

(3) by adding at the end the following new paragraph:

"(7) with respect to each loan made from the proceeds of such debenture, the Administration—

"(A) assesses and collects a fee, which shall be payable by the borrower, in an amount equal to 0.125 percent per year of the outstanding balance of the loan; and

"(B) uses the proceeds of such fee to offset the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) to the Administration of making guarantees under subsection (a)."

SEC. 7. PILOT PREFERRED SURETY BOND GUARANTEE PROGRAM EXTENSION.

Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking "September 30, 1995" and inserting "September 30, 1997".

SEC. 8. APPLICABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act do not apply with respect to any loan made or guaranteed under the Small Business Act or the Small Business Investment Act of 1958 before the date of enactment of this Act.

(b) EXCEPTIONS.—The amendments made by this Act apply to a loan made or guaranteed under the Small Business Act or the Small Business Investment Act of 1958 before the date of enactment of this Act, if the loan is refinanced, extended, restructured, or renewed on or after the date of enactment of this Act.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

JAN MEYERS,
PETER G. TORKILDSEN,
JIM LONGLEY,
JOHN J. LAFALCE,
GLENN POSHARD,

Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
PAUL COVERDELL,
DALE BUMPERS,
SAM NUNN,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 895) to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The conference agreement establishes new guarantee levels, program fees, and administrative provisions governing the Small Business Administration's 7(a) Guaranteed Business Loan Program and the 504 Certified Development Company Program.

The conference agreement lowers the guarantee rate for all 7(a) loans to 75%, except for loans of \$100,000 or less, which will have a guarantee rate of 80%. As part of this overall change, the guarantee rate for Export Working Capital Program loans will be decreased to be consistent with other 7(a) loans. The conferees are aware of efforts by the Small Business Administration to coordinate the features and operations of the Export Working Capital Program with a similar export loan program operated by the Export-Import Bank. The conferees are supportive of the continuing joint efforts of the

SBA and Export-Import Bank to encourage and facilitate small business participation in the export marketplace. In establishing the new guarantee rate under the Export Working Capital Program, this legislation should not be interpreted as expressing any intention or expectation that the guarantee rate for the Eximbank program be reduced to the same level. The conferees direct the SBA, in consultation with the Export-Import Bank, to issue a report no later than 120 days after the enactment of this act assessing the impact, if any, of the reduced guarantee rate on the Export Working Capital Program. The report should include a comparison of the SBA program with the working capital guarantee program operated by the Export-Import Bank, and shall include an analysis of the number and size of transactions concluded under the program, both prior to and after enactment of the new guarantee provisions.

Under the conference agreement, guarantee fees under the 7(a) program increase as the size of the loan increases. The conferees are aware of the concern expressed by the Small Business Administration that lenders and borrowers may seek to arrange a number of smaller, related loans in order to avoid the higher guarantee fee applicable to a single, larger loan. The conferees direct the Small Business Administration to implement the guarantee fee structure set forth in the conference agreement with any instructions, definitions rules regulations or guidelines as the SBA may deem necessary in order to prevent avoidance or evasion of these fees, including establishing a reasonable period of time during which related loans will be treated as constituting a single loan for purposes of calculating the guarantee fee.

The effect of the provisions included in the conference agreement will be to reduce the subsidy rate for the 7(a) loan program and increase the availability of guarantee authority under the program. The conferees direct the SBA, promptly upon enactment of the legislation included in the conference report, to remove the temporary administrative limitations previously implemented by the SBA to limit demand for 7(a) loan guarantees. Any such administrative program changes in the future will be subject to the provisions of Section 5 of the new legislation.

JAN MEYERS,
PETER G. TORKILDSEN,
JIM LONGLEY,
JOHN J. LAFALCE,
GLENN POSHARD,

Managers on the Part of the House.

CHRISTOPHER S. BOND,
CONRAD BURNS,
PAUL COVERDELL,
DALE BUMPERS,
SAM NUNN,

Managers on the Part of the Senate.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced, "that the Senate disagrees to the amendments of the House to the bill (S. 895) 'An Act to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes', agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BOND, Mr. BURNS, Mr.

COVERDELL, Mr. BUMPERS, and Mr. NUNN, to be the conferees on the part of the Senate".

WAIVING POINTS OF ORDER AGAINST 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 231 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 231

Resolved, That upon adoption of this resolution it shall be in order to consider the 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 SPEAKER pro tempore (Mr. HEFLEY). The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

Ms. PRYCE. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my good friend, the distinguished gentleman from California [Mr. BEILENSEN], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 231 is an uncomplicated, but very important rule which provides for the timely consideration of the conference report to accompany H.R. 1977, making appropriations for the Department of the Interior and related agencies in fiscal year 1996.

Specifically, the resolution waives all points of order against the conference report and against its consideration on the floor today. As a precautionary step, the blanket waiver includes a waiver of clause 2 of rule 20, regarding legislative or unauthorized items, and clause 3 of rule 28, regarding items which go beyond the scope of the conference.

The resolution was reported unanimously by the Rules Committee yesterday by voice vote, and I would urge my colleagues to give it their full support.

Mr. Speaker, the Interior appropriations bill is certainly no stranger to controversy. When such divergent issues as land use and mining claims are combined with Federal funding for the arts and humanities into a single spending bill, difficulties are bound to arise.

Yet, where there are difficulties, there is also potential for bipartisan compromise. I believe the Interior Subcommittee, under the strong leadership of my good friend from Ohio, Chairman REGULA, and the members of the conference committee—on both sides of

the aisle—have worked very hard to finalize a balanced, responsible product in the face of competing interests, and limited Federal resources.

The American people have charged us with cutting Government spending, and this conference report responds to their calls for a smaller, more efficient Government. The bill is \$1.7 billion below the President's budget request and \$1.4 billion below the fiscal year 1995 level—a 12-percent savings from the 1995 funding level.

The conference report also meets our fundamental goal of reducing the size and scope of the Federal Government. In addition to eliminating certain agencies and programs, and consolidating others within existing Federal departments, almost all agencies covered by the bill are funded below the 1995 level.

Mr. Speaker, in recent days we have heard that this conference report has attracted a potential veto threat from the White House. In light of our efforts to resolve funding differences in a bipartisan manner, I believe such a step would be very unfortunate, and even counterproductive as we work to finalize this year's appropriations process.

The Senate will soon consider the continuing resolution which the House passed earlier today to ensure that the Federal Government remains open for business as the new fiscal year begins on Sunday.

A Presidential veto at this time would just add to the challenges we face in providing the Federal work force with fiscal stability.

In closing, Mr. Speaker, we have the responsibility to move this critical process forward and to complete work on each of the 13 regular appropriations bills. House Resolution 231 is a simple and straightforward rule providing for the timely consideration of the fourth conference report to come to the floor of the House. I urge my colleagues to support this reasonable rule and to pass this balanced conference report.

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

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

Mr. Speaker, we oppose this rule, and we oppose the measure that it makes in order, the conference report on Interior appropriations for fiscal year 1996.

The rule 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, that is policy matters, in an appropriations bill. Admittedly, it is nearly impossible to avoid violating rule XXI entirely in an appropriations bill, but the Committee on Rules usually tries, or at least we did try, Mr. Speaker, in previous congresses, to prevent flagrant intrusions on the jurisdiction of authorizing committees in these appropriations bills.

That is not the case here. The conference report contains far-reaching changes in policies governing the use of our Nation's natural resources, or, as the Los Angeles Times recently put it, it is, and I quote, Mr. Speaker, "swollen with hidden attacks on the public lands, national parks, and the environment."

□ 1615

This rule is what makes it possible for the House to move forward and to consummate those attacks.

To give some examples: This conference report includes a major change in the law governing mining patents. Nearly everyone agrees that this law, dating back to 1872, is in desperate need of reform. But rather than continuing the existing moratorium on issuing mining patents to give the policy committees time to draft a reform bill, as the House by a margin of 271 to 153 voted to do, the conferees approved a change in the price mining companies are required to pay for a mining patent from no more than \$5 an acre to fair market value of the surface of the land. That so-called reform would enrich mining companies at a cost to taxpayers of tens of millions of dollars in lost royalties.

The legislation also includes a backdoor attempt to remove the Mojave National Preserve from the protection of the National Park Service by prohibiting the Park Service from spending more than \$1 next year on the Preserve and shifting authority for it back to the Bureau of Land Management, whose rules are much more lenient than are the Park Service's rules on mining, grazing, dirt biking, and other potentially detrimental activities.

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

The conference report 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.

The legislation cripples a joint Forest Service-BLM ecosystem management project for the Columbia River Basin in the Northwest, a project 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.

In addition, Mr. Speaker, to all these troubling provisions, the conference report endangers resource protection by reducing spending for many critical activities. The conference report cuts spending in the Interior Department and related agencies as a whole by 10 percent over this year's level. But within that reduction are much deeper cuts in many extremely valuable pro-

grams, including wildlife protection, energy conservation, land acquisition, support for the arts and humanities, and support for Native Americans.

Proponents of this legislation say that these cuts are needed to balance the budget. But in fact they are being used to help reorder spending priorities in ways favored by the Republican majority. After the House considers the Interior conference report cutting \$1.4 billion from resource protection and from cultural programs, we will be considering a conference report on Defense Department appropriations that increases spending for the military by \$7 billion over the President's request, and that includes funds for weaponry the military officials themselves say the Nation does not need.

In other words, if both conference reports are enacted, we will be spending five times the savings gained from this bill on additional unnecessary spending for the Pentagon.

Thus, the significance of this conference report is not its contribution to reducing the Federal budget deficit as its proponents claim. Rather, its significance lies in its contribution to the multi-pronged 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 anti-environmental measures this House has considered or will be considering, its negative impacts are even more apparent. This bill 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 and includes numerous provisions preventing the agency from enforcing antipollution laws. And it follows the Committee on Resources' adoption of measures to be included in the budget reconciliation bill that would open Arctic National Wildlife Refuge to oil and gas drilling, that would provide sweeping exemptions of environmental laws in the disposition of Federal power assets, that would change concessions policy for our National Parks in a way that would discourage competition, that would allow the sale of National Forest lands in ski areas for development, and that would protect the interests of those who currently benefit from the use of Federal range lands for grazing.

Mr. Speaker, as Vice President GORE said recently, "This bill takes dead aim

at this Nation's most cherished resources and will benefit special interests at the expense of the taxpayers."

For those reasons, the President has announced his intentions to veto this bill. We have to put a stop to the wholesale destruction of our Nation's resources that has been taking place this year. This is the place to do it.

Rather than sending this bill on to the President at this time, I would urge the House to shorten the process by defeating the rule and sending the bill back to conference for the numerous major revisions it needs.

Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, this bill deserves to be stopped dead in its tracks. It is an absolutely lousy bill. The best way to stop it is to defeat the rule that will allow its consideration.

There are a lot of things wrong with it, but the worst thing in the conference report is the provision which relates to the moratorium on mining patent claims which is an abomination under the guise of reform.

The conference agreement lifts the existing moratorium and allows mining companies, many of which are foreign owned, to gain title to Federal lands containing valuable hard rock minerals for a pittance. It will result in billions of dollars being pocketed by mining companies without payment of any royalties to the owner of the land, the U.S. taxpayer.

This, in my view, is a travesty left over from the political stone age. The original law that permits this outrage, this outrageous raid on the Treasury, was enacted in 1872. If my old colleague Bill Proxmire were still representing Wisconsin in the other body, you can be sure that this provision would be the recipient of one of his Golden Fleece awards. The magnitude of this giveaway is incredibly hard to grasp.

Let me give you one example. Just last year the Interior Department signed away land containing an estimated \$10 billion in gold for less than \$10,000. The so-called reform in this bill would mean that it will only cost \$100,000. The land is now owned by a U.S. subsidiary of a foreign-owned corporation. Not only are we giving away the mining rights for a tiny fraction of their value, we are also giving away title to the land.

Now, that is not the only problem with this bill. If you take a look at other sections of the bill, you will see, for instance, that it allows increased logging in some of the most sensitive areas of the Tongass National Forest in Alaska. It reverses key parts of the California Desert Act passed last year.

The conference also contains draconian reductions in funding for the Bureau of Indian Affairs. It cuts funding for Indian education almost in half. It reduces the Department of Energy's weatherization programs by one-half,

while at the same time it provides these gigantic ripoffs, this huge glom of corporate welfare, to some of the largest corporations in this country, and in fact some of the largest corporations who originate outside the boundaries of our own country.

So for these and a variety of other reasons, some of which were cited by the gentleman from California, I would strongly urge a vote against the rule and a vote against the bill tomorrow if this House is ill-advised enough to pass this rule this afternoon.

Mr. BEILENSEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California [Mr. MILLER], the ranking member of the committee on resources.

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

Mr. MILLER of California. Mr. Speaker, I rise in opposition to the rule and in opposition to the legislation. As both my colleague from California and my colleague from Wisconsin have pointed out, there is just so much wrong with this bill that it is unbelievable that we are considering it in this form, both in the harm it does to the environment and the harm that it does to the American taxpayers. The deficiencies are complete, they are throughout, and this bill should not become law.

One of the most egregious provisions of this bill is that instead of maintaining the patent moratorium on giving away lands, western lands, to mining companies as this House has strongly advocated year after year, the conference committee chose to ignore the clearly stated House intent. Earlier this year the House voted 271 to 153 to support extension of the 1995 patent moratorium. We took this action in response to widespread concern that taxpayers were being cheated out of hundreds of millions of dollars because of an archaic law enacted in the days of Jesse James, the robber barons, and mineral kings. Rather than honor or solidify the established bipartisan position, the conference adopted language that replaces the patent moratorium with even more deplorable language that currently exists under the 1872 law. The conference report not only renews the processing of patent applications which were substantively frozen by the 1995 appropriations bill, but it also directs the Secretary to take such action as may be necessary to take final action on all pending applications within 2 years.

This is no small matter. Since 1872, the United States has let over 3.2 million acres of lands and 231 billion dollars' worth of mineral assets slip through our fingers in this way, charging minimal costs for land transfers and no royalties at all for the people of the United States who were the owners of this land when the land was transferred.

If this conference report is approved, the mining industry will receive title

to an additional 607 patents covering 230,000 acres of the public's lands for the measly price of the surface rights.

Corporations clamoring to loot the public domain include ASARCO, U.S. Gypsum, United States Steel, Exxon, Union Oil, American Barrick, Manville Corp., Georgia Pacific, Santa Fe Pacific, Pfizer, Newmont, and Noranda Mining Cos.

Just this year, because Congress failed to reform the 1872 mining law, Interior Secretary Bruce Babbitt was forced to sign away three patents worth as much as \$1 billion in public mineral resources for a pittance of their true value, and no royalty will be paid on those minerals that were owned by the taxpayers.

Lifting the moratorium will not only promote a giveaway of public land, but it will put approximately 15.5 billion dollars' worth of Federal minerals beyond the reach of any royalty payment for the American taxpayer that this Congress may subsequently come up with.

So the taxpayer will sort of get screwed twice here, first by being forced to give away the land, and then by collecting zero economic rent or royalty for the extracted minerals. Nobody on the adjoining private land conducts their business with the mining companies in that fashion. We are constantly asked why do we not run the company like a business? That is one of the reasons we do not, because the mining companies are so powerful that we cannot get around to taking care of the public interest.

The conference report should be rejected because it would also allow applicants to use private contractors to gather and analyze critical data to determine whether an applicant legally qualifies for the patent or for free land. But this obviously creates a tremendous potential conflict of interest.

There is no need for such haste as is envisioned in this conference report. This conference report is clearly contrary to the best interests of the environment of the West, and it is clearly contrary to the best interests of the taxpayers of this Nation. We have endured this giveaway of public resources for over 100 years now. We have tried time and again to amend this law, to reform this law, and we have been beaten back by the lawyers and the lobbyists of the mining companies, and it is time to call a halt to it. If we cannot change the law, we certainly should not ask the American public to endure the continued whittling away of their wealth and their assets at the expense of the mining companies' special interests.

Mr. Speaker, I would hope that we would reject this legislation. If a motion to recommit the conference report to exclude this provision is offered, I would hope Members of the Congress would support that, as they did earlier this year in their motions to maintain the patent provisions of the bill.

Mr. Speaker, the flaws in this conference report are not limited to the failure to extend the

moratorium on issuing mining patents. An egregious example of abuse of the taxpayers and an unprecedented attack on our natural resources is contained in the Senate rider dictating that timber interests dominate management of the Tongass National Forest in Alaska.

Without any public hearings, the Senate has insisted on sweeping language which will greatly increase taxpayer subsidized logging of the magnificent old-growth forest in Alaska. Over the past several years, the Tongass has earned the dubious distinction of losing more money—\$64 million annually according to one economist's study—than any other national forest. The Senate language makes things worse.

The Senate rider would abort the Forest Service planning process and congressionally dictate that the Tongass be managed according to a discredited, draft 1991 plan. That plan—which has been rejected by the administration for relying on outdated science—would provide for at least 418 million board feet of timber annually, one-third more than the average annual harvest on the Tongass over the past decade. Fully implementing this provision could cost an additional \$18 million annually in Federal subsidies to support the increased logging.

Language added by the conference committee would permanently constrain the Forest Service from amending the forest plan in any manner which would limit lands allocated to timbering. Moreover, the provision attempts to overturn a ninth circuit decision in a case brought by tourism, Native, and conservation interests and would insulate timber sales from environmental and subsistence use laws.

Mr. Speaker, the Tongass language has been highlighted as objectionable to the administration by Vice-President GORE in conveying the President's veto threat. It is opposed by Agriculture Secretary Dan Glickman. It is opposed by the Governor of Alaska, Tony Knowles. It is opposed by the Alaska Outdoor Council, a coalition of conservative hunting and fishing groups. It is opposed by every Alaska and national environmental group.

As an architect of the 1990 Tongass Timber Reform Act, I take special offense at this assault on our largest national forest. These permanent changes in law are not within the proper jurisdiction of the appropriations committees. Moreover, there is simply no justification for this outrageous abuse of public process and legal rights. Southeast Alaska's jobless rate is lower than the national average. The economy is more diversified than ever before and is growing. The Senate language is an ill-advised attempt to turn back the clock and to manage these public lands to favor a heavily taxpayer subsidized special interest over all other competing users of the forest.

While the Tongass language alone provides sufficient reason for the conference report to be rejected by the House, there are many other fundamentally flawed provisions which undermine the 1994 California Desert Protection Act by giving the National Park Service only \$1 to manage the Mojave National Preserve; unfairly target Indian tribes and people by cutting the Bureau of Indian Affairs budget \$351 million, 19 percent below the President's request, and \$184 million or 11 percent below the fiscal year 1995 funding level; derail the Columbia River Basin ecosystem management project; fund Department

of the Interior scientific research at \$35.7 million below the President's request; prohibit wildlife species from being added to the endangered species list and the designation of critical habitat; fund the Land and Water Conservation Fund land acquisition programs at \$71 million notwithstanding a \$11.2 billion surplus in the fund.

Mr. Speaker, the list of objectionable provisions goes on and on. This conference report should be rejected by the House. If not, the President should veto it and insist that the Congress come up with a new bill which is not an insult to the American people and our natural heritage.

Mr. GEJDENSON. Mr. Speaker, I rise to object to certain provisions in the conference report on H.R. 1976. While I am deeply concerned about the effect of cutting \$1.4 billion from our natural resource management agencies, several individual items are especially egregious.

First and foremost, the conference report contains language which will dramatically increase logging in the Tongass National Forest. This provision may be unfamiliar to Members because it was not in the House bill. It is a backdoor attempt to open the Tongass when scientific evidence and sound forestry management dictate limiting harvests overall and protecting important fish and wildlife habitat.

Under this provision, logging would be governed by a 1992 EIS provision, alternative P, which is deemed sufficient to satisfy all requirements of applicable law. By including sufficiency language, this section precludes legal challenges and shuts off public comment. The harvest levels set forth in the EIS are one-third greater than the average over the past decade. Moreover, the Forest Service is directed to develop a management plan for the Tongass which mandates harvest levels at least as high as provided in alternative P. As a result, this measure locks-in unprecedented harvests well beyond fiscal 1996.

This measure also makes permanent a provision of H.R. 1944, the fiscal year 1995 rescission package, which prohibits the Forest Service from setting aside any additional wildlife habitat in the Tongass. With one simple reference, this measure precludes the Forest Service from protecting important habitat for grizzly bears, bald eagles, and many fish species. By extending this restriction in perpetuity, proponents of this approach are throwing sound science and wildlife management out the window. Moreover, this provision could push some species toward extinction thereby triggering restrictions under the Endangered Species Act [ESA]. As members know, ESA restrictions could limit harvest much more than allowing the Forest Service to take proactive steps to safeguard essential habitat.

Mr. Speaker, this measure does not belong in an appropriations bill. It is a major policy change which has not been the subject of a hearing or any debate in the House. Furthermore, it reaches well beyond fiscal 1996 to fundamentally alter timber management in the Tongass for years to come. Finally, it throws sound science and timber management out the window.

The conference report also strips House language extending the moratorium on the issuance of patents under the anachronistic 1872 mining law. It replaces it with sham reform which requires miners to pay fair market value for the surface estate exclusive of, and

without regard to, the mineral deposits in the land. This language is little better than existing law which allows mining companies to buy public lands for \$2.50 or \$5 an acre. Even in today's real estate market, desert land 200 miles from the nearest town is worth very little when one ignores billions worth of gold, silver, or platinum below the surface.

Rather than working to address fiscal as well as environmental issues associated with mining, some Members of the Congress are seeking to scuttle comprehensive reform by passing measures piecemeal in appropriations bills and through the budget reconciliation process. While I firmly believe that comprehensive reform is the way to go, I also believe that a patent moratorium is an appropriate stop-gap measure because it protects the interests of every American taxpayer. Without the moratorium, the Secretary of Interior will be forced to immediately begin processing applications seeking to transfer 15 billion dollars' worth of public minerals into private hands. Members of this body who are concerned about balancing the Federal budget should take a hard look at the implications of lifting the moratorium. Under the Senate language, the American people continue to get the shaft under the 1872 mining law.

In another end run around the authorization process, the conference report contains House language effectively transferring management of the Mojave National Preserve from the Park Service to the Bureau of Land Management. As many Members know, debate on the California Desert Protection Act consumed several weeks during the 103d Congress. The gentleman from California [Mr. MILLER] must be commended for bringing this important measure to the House floor under a completely open rule. Every Member of this body had the opportunity to offer amendments. The gentleman from Idaho [Mr. LAROCOCO] proposed an amendment changing the status of the Mojave from a National Park to a National Preserve. While this Member opposed that amendment, a majority supported it and the law reflects this change. At the same time, the Congress supported transferring management to the Park Service.

The financial arrangement in this measure is in direct contravention to the will of the Congress. Once again, this appropriation bill is being used to effect policy changes which should move through the authorization process. This is an issue of national importance which should be the subject of hearings and debate in the Resources Committee.

Mr. Speaker, the other body has added certain provisions making fundamental policy changes which could adversely affect resources belonging to every American regardless of where they live. The appropriations process should be reserved for annual revenue measures. We have an authorization process through which Members can effect major policy changes. Various provisions of this bill make a mockery of that process.

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

□ 1630

Ms. PRYCE. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the resolution.

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

Mr. BEILENSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of the rule I, the Chair postpones further proceedings on this resolution until after the vote on House Resolution 232.

The point of no quorum is considered as having been withdrawn.

WAIVING POINTS OF ORDER
AGAINST CONFERENCE REPORT
ON H.R. 2126, DEPARTMENT OF
DEFENSE APPROPRIATIONS ACT,
1996

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 232 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 232

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2126) making appropriations for the Department of Defense 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 SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yield is for the purpose of debate only.

(Mr. GOSS asked and was given permission to include extraneous material in the RECORD.)

Mr. GOSS. Mr. Speaker, this is a very simple, very fair rule for the consideration of the conference report for H.R. 2126, the Department of Defense appropriation bill. We provide for an hour of debate, and all points of order against the report are waived. It is that simple. As we rapidly approach the end of the 1995 fiscal year, and it becomes clear that we will not be able to have all 13 appropriations bills signed into law by October 1, I am pleased that we are making defense a priority. The Constitution explicitly requires Congress to provide for the national defense, and it is entirely appropriate that we are moving this bill today. Many people, myself included, feel that this administration has allowed our military readiness to decline at an alarming rate. I am concerned that scaling our Armed Forces back too far in the name of peace may actually invite new aggression. Certainly the Soviet threat is

gone, but in the wake of its passing, we are left with multiple problems. Mr. Speaker, the lessons of history serve us well here—allowing our defensive capabilities to be reduced too much could easily be an invitation to aggression against American interests abroad, or even here at home. Since the collapse of the Soviet Union and Warsaw Pact, United States troops have been far from idle—they have been actively involved in a major shooting war in the Gulf, and many hotspots such as Haiti, Somalia, and Bosnia. New threats have emerged, too. Many relatively small countries are gaining access to advanced equipment such as submarines and nuclear weapons. And international terrorism has reared its ugly head here at home. Mr. Speaker, being prepared means meeting our defense needs—from top to bottom. And the little things are important—it does an army no good to have thousands of soldiers, equipped with the latest weapons, if those soldiers do not have boots for their feet. My friend and colleague, BILL YOUNG, chairman of the Defense Appropriations Subcommittee, vividly demonstrated for the Rules Committee all the small needs like boots, laces, and so forth, that were not currently being met by stretching a list of these items from one end of the Rules Committee hearing room to the other. I am pleased that we have made some real headway in correcting these problems in this bill, and I urge adoption of the rule and the conference report.

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

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

Mr. Speaker, I rise in support of this rule which provides for the consideration of the conference report to accompany the fiscal year 1996 Department of Defense appropriation. The subcommittee chairman, Mr. YOUNG, and his able ranking member, Mr. MURTHA, are to be congratulated for negotiating an agreement which should receive strong support both in the House and the Senate.

Mr. Speaker, I am personally pleased that the conference agreement contains \$493 million for the continued production of the B-2 stealth bomber. I am a firm believer that in a troubled and dangerous world, a significant bomber capability is required to ensure our military preparedness and to protect our national interest. The B-2 stealth bomber is an important component in our overall national defense capability and the construction of additional aircraft in addition to the 20 already authorized will ensure the continued capability of our armed services to protect and defend our national interests.

I am also gratified that the conference report provides \$159 million for the procurement of six F-16's as well \$2.2 billion for research and development funds for the F-22, the next-generation fighter intended to replace the F-16. The conferees are to be congratu-

lated for providing for both the near-term and long-term tactical needs of the Air Force. And, while the conferees reduced the funds for research and development for the V-22 Osprey, I am pleased that the conference report does contain \$758 million for this important addition to the Marine Corps arsenal.

Mr. Speaker, this conference report represents a great deal of hard work and hard bargaining and I believe the rule merits the support of the House. I recognize that a number of my colleagues have reservations about the total amount of defense spending contained in the conference report. They will have an opportunity to express that concern by voting against the conference report itself and I urge that they support the rule. I urge my colleagues to support the conference agreement and I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I have no speaker scheduled at this time and I continue to reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I would again urge defeat of this rule so that this bill could be sent back to conference and we can get serious about deficit reduction. As every Member of this House knows, we are being asked in virtually every domestic arena to make incredibly tough cuts that will squeeze people out of opportunity for a decent education; we are being asked to squeeze people who are on family farms; we are being asked to make savage reductions in environmental protection laws of the country; we are being asked to make huge reductions in Medicare; we are being asked to eliminate the protections that seniors now have so that when one partner goes in a nursing home the other does not have to go bankrupt before they can qualify for Medicaid.

Mr. Speaker, we are being asked to swallow all of that, and yet we are being asked to swallow a defense appropriations bill which does the following: We have a half billion dollars in here as a downpayment for more B-2 bombers than the Pentagon wants to buy. Just the cost of one of those B-2 bombers would pay the tuition for every single undergraduate at the University of Wisconsin for the next 12 years.

We are having a big controversy in our State about whether or not the State should buy a new stadium for the Milwaukee Brewers. Just the cost of one B-2 bomber would pay for four of those stadiums with a dome, and yet we will go ahead and build and buy those new B-2 bombers.

We have a half billion dollars extra in here for star wars that the Secretary of Defense says is unneeded. We have another \$350 million for C-130 aircraft built in Georgia for which the military cannot even identify a military requirement. We have a number of other