

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. DREIER). Pursuant to House Resolution 267, a motion that the House insist on its disagreement to the amendment of the Senate numbered 132 is adopted.

#### PERSONAL EXPLANATION

Mr. FOLEY. Mr. Speaker, on rollcall No. 797, adoption of the conference report on Treasury-Postal appropriations, I was unavoidably delayed in reaching the House floor in order to record my vote. Had I been present, I would have voted "yea."

#### WAIVING POINTS OF ORDER AGAINST FURTHER CONFERENCE REPORT ON H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 253 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 253

*Resolved*, That upon adoption of this resolution it shall be in order to consider the further conference report to accompany the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. BURTON of Indiana). The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

Ms. PRYCE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from California [Mr. BEILENSEN], my good friend, pending which time I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Ms. PRYCE asked and was given permission to revise and extend her remarks and to include extraneous material.)

Ms. PRYCE. Mr. Speaker, I am pleased to bring to the floor today this rule providing for the further consideration of the conference report H.R. 1977, the Department of the Interior and related agencies appropriations bill for the fiscal year 1996. This is a simple, fair rule which waives all points of order against the conference report and against its consideration.

The blanket waiver includes a waiver of clause 2 of rule XX as well as a waiver of clause 3 of rule XXVIII which permits the House to discuss provisions which may exceed the scope of differences between the House and Sen-

ate. Under the normal rules of the House, we will have 1 hour of debate on the conference report itself in addition to the minority's customary right to offer a motion to recommit with or without instructions. Considering the serious fiscal situation which our country now faces, I am hopeful that the House will accept the work of the conferees so that we can send this important legislation on to the President for his signature.

Every step we take to pass these important appropriations bills brings us one step closer to restoring stability to our Nation's budget and finances. As my colleagues will recall, the House first considered the conference report on the Interior bill on September 29. By a vote of 277 to 147, the House voted to send the bill back to conference with instructions to reinstate the House-passed moratorium on issuing mining patents. Although the House passed a separate motion instructing conferees to stand by the moratorium language, the conference agreed, the conference agreement dropped this provision and instead replaced it with the Senate language essentially requiring payment of fair market value.

This new conference agreement continues the existing moratorium on issuing mining patents until mining law reform is enacted either as a part of reconciliation or if it is passed by both the House and Senate in a freestanding identical bill. Under the compromise agreement, the Interior Department is required to process within 3 years at least 90 percent of grandfathered claims which are exempt from the current moratorium.

In addition to addressing the moratorium issue, the conference report provides funding for the core program and missions of the agencies covered by this legislation including funding for operating the national park system and all of our public lands and for the health, care and education needs of Native Americans.

Although the bill represents less spending than last year's level, funding for the operations of the Nation's national parks and monuments, national forests and grasslands, public lands and national wildlife refugees has been maintained. The bill also provides for basic energy research with an emphasis on industry cost sharing, and it funds research programs which focus on protecting human life and property from earthquakes and similar natural hazards.

Funding for the repair and maintenance of the various Smithsonian museums and the National Gallery of Art has actually been increased, and the bill continues to demand Outer Continental Shelf offshore oil and gas leasing. The conference report also includes a reduction in the funding for the naval petroleum reserve need today ensure that the outlays in the conference report match the subcommittee's 602(b) outlay allocation and a provision permitting the National Park

Service to spend up to \$100,000 to develop a management plan for the Mojave National Preserve.

The conference report total is more than 10 percent below the amount provided in last year's legislation. Savings have been achieved by eliminating redundant management layers, reducing grants programs and doing away with functions which the subcommittee believes are not inherent Federal responsibilities. Chairman REGULA and the members of the Committee on Appropriations have made some very difficult choices in writing this year's bill, and I applaud them for their hard work and dedication. The chairman's system of prioritizing the must-do's, the need-to-do's and the nice-to-do's reflects the kind of fiscal restraint and responsibility we need to keep this Nation firmly on the road to a balanced budget.

So I commend Chairman REGULA for his leadership and for his patience in crafting a bill that avoids unnecessary earmarks and that honors our fundamental commitment to the American people to achieve meaningful deficit reduction and to create a smaller, more efficient Federal Government.

In closing, Mr. Speaker, let me say that I look forward to hearing from my good friend from Ohio and from other Members who played a role in shaping this final conference agreement. House Resolution 253 differs very little from the kind of rule granted by the Committee on Rules this year for conference reports on other appropriations bills. It is entirely appropriate for this debate. I urge my colleagues to adopt this rule and to pass the conference report without any further delay.

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

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume. I thank the distinguished gentlewoman from Ohio [Ms. PRYCE] for yielding the customary 30 minutes of debate time to me.

Mr. Speaker, we oppose this rule, and the measure it makes in order, the conference report on Interior appropriations for fiscal 1996. This new conference report is only slightly different from the version of the legislation the House voted to return to the conference committee back in September. For the same reasons we stated at that time, we believe that Members should reject this rule and this conference report.

The rule before us waives all points of order against the conference report, and against its consideration. One major reason why the conference report needs such a rule is that it contains numerous violations of clause 2 of rule XXI, the rule that prohibits legislation—policy matters—in an appropriations bill.

We acknowledge that it is very difficult to avoid violating rule XXI entirely in an appropriations bill, but the Rules Committee usually tries—or we did try, in previous Congresses—to

minimize the extent to which appropriations bills contain policy matters. Not only did those efforts prevent flagrant intrusions on the jurisdiction of authorizing committees, they also kept appropriations bills from getting bogged down in disagreements over issues that are unrelated to the amount of funding being provided to Government agencies.

This rule, however, sanctions the use of the appropriations process to make far-reaching changes in policies governing the use of our Nation's resources. It makes it possible for the House to consider a bill that the *Los Angeles Times* has said is "swollen with hidden attacks on the public lands, national parks, and the environment."

One of those attacks, as Members know, is on public lands containing valuable minerals. As Members recall, the mining legislation inserted into the first conference report is the issue that persuaded 277 Members—an overwhelming majority of us—to vote to send that version back to conference for revisions.

Unfortunately, the conferees came back with a wholly unsatisfactory response. The conference report does contain a moratorium on mining patents, but only until either budget reconciliation legislation containing provisions regarding patenting of mining claims and payment of royalties is enacted, or the House and Senate agree to such provisions in other legislation.

Note that the moratorium could be lifted simply if the House and Senate pass such legislation—it is not necessary that it be enacted into law.

The conferees also made a change regarding the Mojave National Preserve that attempts to allay the concerns of many of us about the original conference report. But it fails in that respect, too.

Report language accompanying the new conference report allows the National Park Service to use \$100,000 in existing funds to develop a management plan for the east Mojave area. But it does not overturn the original legislation removing the Mojave Preserve from the protection of the National Park Service by prohibiting the Park Service from spending more than \$1 on it next year. It would still shift authority for the area back to the Bureau of Land Management, whose rules are much more lenient than the Park Service's on mining, grazing, dirt biking, and other detrimental activities.

Many other egregious provisions that were contained in the original conference report remain in the new version. For example:

The conference report directs the Forest Service to change policy with regard to the Tongass National Forest in Alaska—our Nation's premier temperate rainforest—in order to dramatically increase logging in environmentally sensitive areas of the forest;

It prohibits adding new species of plants and animals to the endangered

species list, despite clear scientific evidence that hundreds of species awaiting listing are headed toward extinction;

It cripples a joint Forest Service-BLM ecosystem management project for the Columbia River Basin in the Northwest, a project that was intended to allow a sustainable flow of timber from that region. This provision threatens the protection of salmon and other critical species, and guarantees continued court battles over logging in that region; and

It places a moratorium on the development of Federal energy efficiency standards.

In addition to all these troubling provisions, the conference report endangers resource protection by reducing spending for many critical activities. The conference report cuts spending on the Interior Department and related agencies as a whole by 10 percent from this year's level, but within that reduction are much deeper cuts in many valuable programs, including wildlife protection, energy conservation, land acquisition, support for the arts and humanities, and support for native Americans. These are programs that do an enormous amount of good for our Nation for a relatively small sum.

Defenders of this measure say that these cuts are necessary to help balance the budget but, in fact, the \$1.4 billion cut this bill makes from last year's level is necessary only in the sense that the majority's budget plan needs it to help pay for \$7 billion in added defense spending, including spending on weaponry that Pentagon officials themselves say the Nation does not need. It is necessary only because the majority's budget plan needs it to help pay for a 7-year, \$245 billion tax cut that will mostly benefit the wealthiest Americans.

The real significance of this legislation is not its contribution to reducing the Federal budget deficit, but rather its contribution to the multipronged assault on environmental protection that has been launched by the Republican leadership in the House. When this legislation is viewed in the context of other antienvironmental measures the House has considered, or will be considering, its negative impacts are even more apparent.

This conference report follows House passage of several so-called regulatory reform bills—the Contract With America bills that would cripple Federal regulatory agencies' ability to implement and enforce environmental protection laws;

It follows House passage of the amendments to the Clean Water Act that would permit more water pollution and allow the destruction of more than half the Nation's remaining wetlands;

It follows enactment of a provision included in the fiscal 1995 rescission bill which will dramatically increase logging in national forests;

It follows House passage of an appropriations bill which cuts funding for

the Environmental Protection Agency by one third;

It follows House passage of the budget reconciliation bill that would open Arctic National Wildlife Refuge to oil and gas drilling, and would provide special deals for industries that want to use the natural resources that belong to all Americans—mining, timber, ranching, and oil and gas interests—and special deals for concessionaires in our national parks, and for ski operators in our national forests; and

It follows House Resource Committee passage of a bill that would weaken the most important provisions of the Endangered Species Act, imperiling our hard-fought efforts to protect our biological resources.

Mr. Speaker, the President intends to veto this bill if it is sent to him in its current form. Thus, we have two choices: Either pass this bill now, and have it vetoed and returned to us for further changes, or send it back to conference now for those changes. At this late date, the wise choice would be to shorten the process by sending it back to conference now.

Mr. Speaker, I urge Members to vote "no" on the rule.

□ 1445

Ms. PRYCE. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. REGULA], the distinguished chairman of the Subcommittee on Interior of the Committee on Appropriations.

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

Mr. REGULA. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, my colleagues, let us make it clear what the issue is. This body voted to recommit this bill to the conference committee for the purpose of including a mining patent moratorium. The patent moratorium was put back in the bill. It is the language that I had in the bill last year. I have been one of the key proponents of a patent moratorium. I voted to recommit my own bill to get a mining patent moratorium. I think it is essential. I think we need the patent moratorium in order to effect meaningful mining reform legislation.

However, we are not a legislative committee. Our responsibility is to hold the line with a moratorium for fiscal year 1996 in hopes that there will be mining reform legislation.

Mr. Speaker, I would point out to my friends across the aisle that for 2 years they had complete control of the House, the Senate, and the executive branch, and there was no mining reform. The only thing that was enacted was the patent moratorium that I put in the bill last year after a struggle to get that. Now we have an opportunity again to have a mining patent moratorium in this bill.

Mr. Speaker, let me read to my colleagues what the Department of Interior said about this language, and I

quote from the Department's effect statement, and they say this, about what is in this conference report: "This amendment language would hold back such a rush while Congress passes at least some form of mining law reform legislation."

So you have the Department of Interior saying that this language will hold back the rush to have patents issued. Without the moratorium language, we are going to have along line down at the Department of Interior of people waiting to file their patents and have them issued.

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

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, will the gentleman also read the preferred action of the effect statement which indicate that the Department prefers the moratorium language that was in the bill last year to the moratorium language that is in this bill; is that not correct?

Mr. REGULA. Mr. Speaker, reclaiming my time, that is correct, but the problem is that we cannot use the identical language, because the moratorium last year was conditioned on falling out if the mining reform legislation in conference was passed. Well, of course it was not, so the moratorium stayed in effect.

Mr. Speaker, we do not have mining reform bill in conference as a free standing bill this year. We have mining reform legislation in reconciliation, also known as the Balanced Budget Act of 1995. This, again is conditioned on the fact that if, if there is in the reconciliation bill mining reform that must be signed by the President and becomes law, only then will the moratorium drop out. I would assume and hope that it will be not be signed by the President if it does not have good comprehensive mining reform. The President has said that.

Mr. YATES. Mr. Speaker, as I understand the language of the so-called mining reform that is in the reconciliation bill, it does not require that the bill be sent to the President for his signature.

Mr. REGULA. Well, reclaiming my time, the reconciliation bill cannot become law unless it is signed by the President. That is a legislative act.

Mr. YATES. Mr. Speaker, if the gentleman will continue to yield, that is an entirely different question, may I say to the gentleman. The only reason for doing away with the moratorium, the language in that bill, is passage by the House and the Senate.

Mr. REGULA. Mr. Speaker, reclaiming my time, the gentleman from West Virginia is talking about the second condition that it has to be an identical freestanding bill. If that occurred, it would allow every Member of the House and Senate to participate in establishing mining policy. That is extremely unlikely to happen.

The real key is that if the reconciliation bill contains mining reform deal-

ing with patents and royalties and it is signed by the President, then the moratorium drops out. Otherwise, it stays in effect and we will not have this rush of patents that otherwise would happen.

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

Mr. REGULA. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Speaker, I appreciate the distinguished subcommittee chairman for yielding and do commend him for all of the excellent work he has done in the area of mining law reform, and in an effort to invoke a true mining moratorium.

Mr. Speaker, I would ask the gentleman, though, if he is aware of a letter that has been written to a member of the other body from the Department of Justice stating the unconstitutionality of the particular provision to which you refer.

Mr. REGULA. Mr. Speaker I am very aware of it, and for that reason it becomes meaningless. So the key here is a reconciliation bill that contains mining reform that is signed by the President. Otherwise, the moratorium stays in place, which I know is what the gentleman would like to have happen.

Mr. RAHALL. Mr. Speaker, I would say to the gentleman if he would continue to yield, yes, but it is my understanding that the signature of the President is not required.

Mr. REGULA. Mr. Speaker, reclaiming my time, it is on the reconciliation bill, and that is the key to having the moratorium drop out. As a practical matter, unless there is a reconciliation bill with mining law reform signed by the President, the moratorium stays in place for fiscal year 1996. That is the practical effect, because the question you have raised makes the second part moot.

Mr. RAHALL. Mr. Speaker, I thank the gentleman.

Mr. REGULA. Mr. Speaker, again, just let me emphasize that this does address what this body recommitted, and I supported the recommitment. Again, I want to emphasize, I support a mining patent moratorium. I put it in place in this subcommittee in previous years. I think that this does the job.

Mr. Speaker, the real problem is with the reconciliation bill, and I would urge my colleagues on both sides who want meaningful mining reform legislation to talk to the conferees on the reconciliation bill, because there is where the action is. But if they do not do the job, and the President obviously has said he will not sign a bill that does not have good mining reform language, then the moratorium will stay in place in fiscal year 1996, as we were instructed.

Mr. Speaker, let me mention the Tongass. The statement was made that this would dramatically increase the cut. Well, from 310 million board feet to 320 million board feet hardly qualifies as dramatically increasing the cut. All it does is give the Forest Service some flexibility.

The Tongass language, and this is important that I emphasize to my colleagues, says, and I am quoting from the language, that the increased cut, which will be very, very slight, if any, because we have not put any extra money in to implement the cuts, so I doubt if there will be any extra cut, but if it is, it is "to the maximum extent as is practical." Decided by whom? The Forest Service.

The Chief of the Forest Service is appointed by the President of the United States. So, control over what happens in the Tongass remains, I emphasize remains, in the Forest Service. Because if they determine that not one extra board foot is practicable, nothing happens. Furthermore, they likely cannot do it because they do not have the money to accomplish that.

So I think that the Tongass is raised as a symbolic issue, but as a real issue, it is meaningless, and I hope Members will not make a judgment on this motion on the basis that it is sending it back for the Tongass. That language does not do anything for all practical purposes. I was advised by the Forest Service that it really does not do anything.

So I think it is important that we get on with this bill and not recommit it. Let us get it passed. If the President determines that this does not meet his standards for environmental conditions, he can veto it, and then we will go back to the drawing board and the ranking member and myself, along with our colleagues in the other body, will try to address as best possible their concerns.

Mr. Speaker, let me also point out to the Members on my side of the aisle, and for all Members, for that matter, we talk about balancing the budget; the President is talking about balancing the budget, about cutting spending. The only way we cut spending is to cut spending. We have done this.

This bill is 10 percent below 1995, and that is in the face of very challenging responsibilities. However, it keeps the parks open, it keeps the forest recreation areas open, it keeps the fish and wildlife facilities open, it keeps the Smithsonian open, the Kennedy Center, the National Gallery of Art. It funds the programs that are important.

Obviously, there were some things we could not do. We could not buy a lot more land, we could not start more visitor centers. A lot of the nice things that we would like to do we could not do, but we have accomplished what I think is a very responsible bill, given the fact that we had 10 percent less to work with.

Some on my side have been concerned about the National Biological Service. We have folded that into the U.S. Geological Survey to ensure that we have the scientific evidence and basic information that is needed to do an effective job in the Department of the Interior. We have in no way crippled the ability to deliver science. The

USGS is a highly respected, reputable agency, and I think that what we have here is a very responsible bill, given the parameters of what we have to work with, and I would urge all of my colleagues, when the time comes, to reject the motion to recommit and to vote for the conference agreement.

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

□ 1500

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I oppose both this rule and the bill. I urge my colleagues to vote against the bill if this rule should pass, for a number of reasons, but one that is particularly close to me and many other Members is one I want to mention here today.

The people in America with the lowest life expectancy are native Americans. This bill cuts native American efforts. The people among us with the highest infant mortality rates are America's Indians. This bill cuts them. The American people do not support that. President Clinton does not support that.

The people in America with the highest unemployment rates are native Americans. This bill cuts them. The people in America with the worst poverty in this Nation are America's Indian people. I have a reservation in Montana, proud people, northern Cheyenne, taught Custer a lesson in strategy. They have 65 percent unemployment. No people in America would put up with that for a month. These people have lived with it for more than a century.

A turnaround has begun in Indian country. Because of the dozen and a half years of chairmanship of the gentleman from Illinois [Mr. YATES] and his good colleagues, American Indians have begun to turn the corner toward a better future. This bill stops that progress. There is a quarter of a billion dollar cut in BIA programs in this bill. The American people do not support that.

In a bill that is about to come to us, Housing and Urban Development, the people with the worst housing in America, American Indians, are about to find their housing money running out. And this bill cuts construction for native American projects by \$20 million.

If you left this up to a vote of the American people, they would say the Republicans are absolutely wrong about this. They would say, "Mr. President, veto this bill. Don't harm these native Americans any worse than has already been done."

Native Americans are a proud people, and they are eager for a museum to be completed down on The Mall, the Native American Indian Museum. The Republicans killed the money for that museum and say it will not be built. The American people want it built. The American people want to understand

how it is these native Americans got in the position they are in and that museum will help our understanding.

It is shameful, my friends, and I have not used this word shame, which has been used on the floor of the House a lot this year, I have not used it, but these cuts to the first Americans are shameful, and my colleagues should vote against the bill on that basis alone.

Ms. PRYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Speaker, I thank the gentleman from Ohio for yielding me the time.

Mr. Speaker, I want to thank the gentleman from Ohio [Mr. REGULA] for all his fine work on this bill. While I disagree with my colleagues on that side of the aisle, these cuts are necessary if we are going to indeed live up to a balanced budget over the next 7 years.

I also have to say that I am disappointed in negotiations that have been going on in the situation over mining reform. Mining legislation in this country is based on laws that were passed in 1872, and for 120 years mines which operate on Federal lands pay absolutely no royalties on billions of dollars of gold and copper deposits and everything else. The gentleman from Ohio [Mr. REGULA] is absolutely right. He was the one who championed the idea of patent moratoriums which said no additional new mines until we figure out a way to force these companies to pay the royalties they should have paid, not just the last several years but frankly in many cases for hundreds of years.

The gentleman from Ohio [Mr. REGULA] drafted legislation that very sensibly said we will agree to lift the moratorium if we can get a deal in the budget reconciliation package that establishes mining fees we can all agree on. It is my great disappointment at the end of the day and after a week of discussions to tell Members unfortunately the language that is going to be in the reconciliation package in terms of mining reform I frankly do not think is very responsible.

True it will achieve about \$160 million in income to the Federal Government from those mining operations, but first of all arguably that is only a fraction of what we might get, and then of the money that comes in the door, less than 20 percent of that \$160 million actually comes from royalties, and so when we are through this first cycle, we are now going to discover that those mining operations can continue on Federal land for a fraction of what they should be paying.

All we are asking for is the same kind of mining royalty fees that we see in Nevada and California and other States across this country where there is mining on States lands, they get their taxpayers a fair chunk of change and we should do that here in Washington as well. Unfortunately the lan-

guage that is going to be tucked in the reconciliation bill in many cases will not only apply the royalty fee at too low a rate, it will apply it at too soon a step in the mining process to get us a far lower return than we should get and frankly is loaded with so many loopholes that you can drive truckloads of billions of dollars of ore right straight on through it.

I want to thank the gentlewoman from Ohio [Ms. PRYCE] for bringing a rule to the floor that makes sense. I will be delighted to support it. I want to thank my colleague, the gentleman from Ohio [Mr. REGULA], for beginning to champion this issue several years ago, but while we are trying to broker a deal that makes sense for the American people, we have not brokered the right deal yet and I cannot support the Interior Department appropriation bill with mining moratorium yanked out of it for a deal that none of us can face our constituents and fully support. I wish it were otherwise, Mr. Speaker, but it is not. As a result, I cannot support this very difficult package that my colleague from Ohio has tried to put back together.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Speaker, I do not understand my good friends in the majority. Do they not read the polls about environmental protection, that the American people want to see that? Do they not read about 1872 mining laws? Do they not read about logging on Tongass and many of the other important initiatives?

I think nobody is more eloquent than my friend from Montana talking about native American programs. Of all the Department of the Interior programs, 45 percent of the cuts come from the Bureau of Indian Affairs.

These cuts are going to mean that thousands and thousands of native Americans are going to face cuts in law enforcement, on services to the elderly, on road repair, on housing repairs, social services, and as if that were not already devastating, the conference report abolishes the Office of Indian Education, eliminating educational funds for half a million Indian children.

This bill also proceeds with a number of initiatives that gut the environment. Protection of fish, wildlife, plant species, a waiting list under the Endangered Species Act would be blocked for another year, even for species on the verge of extinction.

The Forest Service, as I mentioned the Tongass, would be forced to implement an obsolete, ecologically unsound forest management plan for the environmentally sensitive Tongass National Forest.

The dialog initiated between livestock permittees and other public land users, very important to those of us in the West, on the future of public rangelands will be put on hold. These are the

famous RAC's, Rangeland Advisory Councils. Throughout the West they have been formed. They are ranchers, environmentalists, public land users. They are working well. Why do we want to put them on hold? These are going to determine the future of public lands. This bill does that.

The Columbia Basin ecosystem management project, that deals with salmon and saving salmon and other vital resources of the Pacific Northwest, would also be subverted.

Mr. Speaker, what we have here is a bill that may even be worse than the last one. The mining moratorium. Despite the fact that we have been told that the mining moratorium provisions have been fixed to accommodate the overwhelming will of the House that a real patenting moratorium is included in the final bill, what we have is only a half loaf solution to a very real problem.

Mr. Speaker, the President is going to veto this bill. The League of Conservation Voters is going to be against this bill. The main reasons are the Tongass, and the giveaway of free gold and public lands through mining patents that are going to continue.

What would happen here is, the Interior Department would be mandated to sell off over 230,000 acres of public lands to mining companies in the next 3 years. In addition, if either the House or Senate passes legislation changing the mining law patent provision, the moratorium on new patents would be lifted.

This is a bad bill. It should be sent back to conference. I urge its defeat, and I urge the defeat of the rule.

Mr. RICHARDSON. Mr. Speaker, I include the following for the RECORD:

[From National Wildlife Federation, Washington, DC]

(By John Kostyack, Counsel and Cathy Carlson)

#### H.R. 1977 STILL FATALLY FLAWED

#### VOTE NO ON THE INTERIOR APPROPRIATIONS CONFERENCE REPORT

In September 1995, the House voted 277 to 147 to commit the FY96 Interior Appropriations conference report because the report lifted a moratorium on "patenting" under the Mining Law, allowing mining companies to buy public land for as little as \$2.50 per acre, and we get the gold for free.

In the reconferenced bill, *the give-away of free gold and public lands through mining patents will continue*. The Interior Department would be mandated to sell off over 230,000 acres of public lands to mining companies in the next three years. In addition, if either the House or Senate passes legislation changing the Mining Law patent provision, the moratorium on new patents would be lifted.

The Mining Law patent give-away is not the only problem with H.R. 1977. The Interior Appropriations bill also undermines several vital natural resource programs.

Protection of fish, wildlife and plant species awaiting listing under the Endangered Species Act would be blocked for another year, even for species on the verge of extinction.

The Forest Service would be forced to implement an obsolete and ecologically unsound forest management plan for the envi-

ronmentally sensitive Tongass National Forest in Alaska.

The dialogue initiated between livestock permittees and other public land users (in BLM Resource Advisory Councils) on the future of the public rangelands would be put on hold.

The Columbia Basin Ecosystem Management Project, designed to save salmon and other vital resources of the Pacific Northwest, would be subverted. The latest scientific findings would be ignored and timber sales and management plans would be exempt from environmental review.

Don't let Congress give away our Nation's precious resources—vote no on H.R. 1977.

#### STATEMENT OF ADMINISTRATION POLICY ON H.R. 1977—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, FY 1996

(Sponsors: Livingston (R) Louisiana; Regula (R) Ohio)

This Statement of Administration Policy provides the Administration's views on H.R. 1977, the Department of the Interior and Related Agencies Appropriations Bill, FY 1996, as approved in conference on October 31, 1995. Your consideration of the Administration's views would be appreciated.

In an October 19, 1995, letter to the conferees, the Administration identified the most troublesome provisions in the original conference report with the goal of arriving at a bill that serves specific, vital interests and that could be signed by the President.

Regrettably, the second conference report did not address the significant funding shortfalls and objectionable legislative riders. If the bill, as approved by the second conference, were presented to the President, he would veto it. The issues that were identified in the October 19th letter are still serious problems and are described below.

#### FUNDING ISSUES

The second conference did nothing to restore funds in the areas that the Administration identified as significantly underfunded. These are the Bureau of Indian Affairs and the Department of Energy's (DOE's) energy conservation programs.

The Bureau of Indian Affairs (BIA) budget was increased in the first conference \$86 million above the Senate level. However, there was no additional increase provided in the second conference. That would still leave the program \$136 million short of the House mark and \$184 million below the FY 1995 enacted level. The most significant effect of this action remains the crippling reductions targeted at tribal priority allocation programs, which support essential tribal government, law enforcement, housing improvement, general assistance, Indian child welfare, adult vocational training, road maintenance, and other reservation programs. The Administration's view is that funding must be substantially restored for these programs.

DOE's energy conservation programs are still funded at a net level of \$536 million. There has been no increase from the first conference level. This is \$187 million, or 26 percent, below the net FY 1995 enacted level of \$723 million, and 38 percent below the President's request. Funding for these programs must be restored significantly in order to reach acceptable levels.

In addition to the language issues addressed below, the President will not sign an Interior appropriations bill unless funding for these programs is significantly restored without harming other high-priority programs or unless there is an overall agreement between the Congress and the Administration on budget priorities that addresses the Administration's fundamental concerns about spending priorities both in this bill and elsewhere.

#### LANGUAGE ISSUES

The conference committee has again chosen to continue to include numerous legislative riders in the bill that the Administration finds seriously objectionable. The riders that were cited in the October 19th letter have not been significantly improved in the second conference. These provisions are so seriously flawed that the Administration sees no way to remedy them, short of removing them altogether. The most serious problems are:

A mining provision that still does not adequately protect the public interest. Unlike the language in the FY 1995 Act, the moratorium contained in the second conference report on new patents would be revoked if minimal provisions relating to patenting (but not comprehensive mining reform) are enacted into law through the budget reconciliation process, or simply if the House and Senate approve an agreement in identical form on patenting, royalties, and reclamation of mining claims. The latter provision raises a serious constitutional problem: the provision would be invalid under the Chadha decision if construed to require anything less than enactment. The moratorium language in the FY 1995 Act must be restored.

The Tongass (Alaska) forest management provisions that are unchanged from the first conference. These still include sufficiency language and would dictate the use of a 1992 forest plan that preempts our use of the most recent scientific information.

The Interior Columbia River Basin provision that is also unchanged from the first conference. It would terminate comprehensive planning for the management of these public lands by prohibiting the publication of the final Environmental Impact Statement or Record of Decision and limiting the contents to exclude information on fisheries and watersheds. The provision would risk a return to legal gridlock on timber harvesting, grazing, mining, and other economically desirable activities.

Retention of bill language that provides only \$1 for National Park Service (NPS) operation of the Mojave National Preserve and provides for land within the preserve to be managed by the Bureau of Land Management (BLM). Report language adopted by the second conference calling for more studies by the Park Service and disclaiming an intention to repeal portions of the landmark 1994 California Desert Protection Act does not change the fact that the Preserve would be starved of funding, and the purposes of the California Desert Act would be undercut.

No change in language from the first conference in a rider to make permanent the protocol for identification of marbled murrelet nests that was included in the FY 1995 rescission bill, thereby eliminating normal flexibility to use new scientific information as it develops.

In addition, the Administration has previously expressed concern about other legislative riders, including the moratorium on future listings under the Endangered Species Act, the Department of Energy efficiency standards one-year moratorium, the 90-day moratorium on grazing regulation implementation, and the provision affecting the Lummi Tribe and seven other self-governance tribes in Washington State. An additional funding issue concerns the severe cuts (nearly 40 percent) to the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH). These significantly reduced funding levels would jeopardize NEA's and NEH's ability to continue to provide important cultural, educational, and artistic programs for communities across America.

CONGRESS OF THE UNITED STATES,

Washington, DC, November 14, 1995.

Recommit Interior appropriations conference report.

DEAR COLLEAGUE: There are many good reasons to vote again to recommit the Interior Appropriations Conference Report. Here are two:

#### MINING PATENT MORATORIUM

We need to maintain restore a true mining patent moratorium. On July 18, the House voted 271 to 153 to continue the existing moratorium to prevent the unjustified giveaway of public lands to international mining conglomerates. When the Conferees bowed to pressure from the Senate and failed to include the patent moratorium, on September 29, the House voted 277 to 147 to recommit the Conference Report.

The Conferees have returned with a sham moratorium. Unlike the House amendment, this fake moratorium would not last through the entire fiscal year. Instead, it would be revoked if any patent provisions, no matter how weak, are included in budget reconciliation. And of course we will have no opportunity for a separate vote on the mining provisions in reconciliation. Moreover, those provisions—which allow for mineral-rich land to be sold only for the fair market value of the surface and a royalty so riddled with deductions that it won't collect any revenue—are not sufficient to protect the taxpayers against the continuation of a multi-billion dollar rip-off of public resources.

#### MANDATED LOGGING IN TONGASS FOREST

We also must get rid of a rider added by the Senate to dictate use of a scientifically flawed 1991 plan to increase logging in Tongass National Forest in Alaska by 100 million board feet (44 percent) over historic levels. Accelerated logging in this magnificent old-growth rainforest will not only threaten fish and wildlife viability, but also will significantly increase the Tongass timber program's \$102 million cost to the Treasury over the last three fiscal years—a greater cash flow deficit than any other national forest. To add further insult, the Tongass rider overturns a Ninth Circuit court decision and insulates the timber barons from further legal challenges from the public.

The mining and tongass provisions are both fiscally and environmentally irresponsible. We urge you to join us in voting for a motion to recommit this seriously flawed bill to the Conference Committee.

Sincerely,

GEORGE MILLER,  
Committee on Re-  
sources.

SIDNEY R. YATES,  
Subcommittee on Interior,  
Committee on Appropriations.

Ms. PRYCE. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. REGULA].

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

Mr. REGULA. I thank the gentleman for yielding me the time.

Mr. Speaker, I just want to answer some of the things that have been stated here. No. 1, concerning funding for programs for Indians, I want to point out that reservation-based education, these are the programs run by the Indians for their own education, is \$2 million over 1995 levels. I would point out that health care—and these are the two areas of greatest Federal responsibility—health is fully funded at 1995 levels.

I would point out, also, that we restored in conference, which I insisted on, \$86 million above the level for Indian programs in the other body. When we went to conference, the level in the other body's legislation was about \$220 million less than ours, and we pushed hard in conference and got it up \$86 million over the other body's level.

There is not enough to go around to do everything, but I think we addressed the most important things, education and health.

Some of the complaints about the existing programs are those that are operating under legislation passed when my friends across the aisle were in charge.

Now, let us talk again about the issue of mining reform. I think this is not the venue or the forum to address it. That issue is in the authorizing area. As the Congressional Quarterly in 1994 reported, if the gentleman from Illinois [Mr. YATES] recalls, the President sent up a bill that had in it a provision for royalties, and the gentleman deleted it because he said this is a responsibility of the authorizing committee, which was proper.

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

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. Just about half of this bill is legislative. If the gentleman insists that this bill is the wrong forum to have a mining provision, why then do we have the provision that we have on the Lummi Indians? Why then do we have the provision on Tongass? Why then do we have the provision on so many other things if this is in the wrong forum?

I would agree with the gentleman that we used legislative provisions in our bills when I was chairman, as well. But the fact remains that this is much more legislative and serves much more destructive purposes than our bills did at the time.

Mr. REGULA. Let me just quote for the gentleman from Illinois [Mr. YATES] from Congressional Quarterly:

Chairman Sidney Yates had tried to steer clear of major policy disputes that could spark a fight with authorizing committees. He persuaded the panel, "that is the subcommittee", for example, to exclude proposals to boost entrance fees at national parks and to impose royalties on hard rock miners.

President Clinton included both policy proposals in his fiscal 1995 budget request. So there was something that was proposed in the subcommittee by the President, and you took it out.

Mr. YATES. Mr. Speaker, will the gentleman yield further?

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. The reason for that was that we had a different atmosphere from the legislative committees at the time that I was chairman, and they objected to our putting legislative provisions in. This Congress, on the contrary, uses the appropriations bills for legislative purposes. There is no objec-

tion from the legislative committees. As a matter of fact, the legislative committees give you the legislation in order to put it into the appropriations bills.

Mr. REGULA. Reclaiming my time, I would point out that, of course, we did not have the Tongass language in the bill in the House originally, but there is another body, and we have to conference with the other body and reach some level of agreement with them.

I would point out also that the mining patent moratorium is not legislation. It simply says they cannot use the money in this bill to issue patents. As the Interior Department points out very clearly in their statement, there will be a land grab, a rush down in the department if we do not have a moratorium. That is why I put it in, to stop that from happening.

The gentleman from Wisconsin [Mr. KLUG] talked about the shortcomings of the reconciliation bill, and I agree with him 100 percent in what he said. So the answer to that is to vote against the reconciliation bill. That is where the issue is.

Mr. YATES. Mr. Speaker, will the gentleman yield further?

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. In our conference, I offered the gentleman's language on the moratorium that he put into our bill last year. It was voted down by the Republican side, including the gentleman's vote. Is that not correct?

Mr. REGULA. The language could not be exactly what it was last year because it was conditioned on a conference report coming out of a conference on mining reform that was being held between the House and the Senate, a conference agreement which never materialized.

□ 1515

Mr. YATES. It could have been.

Mr. REGULA. Let me say, as the gentleman well knows, in the first conference I was the one who tried to maintain the House position on the mining patent moratorium. I voted to send the bill back for a second conference to get a mining patent moratorium. I do not believe anybody can question my dedication to accomplishing a mining patent moratorium.

As the gentleman knows, I pushed this in our subcommittee.

Mr. YATES. If the gentleman will yield further, the gentleman and I have been friends for 20 years. We will remain friends no matter what happens, no matter how strained it is, we will remain very close friends.

Mr. REGULA. Absolutely.

Mr. YATES. The gentleman is exactly right in stating to the House that it was his language, it was his language that established the first moratorium. I wanted to do the same in this bill, and the gentleman would not do it.

Mr. REGULA. Well, I think, I say to the gentleman from Illinois [Mr. YATES], that we do accomplish the goal

of establishing a moratorium. I think we achieved what we were directed to do by the motion to recommit that you offered in the first go around on this. If the President keeps his word that he will not sign any bill containing mining reform that is not good, then we have no problem, because it is clear that the moratorium stays in place unless there is a mining reform bill in reconciliation that has to be signed by the President.

Mr. YATES. If the gentleman will yield further, the answer to what the gentleman proposes is to defeat this rule in which case we can go back to conference and change the language on the mining reform.

Mr. REGULA. Well, I think, in response to the gentleman, that we have accomplished what your motion to recommit directed us to do, and that is we have put a moratorium in this bill.

Mr. YATES. If the gentleman will yield further, the gentleman knows that one of the experts in the House on the moratorium is the gentleman from Wisconsin [Mr. KLUG]. You heard his speech. He does not agree with you.

Mr. REGULA. Well, I believe that I heard him say that he does not agree with what is happening in the reconciliation bill, and he clearly, and with good cause, has said that the language in the reconciliation bill is inadequate. I would also point out to my colleagues that the original Interior appropriations conference agreement had in it some of that very weak, sham legislation, as the gentleman from Illinois will recall, the so-called Craig language, and as part of getting the moratorium in our second conference, we eliminated that weak language that they attempted to place in the Interior appropriation bill in the other body. That is, of course, what the gentleman from Wisconsin [Mr. KLUG] was addressing. We got rid of that.

We have a mining patent moratorium in this bill to stop the giveaway until such time as we have good mining reform legislation, and I hope that the reconciliation conference committee will produce that. If they do not, I am quite sure the President will veto it, and therefore, the moratorium will stay in place, and I certainly urge everyone to vote for the rule, to vote against the motion to recommit that will be offered by the gentleman from Illinois, and vote for this conference report.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. YATES], the ranking member of the Subcommittee on Interior of the Committee on Appropriations.

Mr. YATES. Mr. Speaker, I never thought that I would say what I am going to say now about the Interior bill. This bill is a terrible bill. It is more legislative than it is appropriate. It provides a series of legislative provisions that should not be in this bill.

The appropriations process has been taken over by the authorizing commit-

tees to a much greater extent than should be done. The provisions in this bill are such that it will wreak destruction upon so many of our natural resources. It certainly will provide another trail of tears for the Indian people because of the burdens that it places on them.

The Republicans have insisted—on opposing President Clinton in the continuing resolution—that they are protecting their children's and the grandchildren's heritage. If that is truly their argument, then they will vote against this rule. They will vote against the conference report because this bill is destructive of our children's heritage.

It is supposed to protect our resources. It does not do that. Tongass, of course, is the primary example of that. So, Mr. Speaker, I would urge a defeat of this rule, and in the event the rule is defeated, there will be no necessity for offering another motion to recommit.

The House will recall, as was pointed out by my friend from Ohio, the chairman, that 7 weeks ago I offered the motion to recommit this conference report to improve the bill and to restore the mining moratorium. The conference committee reconvened. Instead of improving the bill, I suggest they made it worse.

I urge defeat of this rule.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Speaker, I hope that the majority party in the House will come to its senses and reject this bill. This is a very bad bill, for any number of reasons.

First of all, it slashes some very important programs. It cuts the National Endowment for the Arts by almost 40 percent. It slashes the National Endowment for the Humanities by almost 40 percent. It slashes and cuts away at the Nation's natural resources. It encourages increased logging in the Tongass National Forest, America's greatest temperate rainforest.

Beyond that, most of the logs cut from the rainforest will be shipped overseas. The value added will not even be added, for the most part, in this country. We will ship it overseas as a natural resource. Somebody else will add the value to it, send it back to us, and we will purchase it from them. It makes absolutely no sense to do that in this way.

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

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

Mr. YATES. Mr. Speaker, on that point, over the last 3 years, the cuts from the Tongass National Forest cost the Federal Government over \$100 million.

Mr. HINCHEY. I thank the gentleman for making that point. I thank the gentleman for making that point, and I want to say this: In addition to that piece of bad business, this bill contains a lot of bad business as well.

Ask yourself this question: If you owned a piece of land with minerals under it, valuable minerals under that land, would you sell that land for \$2.50 an acre or even \$100 an acre and sell the mineral rights along with it and forgo most of the royalties associated with those minerals rights? of course, you would not. But that is what we are doing in this bill. We are selling the patrimony of our Nation. We are selling off vast mineral rights, billions of dollars, literally billions of dollars of mineral rights at bargain basement prices to people who will take it, many of them foreign companies. They will come here from foreign places, take these lands, reap the mineral resources from them, and take the profits away, away from the American people who are their owners. This is wrong. It is simply wrong.

People on the majority party here come to us all the time and talk to us about running government as a business. Let us run it intelligently. Let us run it as a business.

Let me tell you, we have an opportunity to do that by rejecting this bill. If we are serious about running America as a business or running the government as a business, the last thing we ought to be doing is selling off the most valuable resources that we have, among them, at least, the vast billions of dollars of mineral resources that reside in the western part of this country. It makes absolutely no sense.

Therefore, this rule should be defeated, and the bill should be defeated.

Ms. PRYCE. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, the real problem today is getting out the facts. The facts are that this bill stops the giveaway, quite the contrary of what we just heard; it puts a moratorium on issuance of patents so that they cannot sell or give this away.

The speeches keep addressing mining reform. This is not mining reform legislation. That is in reconciliation. It should have come out and have been passed in the last 2 years when my friends had control. They did not do it.

I would certainly disagree that this is destruction of the Tongass when there are only a few million board feet added, and the Forest Service has control. There may not be any board feet added unless the Forest Service agrees to it.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Speaker, all I can say is sham, sham, sham. That is what this bill is all about.

What we have got is a situation where the gentleman from Ohio [Mr. REGULA] is promising the American people that, in fact, there is going to be mining reform, but underneath the so-called reforms, what we have is a situation where, if any of the big mining companies come in and somehow, just



somehow assert their will in the Congress of the United States and somehow get through a bill that looks like mining reform, smells like mining reform, but is reform only in the sense of a piece of paper but has no substantive reform underneath it, then in fact the moratorium disappears.

The American people grow up being taught that pennies are made out of copper. But if you are a foreign mine operator, they are made out of gold. The gold of the American taxpayer is being handed over to foreign mining operators simply because we do not have the will in the Congress of the United States to stand up to them. We have got a Republican Congress sitting here telling us today that we have got to raise Medicare premiums, that we have got to raise the rates on senior citizens in elderly housing, that we have got to raise the price of a college education, that we are going to take the meals away from elderly people, but when it comes to big foreign mining operations, oh, boy, we can find the dollars to subsidize them.

There is no real attempt to reform the foreign mining operations in this bill. There is an attempt to pretend on the floor of the Congress of the United States that we have foreign mining operations that are going to adhere to some new standard, but underneath it everyone knows that follows this place that all those guys come in here with their contributions, they come in here and are able to somehow assert their will on the majority and be able to get the kind of consideration that no poor person in the United States of America can expect to get in this Congress these days.

So I ask the people of this country, to, please, wake up; please, recognize that if you want a balanced budget, let us go after foreign miners, not after the working people and the poor of this country.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, what we are doing here as far as the American people are concerned is, yes, dealing with the question of appropriations, in this instance the Interior appropriations bill, and I guess the confusion is that they are seeing the Government not work, and we are now on the House floor talking about appropriations.

I wish this had been done some time ago. But it is all a question of priorities. I just voted for an appropriation also bill on Treasury and Postal and the reason is because there was a compromise there. But this has no sense of compromise. This has no understanding of what the American people have been saying.

Because it guts energy conservation programs, it certainly guts the National Endowment for the Arts, the Na-

tional Endowment for the Humanities, and as to the native Americans, it guts the programs that will help educate their children. This legislation bars the listing of additional endangered species. It does not extend the moratorium on transferring the mineral-rich Federal lands to private owners. It overturns a key provision of the California Desert Protection Act, which designates the Mojave National Preserve as a unit of the national park system.

Yes, it places new restrictions on the National Endowment for the Arts grant. This legislation wants to negatively legislate the NEA out of existence. Nobody wants to talk about that, the question of the arts and the First Amendment and the idea of children understand their Art heritage, arts in rural and inner-city schools is being. This is not about obscenity. This is about the National Endowment for the Arts providing programs for our rural hamlets and urban centers. In my district this hurts the Ensemble theatre, MECA, the Houston Ballet, Kuumba House, and the Houston Grand Opera. This bill hurts our Museums national and local (like Houston's Museum of Fine Arts). This bill cuts grants award going to our starving artists so they will not be able to produce the Nation's art. Yet we say we do not care about this. We do not care about the art of this Nation or the history of this Nation, and we are not supporting the fact that our history is the very manner by which we preserve our past.

□ 1530

The National Service Program, the AmeriCorps Program, which has been so successful in helping young people help their communities and go to college too! They work in cities and rural areas across this Nation. In Houston in the 18th Congressional District, they work with those unable to read, teaching them to read as they work in inner-city schools. These AmeriCorps students, under this bill see their funding gutted.

That is what is wrong with the appropriations process. There are no priorities. We want this Government to work, we want the doors to be open, we want to bring people back to work so they can serve the American people, and, yes, we have agreed, over and over again, the Democrats, to a balanced budget. What we have not agreed to is the list of priorities.

Mr. Speaker, I would simply ask my colleagues on the other side of the aisle, let the Interior bill conferees go back, and be fair with the dollars that the American people have entrusted to them. Do not give \$270 billions in tax cuts to the rich and then gut programs governing our environment, our Arts, our history and the American Indian. Do not take arts and history away from our children and deprive us of an environment that we can stand for and support. I just ask for a sense of fairness in this whole process. We must ap-

propriate funds with the right priorities.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Speaker, I thank the gentleman for yielding to me this time.

Mr. Speaker, this bill probably speaks more to the values that we in Congress have toward the esthetics of America, its land, its people, and certainly its arts. The gentleman from Ohio [Mr. REGULA] is probably one of the finest Members of this House, and it is a tough thing to bring this thing to the floor in the shape it is in.

Mr. Speaker, I stand today in opposition to the rule, and hopefully it will be defeated. If it is not, I hope that the bill is defeated and recommitted as it was once before, for several reasons.

First of all, the taxpayers are still ripped off under this bill, particularly as the mining process goes. It defers to the authorizing bill, which makes it worse, so by adopting this bill and then leading us to the authorizing bill, we are not getting a fair shake for the American taxpayer.

Second, the public gets cheated on the issue of the Endangered Species Act. It prohibits adding species not in the jurisdiction of the appropriations committee. It is in the jurisdiction committee, and this bill prohibits any endangered species from being added.

Third, the bill cripples the Columbia River Basin from the ability to create a sustainable timber harvest, at the same time protecting the salmon runs, which are so vital to the local economy.

Fourth, it puts a moratorium on the development of Federal energy efficiency standards.

Fifth, and worst of all, it cuts the subvention to State and local governments for acquisition of lands to enhance the quality of life issues, that enhance the local economies. It locks up over \$11.1 billion in the bank. This money is made from the sale of public resources, and does not give it back, does not reinvest, does not do what most things do when you try to run Government like a business, reinvest in its resources.

This bill locks that money up. These moneys should be reinvested, allowing us to create the esthetics that are essential for local communities to be a nice place to live. It fails to reinvest in America. That is why the rule should be defeated. If the rule passes, the bill should be defeated.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. VENTO].

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

Mr. VENTO. Mr. Speaker, I rise in opposition to this rule. The reason that this bill and appropriation bill needs a rule is because, as the ranking member stated, this bill goes well beyond a straight appropriations bill. In fact, it gets into the heart of writing and re-writing almost 30 years of land use and



landscape and environmental policy. Just as on the EPA bill we had 17 riders, on this bill I dare say you have even more riders than that, in terms of suspending what is happening in various parks and various public lands across this Nation.

I am sorry to see this happen, because I think that this bill, the Interior appropriations bill that in years before passed, had a great degree of comity; some controversy, but a greater degree of comity than almost any other appropriation bills before the House.

Mr. Speaker, I think with regards to the American public, there is great support for the conservation and the preservation of these special places and the rehabilitation of them. I think we had achieved that in the past, but we know that the issues are very hot. And when this comes down, this bill today is like a litany of issues that take away from the taxpayer, take away from the legacy of future generations, for the moment of today.

As we look at it, this bill does not make any economic sense if we were to count the value of the assets, but, of course, they are discounted. They are given no value in terms of asset sales and what is happening to our forests, what is happening to our public lands. It makes no economic sense.

This is not good business, this is bad business for the public. It makes no scientific sense. In fact, this bill suspends the very science of ecology and biology and others that the United States should be at the zenith of all nations in utilizing all our actions. We should be leading the world in terms of this conservation and the application of this science, not abandoning it.

It is easy to give lectures about Amazonia, or the Rift Valley in Africa. But you suspend it. In fact, this goes into the unprecedented step of eliminating the National Biological Survey; symbolic, but nevertheless, I think the wrong symbol. It suspends court cases and laws that try to guard and safeguard these fragile ecosystems that are so important.

The politics of this is bad politics. Look at the polls. Look at the polls in terms of what you are doing. If you do not think that is bad politics, I think you have another guess coming. The public does not want this to happen.

Finally, I think from a moral standpoint, from a moral standpoint, I think we know that this type of action is wrong. It is wrong. I think we have a responsibility to future generations.

As I heard my colleague and mentor Mo Udall often step to this well and say, we ought to leave part of this landscape the way it left the hand of the creator, quoting Mo Udall. I think he was right and I think he was touching on something all of us know we have a responsibility as policy makers and stewards today to uphold.

You can go back in dollars and cents and make up for some of the mistakes we make, when we make a mistake

with regards to a tax policy or spending policy. But this type of damage, you will never recover.

Mr. Speaker, that is why this rule needs to be defeated, this bill needs to be defeated, and sent back to conference and corrected.

Mr. BEILENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say once again we oppose this rule, and we oppose the measure that would make in order the conference report on Interior appropriations for next year, for a good many reasons, but especially for the reasons stated so well by the gentleman from Minnesota, Mr. VENTO, a couple of minutes ago, and also Mr. YATES and others in the past few minutes.

This new conference report is only slightly different from the version of the legislation that the House voted to return to the conference committee back in September. For the same reasons stated at that time and the reasons stated over and over again on this floor afternoon, we believe Members should reject the rule and the conference report.

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

Ms. PRYCE. Mr. Speaker, I yield the balance of our time to the gentleman from Ohio [Mr. REGULA], the chairman of the Committee on Resources.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 3½ minutes.

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

Mr. REGULA. Mr. Speaker, I have to say to my colleagues, I am tempted to check with the Clerk and see if we are still debating H.R. 1977. I hear from my friends on the other side of the aisle a lot of statements that have no relationship to this bill.

First of all, they say it is going to be a giveaway. This bill does not give anything away. It is the reconciliation bill that has mining reform, not this bill. This bill stops the giveaway. This bill has the moratorium.

Now, my friend from California says it is only slightly different. It is very different because it has a patent moratorium in it. The bill that was sent back by my friend from Illinois, and I agreed with his motion, did not have a moratorium. We sent it back to put in a moratorium. We did. We put the moratorium in, and, believe me, it was not easy. But it is there. I think that is far more than slightly different.

Then I have heard the statement that we are not doing enough for science. Let me point out that we have \$137 million for natural resource research in the NBS that has been put into the USGS. We have \$650 million for USGS, including resource research which is a scientific organization. We have almost \$1 billion in energy research in science. So we get a total of at least \$2 billion in science. That is not exactly a slight amount.

Then I have heard the statement that it guts Indian education. Well, I do not understand how a \$2 million increase over 1995 deserves that kind of a description. It is an increase in Indian-based education over 1995. It is certainly no reduction.

I have to say to all of my colleagues, this bill, given the fact that we were given 10 percent less to work with, is very fair. We have addressed the needs. As Members will recall, I said we divided into must-do's, need-to-do's, and nice-to-do's. We did those without regard to whose district it might be in, without regard to any partisanship. There are things in here in the must-do's that are in Democrat districts and Republican districts. There are need-to-do's in Democrat districts and Republican districts. We have done the best we could, given the fact that we had 10 percent less money.

We have done the best we could to address the egregious problems in mining in the 1872 Act. We are not given the responsibility nor do we have the right to enact mining reform. That is an authorizing problem, as the gentleman from Illinois clearly pointed out, in 1994, and it is in the reconciliation bill. We said we have a thumb in the dike, no more patents, other than those in the pipeline, which we cannot deal with because of the Constitution, but no more patents until there is a mining reform bill signed by the President of the United States.

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

Mr. REGULA. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, if the gentleman condemns the provision respecting mining because it should be handled by the authorizing committee, why then should not the gentleman also condemn what the conference did in connection with Tongass when it accepted alternative P, which will increase the cut in Tongass by 44 percent?

Mr. REGULA. Mr. Speaker, reclaiming my time, I do not condemn that. That is something the other body insisted on. But as the Forest Service people said to me this morning, it really does not do anything. We have not put the money in to increase the cut, so as the gentleman knows from past experience, it cannot be increased. So that is a Trojan Horse really.

The real issue here is the mining patent moratorium, and it is in here, as was ordered by the House.

The SPEAKER pro tempore (Mr. BURTON of Indiana). All time has expired. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. REGULA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the

point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 237, nays 188, not voting 7, as follows:

[Roll No 798]

YEAS—237

Allard	Frelinghuysen	Molinari
Archer	Frisa	Moorhead
Arney	Funderburk	Morella
Bachus	Galleghy	Murtha
Baker (CA)	Ganske	Myers
Baker (LA)	Gekas	Myrick
Ballenger	Geren	Nethercutt
Barr	Gilchrest	Neumann
Barrett (NE)	Gillmor	Ney
Bartlett	Gilman	Norwood
Barton	Goodlatte	Nussle
Bass	Goodling	Oxley
Bateman	Goss	Packard
Bereuter	Graham	Parker
Bevill	Greenwood	Paxon
Bilbray	Gunderson	Petri
Bilirakis	Gutknecht	Pombo
Bishop	Hall (TX)	Porter
Bliley	Hancock	Portman
Blute	Hansen	Pryce
Boehlert	Hastert	Quillen
Boehner	Hastings (WA)	Quinn
Bonilla	Hayes	Radanovich
Bono	Hayworth	Ramstad
Brewster	Hefley	Regula
Browder	Heineman	Riggs
Brownback	Herger	Roberts
Bryant (TN)	Hilleary	Rogers
Bunn	Hobson	Rohrabacher
Bunning	Hoekstra	Ros-Lehtinen
Burr	Hoke	Roth
Burton	Horn	Roukema
Buyer	Hostettler	Royce
Callahan	Hunter	Salmon
Calvert	Hutchinson	Sanford
Camp	Hyde	Saxton
Canady	Inglis	Scarborough
Castle	Istook	Schaefer
Chabot	Johnson (CT)	Schiff
Chambliss	Johnson, Sam	Seastrand
Christensen	Jones	Sensenbrenner
Chrysler	Kasich	Shadegg
Clinger	Kelly	Shaw
Coble	Kim	Shays
Collins (GA)	King	Shuster
Combest	Kingston	Skeen
Cooley	Klink	Smith (MI)
Cox	Klug	Smith (NJ)
Crane	Knollenberg	Smith (TX)
Crapo	Kolbe	Smith (WA)
Cremeans	LaHood	Solomon
Cunningham	Largent	Souder
Davis	Latham	Stearns
Deal	LaTourette	Stenholm
DeLay	Laughlin	Stockman
Diaz-Balart	Lazio	Talent
Dickey	Leach	Tate
Dicks	Lewis (CA)	Tauzin
Doolittle	Lewis (KY)	Taylor (NC)
Dornan	Lightfoot	Thomas
Dreier	Linder	Thornberry
Duncan	Livingston	Torkildsen
Dunn	LoBiondo	Trafficant
Ehlers	Longley	Upton
Ehrlich	Lucas	Vucanovich
Emerson	Manzullo	Walker
English	Martini	Walsh
Ensign	McCollum	Wamp
Everett	McCrery	Watts (OK)
Ewing	McDade	Weldon (FL)
Fawell	McHugh	Weldon (PA)
Fields (TX)	McInnis	Weller
Flanagan	McIntosh	White
Foley	McKeon	Whitfield
Forbes	Meehan	Wicker
Fowler	Metcalf	Wolf
Fox	Meyers	Young (FL)
Franks (CT)	Mica	Zeliff
Franks (NJ)	Miller (FL)	Zimmer

NAYS—188

Abercrombie	Baessler	Barrett (WI)
Ackerman	Baldacci	Becerra
Andrews	Barcia	Beilenson

Bentsen	Hamilton	Pastor
Berman	Harman	Payne (NJ)
Bonior	Hastings (FL)	Payne (VA)
Borski	Hefner	Pelosi
Boucher	Hilliard	Peterson (FL)
Brown (CA)	Hinchey	Peterson (MN)
Brown (FL)	Holden	Pickett
Brown (OH)	Hoyer	Pomeroy
Bryant (TX)	Jackson-Lee	Poshard
Cardin	Jacobs	Rahall
Chapman	Jefferson	Rangel
Chenoweth	Johnson (SD)	Reed
Clay	Johnson, E. B.	Richardson
Clayton	Johnston	Rivers
Clement	Kanjorski	Roemer
Clyburn	Kaptur	Rose
Coburn	Kennedy (MA)	Roybal-Allard
Coleman	Kennedy (RI)	Rush
Collins (IL)	Kennelly	Sabo
Collins (MI)	Kildee	Sanders
Condit	Kleccka	Sawyer
Conyers	LaFalce	Schroeder
Costello	Lantos	Schumer
Coyne	Levin	Scott
Cramer	Lewis (GA)	Serrano
Cubin	Lincoln	Sisisky
Danner	Lipinski	Skaggs
de la Garza	Lofgren	Skelton
DeFazio	Lowe	Slaughter
DeLauro	Luther	Spratt
Dellums	Maloney	Stark
Deutsch	Manton	Stokes
Dingell	Markey	Studds
Dixon	Martinez	Stump
Doggett	Mascara	Stupak
Dooley	Matsui	Tanner
Doyle	McCarthy	Taylor (MS)
Durbin	McDermott	Thompson
Edwards	McHale	Thornton
Engel	McKinney	Thurman
Eshoo	McNulty	Tiahrt
Evans	Meek	Torres
Farr	Menendez	Torricelli
Fattah	Mfume	Towns
Fazio	Miller (CA)	Velazquez
Filner	Minge	Vento
Flake	Mink	Visclosky
Foglietta	Moakley	Volkmer
Ford	Mollohan	Ward
Frank (MA)	Montgomery	Waters
Frost	Moran	Watt (NC)
Furse	Nadler	Waxman
Gejdenson	Neal	Williams
Gephardt	Oberstar	Wilson
Gibbons	Obey	Wise
Gonzalez	Olver	Woolsey
Gordon	Ortiz	Wyden
Green	Orton	Wynn
Gutierrez	Owens	Yates
Hall (OH)	Pallone	

NOT VOTING—7

Fields (LA)	Tejeda	Young (AK)
Houghton	Tucker	
Spence	Waldholtz	

□ 1602

Mr. MORAN and Mr. STUMP changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 250, THE HOUSE GIFT REFORM RULE

Ms. PRYCE, from the Committee on Rules, submitted a privileged report (Rept. No. 104-341) on the resolution (H. Res. 268) providing for consideration of the resolution (H. Res. 250) to amend the Rules of the House of Representatives to provide for gift reform, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2564, LOBBYING DISCLOSURE ACT OF 1995

Ms. PRYCE, from the Committee on Rules, submitted a privileged report (Rept. No. 104-342) on the resolution (H. Res. 269) providing for the consideration of the bill (H.R. 2564) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### CONFERENCE REPORT ON H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. REGULA. Mr. Speaker, pursuant to House Resolution 253, I call up the conference report on the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BURTON). Pursuant to rule XXVIII, the conference report is considered read.

(For conference report and statement, see proceedings of the House of October 31, 1995, at page H11541.)

The SPEAKER pro tempore. The gentleman from Ohio [Mr. REGULA] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. YATES] will be recognized for 30 minutes.

It is the Chair's understanding that the gentleman from Colorado [Mr. SKAGGS] will control the time on the Democratic side.

Mr. SKAGGS. Mr. Speaker, that is correct. Mr. Speaker, I ask unanimous consent that 5 minutes of the time that the minority would otherwise control be controlled by the gentleman from New York [Mr. BOEHLERT].

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio [Mr. REGULA].

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to H.R. 1977, which was just agreed to, and that I be allowed to include extraneous and tabular material.

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

There was no objection.

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

Mr. Speaker, I bring to you today the improved and revised Interior conference report. When we last met on H.R. 1977, the House voted to recommit the Interior Appropriations conference agreement with instructions to restore