

the area and assure continued public access to thereto. In developing the list, the Commission shall consult with other Federal land managing agencies, State and local officials, the National Park System Advisory Board, resource management, recreation and scholarly organizations and other interested parties as the Secretary deems advisable. These consultations shall also include appropriate opportunities for public review and comment.

(b) **MEMBERSHIP AND APPOINTMENT.**—The Commission shall consist of 7 members each of whom shall have substantial familiarity with, and understanding of, the National Park System. Three members of the Commission, one of whom shall be the Director of the National Park Service, shall be appointed by the Secretary. Two members shall be appointed by the Speaker of the United States House of Representatives and two shall be appointed by the President Pro Tem of the United States Senate. Each member shall be appointed within 3 months after the expiration of the 1-year period specified in section 102(c).

(c) **CHAIR.**—The Commission shall elect a chair from among its members.

(d) **VACANCIES.**—Vacancies occurring on the Commission shall not affect the authority of the remaining members of the Commission to carry out the functions of the Commission. Any vacancy in the Commission shall be promptly filled in the same manner in which the original appointment was made.

(e) **QUORUM.**—A simple majority of Commission members shall constitute a quorum.

(f) **MEETINGS.**—The Commission shall meet at least quarterly or upon the call of the chair or a majority of the members of the Commission.

(g) **COMPENSATION.**—Members of the Commission shall serve without compensation as such. Members of the Commission, when engaged in official Commission business, shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service under section 5703 of title 5, United States Code.

(h) **TERMINATION.**—The Commission established pursuant to this section shall terminate 90 days after the transmittal of the report to Congress as provided in subsection (a).

(i) **LIMITATION ON NATIONAL PARK SERVICE STAFF.**—The Commission may hire staff to carry out its assigned responsibilities. Not more than one-half of the professional staff of the Commission shall be made up of current employees of the National Park Service.

(j) **STAFF OF OTHER AGENCIES.**—Upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission.

(k) **EXPERTS AND CONSULTANTS.**—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as authorized by section 3109(b) of title 5, United States Code, but at rates determined by the Commission to be advisable.

(l) **POWERS OF THE COMMISSION.**—(1) The Commission shall for the purpose of carrying out this title hold such public hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems advisable.

(2) The Commission may make such by-laws, rules, and regulations, consistent with this title, as it considers necessary to carry out its functions under this title.

(3) When so authorized by the Commission any member or agent of the Commission

may take any action which the Commission is authorized to take by this section.

(4) The commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(5) The Secretary shall provide to the Commission any information available to the Secretary and requested by the Commission regarding the plan referred to in section 101 and any other information requested by the Commission which is relevant to the duties of the Commission and available to the Secretary.

SEC. 104. NEPA.

The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the preparation of any report pursuant to section 102 or 103 of this Act.

TITLE II—NEW AREA ESTABLISHMENT

SEC. 201. STUDY OF NEW PARK SYSTEM AREAS.

Section 8 of the Act of August 18, 1970, entitled "An Act to improve the Administration of the National Park System by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes" (16 U.S.C. 1a-1 and following) is amended as follows:

(1) By inserting "GENERAL AUTHORITY.—" after "(a)".

(2) By striking the second through the sixth sentences of subsection (a).

(3) By redesignating the last sentence of subsection (a) as subsection (e) and inserting in such sentence before the words "For the purposes of carrying" the following: "(e) AUTHORIZATION OF APPROPRIATIONS.—"

(4) By striking subsection (b).

(5) By inserting the following after subsection (a):

"(b) **STUDIES OF AREAS FOR POTENTIAL ADDITION.**—(1) At the beginning of each calendar year, along with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a list of areas recommended for study for potential inclusion in the National Park System.

"(2) In developing the list to be submitted under this subsection, the Secretary shall give consideration to those areas that have the greatest potential to meet the established criteria of national significance, suitability, and feasibility. The Secretary shall give special consideration to themes, sites, and resources not already adequately represented in the National Park System Plan to be developed under section 101 of the National Park System Reform Act of 1994. No study of the potential of an area for inclusion in the National Park System may be initiated after the date of enactment of this section, except as provided by specific authorization of an Act of Congress. Nothing in this Act shall limit the authority of the National Park Service to conduct preliminary resource assessments, gather data on potential study areas, provide technical and planning assistance, prepare or process nominations for administrative designations, update previous studies, or complete reconnaissance surveys of individual areas requiring a total expenditure of less than \$25,000. Nothing in this section shall be construed to apply to or to affect or alter the study of any river segment for potential addition to the national wild and scenic rivers system or to apply to or to affect or alter the study of any trail for potential addition to the national trails system.

"(c) **REPORT.**—The Secretary shall complete the study for each area for potential inclusion into the National park System within 3 complete fiscal years following the date

of enactment of specific legislation providing for the study of such area. Each study under this section shall be prepared with appropriate opportunity for public involvement, including at least one public meeting in the vicinity of the area under study, and reasonable efforts to notify potentially affected landowners and State and local governments. In conducting the study, the Secretary shall consider whether the area under study—

"(1) possesses nationally significant natural or cultural resources, or outstanding recreational opportunities, and that it represents one of the most important examples of a particular resource type in the country; and

"(2) is a suitable and feasible addition to the system.

Each study shall consider the following factors with regard to the area being studied: the rarity and integrity of the resources, the threats to those resources, whether similar resources are already protected in the National Park System or in other Federal, state or private ownership, the public use potential, the interpretive and educational potential, costs associated with acquisition, development and operation, the socioeconomic impacts of any designation, the level of local and general public support and whether the unit is of appropriate configuration to ensure long term resource protection and visitor use. Each such study shall also consider whether direct National Park Service management or alternative protection by other agencies or the private sector is appropriate for the area. Each such study shall identify what alternative or combination of alternatives would in the professional judgment of the Director of the National Park Service, be most effective and efficient in protecting significant resources and providing for public enjoyment. Each study shall be completed in compliance with the National Environmental Policy Act of 1969. The letter transmitting each completed study to Congress shall contain a recommendation regarding the Administration's preferred management option for the area.

"(d) **LIST OF AREAS.**—At the beginning of each calendar year, along with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a list of areas which have been previously studied which contain primarily cultural or historical resources and a list of areas which have been previously studied which contain primarily natural resources in numerical order of priority for addition to the National Park System. In developing the list, the Secretary should consider threats to resource values, cost escalation factors and other factors listed in subsection (c) of this section."

SEMPER FI FOR TOTS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. BARCIA. Mr. Speaker, I rise today to call attention to the excellent Toys for Tots program that has operated in Bay County since 1980 under the able and sincerely appreciated leadership of Gunnery Sergeant Robert K. Greenleaf of the Marine Corps Reserve. It is most important for all of us to remember that we can always do more to help our neighbors, especially children, and the

Toys for Tots program is one which we should all support.

Toys for Tots was started in 1947 by Major William Hendricks in Los Angeles County. He began the program through the Marine Corps Reserve when he saw that there was no other program which provided toys for children on Christmas morning. The program expanded throughout the country just one year later. Today, having provided toys to over 100 million children since its inception, Toys for Tots reaches around the world. The Marine Corps Reserve has carried forth its motto of *Semper Fidelis*—"Always Faithful"—to their support for children.

No national program becomes successful without the active involvement of key people in each locality. Sergeant Greenleaf has done an outstanding job of running the program in my home county, Bay County, since 1980. That first year he helped bring smiles to 263 children, and last year helped bring more than 24,500 toys to nearly 6,500 children. He did this as a volunteer, in addition to his duties as a Bay City police officer.

And at this time of year, he puts in enough hours to rival Santa himself, as he pulls double duty between the time as a police officer and the hours necessary to make Toys for Tots the continuing success that it is. His belief that no child should wake up Christmas morning without a smile is a philosophy that all of us should support.

Toys for Tots is a wonderful program that is in many of our home communities. I urge all of our colleagues to actively support this annual campaign and make sure to provide an extra thank you to Gunnery Sergeant Robert K. Greenleaf and his colleagues responsible for each of these local programs.

THE JOB CREATION AND WAGE ENHANCEMENT ACT

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. ARCHER. Mr. Speaker, today I am proud to introduce the Job Creation and Wage Enhancement Act. This bill is an important component of the Contract With America.

For the past several decades, Federal taxes, regulations, and mandates have increasingly limited job creation, suppressed wages, and stifled economic growth. This bill is an important step in reversing this trend.

The Job Creation and Wage Enhancement Act would cut taxes and government redtape. It recognizes that the way to unleash the American economy is by lowering taxes and getting government out of the way.

First, the bill would cut taxes on capital gains. Investors who sell a capital asset would have a 50-percent capital gains deduction. In addition, capital assets would be indexed for inflation, ending the unfair practice of taxing gains due to inflation. Taxpayers who sell their homes at a loss could deduct that loss as a capital loss.

Second, the bill would increase depreciation deductions for business equipment. Currently, depreciation deductions do now allow businesses to recover the true economic cost of their business investment. The bill would increase depreciation deductions to approach

the economic equivalent of expensing. The bill would also increase to \$25,000 the amount a small business could expense annually.

The bill would raise the current estate and gift tax exemption equivalent to \$750,000. It would also clarify the home office deduction in instances where the taxpayer conducts essential administrative or management activities in his or her home.

The bill also would empower taxpayers to allocate a portion of their tax liability to a public debt reduction fund. These funds would be strictly earmarked for national debt reduction. Under the law, Congress would be required to cut spending equal to the amount designated by taxpayers. If these cuts are not realized, an across-the-board sequester would be imposed.

Significant regulatory relief would also be provided by the bill. Federal agencies would be required to assess the risks and cost of regulations they impose. Federal agencies would be forced to announce the cost of their policies and to complete regulatory impact analyses.

Congress doesn't get off the hook either. Congress would be required to report the cost of mandates it imposes on State and local governments.

The bill would reduce the paperwork burden imposed on American businesses by 5 percent and limit the government's ability to impose undue burdens on private property owners.

Since I was first elected to Congress, I have been fighting for capital gains tax relief and other savings and investment incentives. This bill provides these incentives. It lowers taxes on investment and reins in government regulation to create additional jobs, raise wages, and recognize private property rights.

Last November, the voters told us that they wanted lower taxes and less government. This bill, along with other bills in the Contract With America, provides just that.

INTRODUCING THE UNFUNDED MANDATE REFORM ACT OF 1995

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

HON. THOMAS M. DAVIS

OF VIRGINIA

HON. ROB PORTMAN

OF OHIO

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CLINGER. Mr. Speaker, today we are introducing legislation to help end the practice of Congress imposing crippling mandates on State and local governments without knowing the cost of such mandates or providing the funding to carry them out. For too long, Congress has imposed its own agenda on State and local governments without taking any responsibility for the costs. And the costs are staggering—in 1993, unfunded Federal mandates cost States tens of billions of dollars, counties approximately \$4.8 billion, and cities \$6.5 billion. But cost is not the full story. Unfunded mandates force State and local governments to reduce vital services and/or in-

crease taxes, revamp their budgets and reorder their priorities. This is not the kind of Federal-State-local government partnership the Founders envisioned. We need a new kind of federalism.

Our bill, the "Unfunded Mandate Reform Act of 1995," requires authorizing legislation containing a mandate on State and local governments or on the private sector to include a Congressional Budget Office estimate of the costs of such mandate. Any mandate imposing annual aggregate costs of \$50 million or more on State and local governments would be subject to a vote on the House floor and, unless a majority of Congress overrides a point of order, the mandate must be funded or those mandates will not become effective. Alternatively, an authorizing committee may reduce the programmatic or financial responsibilities of State and local governments consistent with the level of Federal funding that can be provided. Any mandate that does become effective in 1 year shall be repealed at the beginning of the first fiscal year for which funding has not been provided.

This mandate relief legislation also requires each agency to assess the effects of Federal regulations on State and local government and the private sector and to minimize regulatory burdens imposed by such mandates. Federal agencies must prepare, under our legislation, statements describing, among other things, the costs and benefits of mandates to State and local governments and to the private sector. This is designed to make the regulatory process more sensible and accountable.

Although the mechanisms in our legislation apply to prospective mandates, we have also created a commission to review all existing mandates for purposes of streamlining or eliminating those that no longer make sense. The Commission on Unfunded Federal Mandates will make recommendations to the Congress within 1 year of its formation.

Currently, Members of Congress consider legislation containing unfunded mandates without any information on their cost to State and local governments and the private sector, without a separate debate in committee and on the House floor and without recorded votes on the issue. As a result, there is no honesty in the process, no accountability for this irresponsible practice. Our legislation will change all that. It will also establish a sensible and long-overdue rule that Congress shall not impose Federal mandates on State and local governments without providing adequate funding to comply with such mandates.

PLAY BALL

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. WILLIAMS. Mr. Speaker, big league ballplayers, major league team owners: play ball!

Today, we are witness to a collective bargaining impasse that endangers not only the 1995 season but the game itself.

I have today introduced legislation to provide mandatory and binding arbitration if the parties fail to reach agreement.