodriguez     |
| Brady (PA)  | Kanjorski      | Roemer        |
| Brown (FL)  | Kaptur         | Ross          |
| Brown (OH)  | Kennedy (RI)   | Rothman       |
| Capps       | Kerns          | Roybal-Allard |
| Capuano     | Kildee         | Rush          |
| Cardin      | Kilpatrick     | Roy           |
| Carson (IN) | Kind (WI)      | Sanchez       |
| Carson (OK) | Kleczka        | Sanders       |
| Clay        | Kucinich       | Sandin        |
| Clayton     | LaFalce        | Sawyer        |
| Clement     | Lampson        | Schaffer      |
| Clyburn     | Langevin       | Schakowsky    |
| Condit      | Lantos         | Schiff        |
| Conyers     | Larsen (WA)    | Scott         |
| Costello    | Larson (CT)    | Serrano       |
| Coyne       | Lee            | Sherman       |
| Cramer      | Levin          | Shows         |
| Crowley     | Lewis (GA)     | Skelton       |
| Cummings    | Lipinski       | Slaughter     |
| Davis (CA)  | Loggren        | Smith (MI)    |
| Davis (FL)  | Lowey          | Smith (WA)    |
| Davis (IL)  | Lucas (KY)     | Snyder        |
| DeFazio     | Luther         | Solis         |
| DeGette     | Lynch          | Spratt        |
| Delahunt    | Maloney (CT)   | Stark         |
| DeLauro     | Maloney (NY)   | Stenholm      |
| Deutsch     | Markey         | Strickland    |
| Dicks       | Matheson       | Stupak        |
| Dingell     | Matsui         | Tanner        |
| Doggett     | McCarthy (MO)  | Tauscher      |
| Doyle       | McCarthy (NY)  | Taylor (MS)   |
| Edwards     | McCollum       | Thompson (CA) |
| Engel       | McDermott      | Thompson (MS) |
| Eshoo       | McGovern       | Thurman       |
| Etheridge   | McInnis        | Tierney       |
| Evans       | McIntyre       | Towns         |
| Farr        | McKinney       | Turner        |
| Fattah      | McNulty        | Udall (CO)    |
| Filner      | Meehan         | Udall (NM)    |
| Ford        | Meek (FL)      | Velazquez     |
| Frank       | Meeke (NY)     | Viscosky      |
| Frost       | Menendez       | Waters        |
| Gephardt    | Millender      | Watson (CA)   |
| Gonzalez    | McDonald       | Watt (NC)     |
| Gordon      | Miller, George | Waxman        |
| Green (TX)  | Mink           | Weiner        |
| Gutierrez   | Mollohan       | Wexler        |
| Hall (OH)   | Moore          | Woolsey       |
| Harman      | Murtha         | Wu            |
| Hefley      | Napolitano     | Wynn          |
| Hill        | Neal           |               |

NAYS—210

- |               |               |               |
|---------------|---------------|---------------|
| Aderholt      | Gillmor       | Pence         |
| Akin          | Gilman        | Peterson (PA) |
| Armey         | Goode         | Petri         |
| Bachus        | Goodlatte     | Pickering     |
| Ballenger     | Goss          | Pitts         |
| Barr          | Graham        | Platts        |
| Bartlett      | Granger       | Pombo         |
| Barton        | Graves        | Portman       |
| Bass          | Green (WI)    | Pryce (OH)    |
| Bereuter      | Greenwood     | Putnam        |
| Biggett       | Grucci        | Quinn         |
| Bilirakis     | Gutknecht     | Radanovich    |
| Boehler       | Hall (TX)     | Ramstad       |
| Boehner       | Hansen        | Regula        |
| Bonilla       | Hart          | Rehberg       |
| Bono          | Hastings (WA) | Rogers (KY)   |
| Boozman       | Hayes         | Rogers (MI)   |
| Boswell       | Hayworth      | Rohrabacher   |
| Brady (TX)    | Herger        | Ros-Lehtinen  |
| Brown (SC)    | Hilleary      | Royce         |
| Bryant        | Hobson        | Ryan (WI)     |
| Burr          | Horn          | Ryan (KS)     |
| Burton        | Hostettler    | Saxton        |
| Buyer         | Houghton      | Schrock       |
| Callahan      | Hulshof       | Sensenbrenner |
| Calvert       | Hunter        | Sessions      |
| Camp          | Hyde          | Shadegg       |
| Cannon        | Isakson       | Shaw          |
| Cantor        | Issa          | Shays         |
| Capito        | Istook        | Sherwood      |
| Castle        | Jenkins       | Shimkus       |
| Chabot        | Johnson (CT)  | Shuster       |
| Chambliss     | Johnson (IL)  | Simmons       |
| Coble         | Johnson, Sam  | Simpson       |
| Collins       | Keller        | Skeen         |
| Combest       | Kelly         | Smith (NJ)    |
| Cooksey       | Kennedy (MN)  | Smith (TX)    |
| Cox           | King (NY)     | Souder        |
| Crane         | Kingston      | Stearns       |
| Crenshaw      | Kirk          | Stump         |
| Cubin         | Knollenberg   | Sullivan      |
| Culberson     | Kolbe         | Sununu        |
| Cunningham    | LaHood        | Sweeney       |
| Davis, Jo Ann | Latham        | Tancredo      |
| Davis, Tom    | LaTourette    | Tauzin        |
| Deal          | Leach         | Taylor (NC)   |
| DeLay         | Lewis (CA)    | Terry         |
| DeMint        | Lewis (KY)    | Thomas        |
| Diaz-Balart   | Linder        | Thornberry    |
| Doolittle     | LoBiondo      | Thune         |
| Dreier        | Lucas (OK)    | Tiahrt        |
| Duncan        | Manzullo      | Tiberi        |
| Dunn          | McCrery       | Toomey        |
| Ehlers        | McHugh        | Upton         |
| Ehrlich       | McKeon        | Vitter        |
| Emerson       | Mica          | Walden        |
| English       | Miller, Dan   | Walsh         |
| Everett       | Miller, Gary  | Wamp          |
| Ferguson      | Miller, Jeff  | Watkins (OK)  |
| Flake         | Moran (KS)    | Watts (OK)    |
| Fletcher      | Morella       | Weldon (FL)   |
| Foley         | Myrick        | Weldon (PA)   |
| Forbes        | Nethercutt    | Weller        |
| Fossella      | Northup       | Whitfield     |
| Frelinghuysen | Norwood       | Wicker        |
| Gallegly      | Nussle        | Wilson (NM)   |
| Ganske        | Osborne       | Wilson (SC)   |
| Gekas         | Ose           | Wolf          |
| Gibbons       | Otter         | Young (AK)    |
| Gilchrest     | Oxley         | Young (FL)    |

NOT VOTING—15

- |             |               |            |
|-------------|---------------|------------|
| Blagojevich | Hastings (FL) | Reynolds   |
| Blunt       | Mascara       | Riley      |
| Bonior      | Moran (VA)    | Roukema    |
| Boucher     | Nadler        | Sabo       |
| Dooley      | Ney           | Trafficant |

□ 2319

Messrs. SULLIVAN, NORWOOD, GILMAN, SMITH of Texas, BURTON of Indiana, COLLINS, HYDE, ADERHOLT, FLAKE, WHITFIELD, HOUGHTON, SAM JOHNSON of Texas, HORN, and Mrs. MYRICK changed their vote from "aye" to "no."

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

So the motion to rise was rejected. The result of the vote was announced as above recorded.

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

The amendment was agreed to.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. SIMPSON, 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. 5093) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes, had come to no resolution thereon.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Mrs. THURMAN) is recognized for 5 minutes.

(Mrs. THURMAN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING SAM MORRIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HAYES) is recognized for 5 minutes.

Mr. HAYES. Mr. Speaker, 2 weeks ago the 8th Congressional District of North Carolina lost one of its treasures. Sam Morris was the epitome of a newspaperman who cared deeply about his community, the City of Raeford in Hoke County, North Carolina. Sadly, my friend, Sam Morris, recently passed away.

Sam played a number of roles in his community. He was a respected historian, long time newspaperman, prominent civic and political leader, and a leader in the Raeford Presbyterian Church. Sam was the former general manager of the Dickson Press, and a former Raeford City councilman. Additionally, Sam proudly served his State

and country as a member of the North Carolina National Guard, rising to the rank of first lieutenant.

Sam stepped down from his official role with the Raeford News Journal back in 1982, but kept up his weekly column until the very end. His column, "Around Town," focused on people, social events, weather, politics, and anything else that caught Sam's eye. The column was a widely read and widely respected one in Hoke County. As a matter of fact, I would gladly trade a week of national TV interviews for one good mention in Sam's column.

Sam had a reputation for always doing the right thing in all of his pursuits in life. His time at the newspaper was no different. He was a stickler for accuracy and doing the right thing during his newspaper career.

I am going to miss Sam. I know that Hoke County is going to miss Sam and miss reading his weekly insights. He is survived by his loving wife, Mary Alice; son, John Arthur Morris of New Bern; daughter, Sarah Morris Moore of Virginia Beach; and four grandchildren. My heartfelt condolences go out to his family for their loss and the community's loss.

While his presence in Hoke County will be missed, his legacy will remain with us forever.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. UDALL) is recognized for 5 minutes.

(Mr. UDALL of New Mexico addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. SHOWS) is recognized for 5 minutes.

(Mr. SHOWS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. WYNN) is recognized for 5 minutes.

(Mr. WYNN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2330

The SPEAKER pro tempore (Mr. JEFF MILLER of Florida). Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

(Ms. BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MASCARA (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mr. NADLER (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mrs. ROUKEMA (at the request of Mr. ARMEY) for July 15 and today until 2:00 p.m. on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Ms. BALDWIN) to revise and extend their remarks and include extraneous material:

Mrs. THURMAN, for 5 minutes, today.  
Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.  
Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. UDALL of New Mexico, for 5 minutes, today.