

Mr. Chairman, I just want to say to my good friend from California that God loves a repentant sinner, and I remember in the Bible when Paul is on the road to Damascus, then called Saul, and Christ appeared to him, and he had a miraculous conversion and became, instead of a zealot against Christ, he became a supporter and became one of the greatest apostles of all, and the gentleman from California has been, at least to my recollection, one of the bigger spenders in the body, and apparently he has some new found fiscal conservatism, and I just like to say, I really appreciate that conversion, and I hope that conversion continues when we get to the appropriations bills later in the year, because later in the year we'll have the opportunity to make some major cuts in spending, and since this new found conservatism has risen in this gentleman's psyche, I hope it continues, and I would congratulate him on becoming a fiscal conservative.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I appreciate the gentleman's remarks, but they are somewhat off target. The fact of the matter is that in these issues before the committee, which I have now sat on for 20 years, my position has always been that the Federal Treasury and the Federal taxpayer, whether it is in my district in California, in the Western United States or anywhere else, is entitled to fair market value for the resources. Most of these pieces of legislation that have made it to the floor the gentleman from the well has voted against for, I am sure, other reasons than those reasons, but the fact is we have voted, whether it is in water subsidies, mining subsidies, timber subsidies, and tried to regain for the people some control over those, that has been my historical record, and it has happened no matter without question where the project existed or elsewhere, and so the gentleman's arrow is somewhat misplaced at this point, but I appreciate his support for the concept that I am expressing here and expect his vote on this amendment because that road to Damascus was started with one small step, and the gentleman can take it here today. I am sure the gentleman from Iowa [Mr. LEACH] will have some other literary reference at some point—

Mr. BURTON of Indiana. Reclaiming my time, let me just say that I am happy to see that the gentleman is moving in the right direction, and I hope, when we get to the appropriations bills later this year, that he will continue to be fiscally conservative.

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

Mr. Chairman, I am concerned that we try to maintain a certain level of consistency, and I would point out to the gentleman from California that in November of 1993 he did vote for legis-

lation that included the nonreimbursed advance of the hatchery in Senecaville, OH, and I am curious that now he has seen that this is no longer a good policy, he would like to depart from that.

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

Mr. Chairman, I heard somebody a minute ago from the other side of the aisle mention the National Taxpayers Union, and I think it is appropriate to point out the lack of credibility that that organization has with most Members of this House and certainly with most Members of the other body. Some may wonder why that is. Let me remind Members that when the Senate was controlled by the Republican Party, and the House was controlled by the Democratic Party, the National Taxpayers Union used double standards in order to rank and rate Members' votes about whether they were conservative enough or liberal enough. Whatever it was, they were going to make the report. So, when you pass an appropriations on this side of the House and voted for it, it was a bad vote for the National Taxpayers Union. That same bill passing the Senate, however, was not counted as a bad vote against a Senator.

So, I think it is appropriate, Mr. Chairman, that any time somebody gets up and touts that particular organization, that those of us who understand that they use a double standard ought to stand up and say so.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MILLER].

The amendment was rejected.

□ 1500

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 584) to direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mrs. Sara Emery, one of his secretaries.

#### NEW LONDON NATIONAL FISH HATCHERY CONVEYANCE ACT

The SPEAKER pro tempore. Pursuant to House Resolution 146 and rule

XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 614.

□ 1502

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 614) to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from New Jersey [Mr. SAXTON] will be recognized for 30 minutes, and the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

Mr. Chairman, I suspect this debate will be somewhat shorter than the last one. I cannot think of anything that can be said that has not already been said, including references to outside organizations and other such debate. But this bill, which is brought to us by the gentleman from Minnesota [Mr. MINGE] with reference to the New London National Fish Hatchery in Minnesota, is substantively the same as the previous two bills. It is of the same level of importance as the previous two bills. I would hope that, once again, this bill would proceed to be passed without amendment.

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

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

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

Mr. STUDDS. Mr. Chairman, ditto. I really join the gentleman from New Jersey in being utterly unable to conjure anything that has not been said at least three times before.

I take that back, I can think of one thing. I understand the desire of the new majority to tote up on the scoreboard the number of open rules that they have successfully adopted, but I would enter just one personal plea to go back to the old system of suspensions.

The gentleman from New Jersey and I and the gentleman from Alaska and I and others in the old days would have been finished these three bills approximately 1½ hours ago. We could be well on our way toward dinner. There are matters that require the time of the House, but with all due respect, these three bills, which are very good and should be passed, do not require that much time. We should proceed.

Mr. Chairman, I rise in support of H.R. 614, a bill to transfer title of the New London National Fish Hatchery to the State of Minnesota.

The New London hatchery has been operated by the State of Minnesota under a memorandum of understanding with the fish and Wildlife Service since the early 1980's. It produces walleye and muskies for a wide range of State fishery programs.

The State of Minnesota has made some minor improvements to the facility, and it is now interested in making more significant capital investments. In order to do so, the State first needs title to the property. This bill would give title to the State and protect the interests of the Federal Government by requiring that title revert to the Fish and Wildlife Service in the event that Minnesota no longer wants to operate the facility as a fish hatchery.

This is standard language we have used to transfer many facilities in the past and two more hatcheries we are transferring today. It is supported by both the State and the administration, and I urge Members support.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Minnesota [Mr. MINGE].

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

Mr. MINGE. Mr. Chairman, the previous speakers are indeed correct. Virtually everything has been said about fish hatchery bills today that needs to be said. There are two things, however, I would like to add, two comments.

The first is that you need to recognize that we have had extended discussion this afternoon about the importance of the Federal Government being compensated for assets that transfer to State and local governments and to other parties. I wholeheartedly embrace that principle, and I applaud the gentleman from California for having raised our sensitivity to that important concept. I will not applaud out loud, but I will just do so figuratively.

I do think it is important, however, to recognize the context in which these transfers are occurring. The gentleman from Iowa has certainly laid out a five-part test for whether or not we ought to go through the exercise of appraisal. If all five parts of his test are met, I would suggest that it is a futile expenditure of taxpayer funds to go through that appraisal process.

In the context of the Minnesota facility, I would like to mention two considerations which I think are important and also indicate that this property is of de minimis value to the Federal Government.

First, all of the land that is included in the Minnesota situation has been classified as wetlands. The Minnesota Department of Natural Resources has advised me of this. This means that this land is not suitable for development. Indeed, it cannot be developed under State and Federal law. The Federal Government and the policies that we have developed in the Clean Water Act, swampbuster, as a part of the farm bill, and other legislation, all indicate that it is inconsistent with Federal policy to so develop land.

The other point that I wish to make with respect to the Minnesota property is that the Federal law already authorizes the transfer of this property by the Secretary of the Interior to the States without compensation so long as it is used for the designated purpose.

The difficulty that we would face in using this Federal procedure is that we would have to shut down the operation of the fish hatchery to confirm that it indeed is surplus property. To shut down the operation of the fish hatchery, go through the exercise of determining that it is a surplus property, and then in turn conveying it to the States, simply adds to the complexity and the cost of the process. Historically we have operated in a very informal and expeditious fashion with these assets in Congress, and I see no reason to go back to the ad hoc disposal of this by the Secretary of the Interior in a more complex fashion. Therefore, I urge that this bill be approved.

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

Mr. Chairman, I hate to burn up the time, but I just feel as if I have to just say a word. When the gentleman from Massachusetts [Mr. STUDDS] made note that these bills were being considered under an open rule, which for people who are not familiar with that gives any Member of the House the opportunity to stand, as the gentleman from California [Mr. MILLER] has on two occasions so far, and undoubtedly will again on this bill, to offer an amendment of his or her choice, this has come about because as I experienced during the time that I was here as a Member of the minority for 10 years, we did not enjoy, as Members of the minority, the opportunity to offer amendments very often under an open rule.

Some here may remember a few months ago there was a document that became quite the talk of the town called the Contract With America. Part of the Contract With America was a provision or statement or series of statements that promised that we would open the process.

This is an example of, where possible, we are trying to open the process. If it were not for this open process, it is true that we would have consumed perhaps an hour total on these three bills, and the gentleman from California [Mr. MILLER] would have been precluded his opportunity to make his statement in the form of amendments on these bills.

So there has been a great deal said in this session about promises made and promises kept. It is not always comfortable on either side to spend the time or the effort to keep promises. But today is a part of the promises that were made during the 1994 campaign, and once again a promise kept.

So I hope the gentleman will appreciate the opportunity that the new majority has provided for the purposes of these types of discussions and these types of amendment procedures, which are a relatively new phenomenon

around here. We are quite proud to say we are keeping our promise.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. SAXTON. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I guess like my budget cutting tendencies, they were well kept secrets around here, but I just wanted the gentleman to know as the staff on your side knows, I never both brought a bill to the floor from this committee under a closed rule. They were always open rules. As the gentleman from California [Mr. LEWIS], who sits behind you can testify, we had the most open rule and the longest debate in the history of the Congress.

I want to commend the minority for, hopefully, what will be an increasing commitment to open rules because I think it is the only way to do business. But I knew it was a well-kept secret.

Mr. SAXTON. I believe you the gentleman meant to say "commend the majority."

Mr. MILLER of California. Majority, soon to be minority.

Mr. STUDDS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am not going to prolong this, God help us all. But I cannot help but help observing that the debate on this bill under this rule could go on all night and tomorrow and for the rest of next week and into next month. For that degree of breathtaking openness, we are indebted to the new majority.

I must also observe the \$16-billion-plus bill we are going to take up in 10 minutes terminates in 6½ hours. This might be called selective openness, not where we need it, but do not need it.

I would also observe in a personal matter that in my first term here, I thought open rules were a very good idea. Since then I have come to reconsider. The function of the Committee on Rules, it seems to me, ought to be to look at those major propositions that are before the House and to allow them to be voted on. But to let us go on indefinitely I think is a mistake. In any event, I shall cease going on indefinitely, and with great relief I will yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I support H.R. 614, which was introduced by the gentleman from Minnesota [Mr. MINGE].

This legislation would transfer the ownership of the New London Fish Hatchery facility from the U.S. Fish and Wildlife Service to the State of Minnesota's Department of Natural Resources. H.R. 614 would convey all rights, title, and interest of the United States to the State of Minnesota. This includes all property, buildings, water rights, and easements of the New London facility.

It is my understanding that the hatchery has been operated by the Minnesota Department of Natural Resources for the Fish and Wildlife Service under a memorandum of agreement [MOA] since 1983. This MOA, which was extended in 1993, expires in 1998.

The hatchery facility is actually located on two separate pieces of land. One is located outside the town of New London and is owned

by the Fish and Wildlife Service. The other is located within the town of New London; the State had owned the property but transferred it to the Fish and Wildlife Service in 1939.

Finally, the bill stipulates that this property revert back to the Federal Government if the State of Minnesota decides it no longer wishes to operate the hatchery as a fishery resources management facility.

The Fish and Wildlife Service supports this transfer and I urge my colleagues to vote "aye" on this measure.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill and the amendment printed in the bill are considered as having been read for amendment under the 5-minute rule.

The text of H.R. 614 is as follows:

H.R. 614

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. CONVEYANCE OF NEW LONDON NATIONAL FISH HATCHERY PRODUCTION FACILITY.**

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law and within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the State of Minnesota without reimbursement all right, title, and interest of the United States in and to the property comprising the New London National Fish Hatchery production facility, located outside of downtown New London, Minnesota, including—

(1) all easements and water rights relating to that property, and

(2) all land, improvements, and related personal property comprising that production facility.

(b) USE OF PROPERTY.—All property and interests conveyed under this section shall be used by the Minnesota Department of Natural Resources for the Minnesota fishery resources management program.

(c) REVERSIONARY INTEREST.—All right, title, and interest in and to all property and interests conveyed under this section shall revert to the United States on any date on which any of the property or interests are used other than for the Minnesota fishery resources management program.

The CHAIRMAN. The Clerk will designate the committee amendment.

The text of the committee amendment is as follows:

Committee amendment: Page 2, line 19, strike lines 19 through 24 and insert:

(c) USE AND REVERSIONARY INTEREST.—The property conveyed to the State of Minnesota pursuant to this section shall be used by the State for purposes of fishery resources management, and if it is used for any other purpose all right, title, and interest in and to all property conveyed pursuant to this section shall revert to the United States. The State of Minnesota shall ensure that the property reverting to the United States is in substantially the same or better condition as at the time of transfer.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 614) to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility, pursuant to House Resolution 146, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1515

**PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1561, AMERICAN OVERSEAS INTERESTS ACT OF 1995**

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of agreeing to the resolution (H. Res. 156) providing for further consideration of the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The vote was taken by electronic device, and there were—yeas 252, nays 168, not voting 14, as follows:

[Roll No. 357]

YEAS—252

Allard	Bunning	Deal
Archer	Burr	DeLay
Armey	Burton	Diaz-Balart
Bachus	Buyer	Dickey
Baesler	Callahan	Dingell
Baker (CA)	Calvert	Dooley
Baker (LA)	Camp	Doolittle
Ballenger	Canady	Dornan
Barr	Castle	Dreier
Barrett (NE)	Chabot	Duncan
Bartlett	Chambliss	Dunn
Barton	Chenoweth	Ehlers
Bass	Christensen	Ehrlich
Bateman	Chrysler	Emerson
Bereuter	Clinger	English
Bevill	Coble	Ensign
Bilbray	Coburn	Everett
Bilirakis	Collins (GA)	Ewing
Bliley	Combest	Fawell
Blute	Condit	Fields (TX)
Boehlert	Cooley	Flanagan
Boehner	Cox	Foley
Bono	Cramer	Forbes
Boucher	Crane	Ford
Brewster	Crapo	Fowler
Browder	Creameans	Fox
Brownback	Cunningham	Franks (CT)
Bryant (TN)	Davis	Franks (NJ)
Bunn	de la Garza	Frelinghuysen

Frisa	Lewis (CA)	Ros-Lehtinen
Frost	Lewis (KY)	Roth
Funderburk	Lightfoot	Roukema
Galleghy	Linder	Royce
Ganske	Livingston	Salmon
Gekas	LoBiondo	Sanford
Gilchrest	Longley	Saxton
Gillmor	Manton	Scarborough
Gilman	Manzullo	Schaefer
Goodlatte	Martini	Schiff
Goodling	McCollum	Seastrand
Goss	McCrery	Sensenbrenner
Graham	McDade	Shadegg
Greenwood	McHale	Shaw
Gunderson	McHugh	Shays
Gutknecht	McInnis	Shuster
Hall (TX)	McIntosh	Sisisky
Hancock	McKeon	Skeen
Hansen	Meek	Skelton
Hastert	Metcalf	Smith (MI)
Hastings (WA)	Meyers	Smith (NJ)
Hayworth	Mica	Smith (TX)
Hefley	Miller (FL)	Smith (WA)
Heineman	Molinari	Solomon
Herger	Montgomery	Souder
Hilleary	Moorhead	Spence
Hobson	Moran	Stearns
Hoekstra	Morella	Stockman
Hoke	Murtha	Stump
Horn	Myers	Talent
Hostettler	Myrick	Tate
Hunter	Nethercutt	Taylor (NC)
Hutchinson	Neumann	Thomas
Hyde	Ney	Thornberry
Inglis	Norwood	Thurman
Istook	Nussle	Tiahrt
Jacobs	Ortiz	Torkildsen
Johnson (CT)	Oxley	Trafficant
Johnson, Sam	Packard	Upton
Jones	Parker	Vucanovich
Kasich	Payne (VA)	Walker
Kelly	Peterson (MN)	Walsh
Kim	Petri	Wamp
King	Pombo	Ward
Kingston	Porter	Weldon (FL)
Klug	Portman	Weldon (PA)
Knollenberg	Pryce	Weller
Kolbe	Quillen	White
LaHood	Quinn	Whitfield
Largent	Radanovich	Wicker
Latham	Ramstad	Wilson
LaTourette	Regula	Wolf
Laughlin	Roberts	Young (FL)
Lazio	Rogers	Zeliff
Leach	Rohrabacher	Zimmer

NAYS—168

Abercrombie	Evans	Lewis (GA)
Ackerman	Farr	Lincoln
Andrews	Fattah	Lipinski
Baldacci	Fazio	Lowe
Barcia	Fields (LA)	Luther
Barrett (WI)	Filner	Maloney
Becerra	Flake	Markey
Beilenson	Foglietta	Martinez
Bentsen	Frank (MA)	Mascara
Berman	Furse	Matsui
Bishop	Gejdenson	McCarthy
Bonior	Gephardt	McDermott
Borski	Geren	McKinney
Brown (CA)	Gibbons	McNulty
Brown (FL)	Gonzalez	Meehan
Brown (OH)	Gordon	Menendez
Bryant (TX)	Green	Mfume
Cardin	Gutierrez	Miller (CA)
Chapman	Hall (OH)	Mineta
Clay	Hamilton	Minge
Clayton	Harman	Mink
Clement	Hastings (FL)	Moakley
Clyburn	Hefner	Mollohan
Coleman	Hilliard	Nadler
Collins (IL)	Hinchey	Neal
Collins (MI)	Holden	Oberstar
Conyers	Hoyer	Obey
Costello	Jackson-Lee	Olver
Coyne	Jefferson	Orton
Danner	Johnson (SD)	Owens
DeFazio	Johnson, E. B.	Pallone
DeLauro	Johnston	Pastor
Dellums	Kanjorski	Payne (NJ)
Deutsch	Kaptur	Pickett
Dicks	Kennedy (MA)	Pomeroy
Dixon	Kennedy (RI)	Poshard
Doggett	Kennelly	Rahall
Doyle	Kildee	Rangel
Durbin	Klink	Reed
Edwards	LaFalce	Reynolds
Engel	Lantos	Richardson
Eshoo	Levin	Rivers