



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, WEDNESDAY, AUGUST 9, 1995

No. 133

House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 6, 1995, at 12 noon.

Senate

WEDNESDAY, AUGUST 9, 1995

(Legislative day of Monday, July 10, 1995)

The Senate met at 9 a.m. on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, we ask You to help us keep our priorities straight. You have created us to love people and use things. Often we have reversed the order: We love things and use people. What's worse we sometimes use people as if they were things.

It happens on the personal level when we lose a sense of the sacredness of the people around us. We easily become insensitive to their needs and use them as means to accomplish our ends. We end up with too many "I-it" relationships and become "thinging-it" people.

On a broader scale, we are constantly confronted with the immensity of human need and suffering. Too often we lose our sensitivity in the maze of statistics. This week as we've considered welfare and then concerns over needs among our native American Indians, we have sought to feel deeply and respond decisively. Guide us Lord in today's consideration of Indian programs as part of the Interior legislation.

Father, You love each of us and seek to implement Your caring through all of us. Help us to put righteousness and justice into creative action. In Your love-motivating name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. MCCAIN. Mr. President, on behalf of the majority leader, for the information of all Senators, the Senate is immediately resuming the consideration of the Interior appropriations bill this morning.

Pending is a Domenici amendment, under a 30-minute time limitation regarding the funding for the Bureau of Indian Affairs.

Senators should therefore be aware that a rollcall vote will occur this morning at approximately 9:30 a.m. Further rollcall votes are expected during today's session, and the Senate is expected to be in session until the evening.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1996

The PRESIDENT pro tempore. The clerk will report the bill.

The assistant legislative clerk read as follows:

A 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.

Pending:
Domenici amendment No. 2296, to restore funding for programs within the Bureau of Indian Affairs.

The Senate resumed consideration of the bill.

Mr. DOMENICI addressed the Chair. The PRESIDING OFFICER (Mr. INHOFE). The Senator from New Mexico is recognized.

Mr. DOMENICI. I yield 5 minutes of the 15 minutes that I have to the distinguished Senator from Arizona [Mr. MCCAIN].

Mr. MCCAIN. Mr. President, the proposed cuts we are talking about will devastate Indian country. They strike at reservation services and reservation programs. They strike at Indian families and individual households. They strike at the practical ability of tribal governments to govern.

Let me quote from a letter I received from the Quinault Indian Tribe in Washington State, regarding the proposed cuts in H.R. 1977:

These provisions . . . will mark the beginning of a new era of broken promises and hostility toward Indian nations which is unbecoming to the Senate and to a great Nation like the United States.

I would like my colleagues to understand the practical effect on just three tribes of these cuts.

The Pine Ridge Reservation of the Oglala Sioux Tribe, located in the poorest county in our country, a place 10,000 members of the Oglala Sioux Tribe call home. Nearly 67 percent of its residents live in poverty, compared to the national average of 13 percent. Nearly one-third of the people living on the reservation are unemployed. The median income of households and families on the Pine Ridge Reservation is

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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under \$11,000, which is less than one-third the national average for American households and families.

The Oglala Sioux Tribe had an \$8,191,000 tribal priority allocation base of funding in fiscal year 1995. Under this cut, they would directly reduce the Oglala Sioux funding base to \$5,996,000, a \$2 million cut.

In the case of the Quileute Tribe in Washington, they would receive a cut from \$547,000, to \$393,000. I might mention that nearly 90 percent of the Quileute Tribe families with children under the age of 6 are living in poverty, and one out of three are unemployed.

The San Carlos Apache Tribe would receive a cut of some \$1.6 million out of a \$6 million tribal priority. And this is what the United States meant when we promised the San Carlos Apache in a solemn treaty that we would legislate and act to secure their permanent prosperity.

Mr. President, let me quote the respected jurist, U.S. Supreme Court Justice Hugo Black, who addressed this Nation's treatment of American Indians in his dissent in the case called *F.P.C. versus Tuscarora*:

It may be hard for us to understand why these Indians cling so tenaciously to their lands and traditional tribal way of life . . . the lands of their reservation are [not] the most fertile, [nor] the landscape the most beautiful, [nor are] their homes the most splendid specimens of architecture. But this is their home—their ancestral home. There, they, their children, and their forebears were born. They, too, have their memories and their loves. . . . There may be instances in which Congress has broken faith with the Indians. . . . I regret that [we will] . . . break faith with this dependent people. Great nations, like great men, should keep their word.

Mr. President, we have broken our bond with these people. We have denied them the full benefits derived from their lands and resources. We have denied them authority over their own affairs. And under this bill, we would deny them the funds they desperately need to address the widespread poverty and hopelessness that are a part of everyday life on the reservation.

I reserve the remainder of my time for Senator DOMENICI.

Mr. DOMENICI. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Five minutes.

Mr. DOMENICI. I yield 3 minutes to Senator INOUE.

Mr. INOUE. Mr. President, I have only a few observations to add to the other statements that have been made by the chairman of the Budget Committee and the chairman of the Committee on Indian Affairs.

Last evening, the chairman of the Interior Subcommittee informed the Members of this body that the policy which guided the subcommittee's action in distributing 45.6 percent of the reductions in the Interior Department's budget to the Bureau of Indian Affairs is one that is aimed at speeding up the process of Indian self-deter-

mination and self-governance by sharply reducing funds that go directly to tribal governments for the provision of basic government services for reservation citizens—services such as fire protection, law enforcement, the assurance of health and safety, and the protection of the general welfare of tribal communities.

Our colleagues will recognize that this initiative is not dissimilar from that which is being proposed in the area of welfare reform—which is the idea of moving responsibilities out of the Federal Government and placing those responsibilities closest to the people—empowering local communities to address the challenges which confront citizens at that level.

But, Mr. President, I believe we must examine carefully what is being proposed under the auspices of self-governance and self-determination, because in the context of reform, we have not and are not asking other Americans to experience a 26-percent reduction in the programs upon which they have come to rely.

Rather, we talk about cutting the budget for Federal programs by 5 to 7 percent over the next 5 to 7 years.

In stark contrast, we would tell the Indian people that the programs which support the very infrastructure of their governments must be reduced by 26 percent in just 1 year.

In stark contrast to the reform measures that we have been debating in recent days, we would tell the Indian people that we are going to shore up and protect the Federal bureaucracy that absorbs 90 cents of every dollar we appropriate for Indian programs and instead, we are going to drastically reduce the ability of tribal governments to address the needs of their citizens at the local level.

Mr. President, this is not a proposal that will empower tribal governments.

This is a proposal that will devastate the ability of Indian governments to serve the most basic needs of their citizens.

As a member of the Appropriations Committee, I understand all too well the constraints and the competing demands that are placed on each of our subcommittees and I understand the challenges with which the chairman and former chairman of the Interior Subcommittee are faced. In the last few days, representatives of the Interior Department have spread horror stories around this body about the impact on each Member's State if funds are taken from any of the six accounts we propose to use as offsets.

One Member is told that the Minerals Management Service office in Alaska will be closed. Another Member is told that the wildlife refuges in his State will be closed. There is a story for every Member—and it is always that all of the Interior programs in his or her particular State will be the programs that bear the brunt of our proposed reductions.

Unfortunately, these are the kind of desperate and dishonest tactics that

are employed when resources become scarce. But I would ask my colleagues, Mr. President, to examine the relative reductions to other programs in Interior, and to understand that a 26-percent cut in the programs that go directly to the Indian tribal governments is a reduction of a size and proportion that we have not asked any of the other Interior programs to bear. It is a matter of simple equity that brings us to this threshold today.

Mr. President, we do have a responsibility to preserve and protect this Nation's resources, but we also have a responsibility that we, as a nation, undertook long ago—when we encouraged the Indian nations, by force and solemn commitments, to give us their lands. This responsibility—this trust responsibility—for Indian lands and resources, and to assure the survival of the Indian people—is no less sacred.

Mr. DASCHLE. Mr. President, I would like to engage the distinguished chairman of the Budget Committee, Senator DOMENICI and the distinguished vice-chairman of the Committee on Indian Affairs, Senator INOUE, in a colloquy on their amendments to H.R. 1977, the fiscal year 1996 Interior appropriations bill and the Earth Resources Observation System [EROS] Data Center.

Mr. DOMENICI. Mr. President, Senator INOUE and I would be happy to discuss the amendment with the Senator from South Dakota.

Mr. DASCHLE. Mr. President, before discussing the EROS Data Center, I would like to take this opportunity to commend my colleague on the Budget Committee and my colleagues on the Indian Affairs Committee for offering their amendment to the Interior appropriations bill. I strongly support their efforts to restore \$200 million to the Bureau of Indian Affairs tribal priority allocations account, nonrecurring programs, and other recurring programs.

The existing level of funding for the Bureau of Indian Affairs [BIA] and tribal programs is extremely inadequate. The objective of the BIA is to encourage and assist Indian people to manage their own affairs under the trust relationship to the Federal Government. To carry out this objective, the BIA is responsible for assisting Indian tribes in the development and implementation of effective programs for their self-sufficiency and advancement.

Historically, the BIA has never been funded at a level that meets the needs of Indian people. The reductions in the BIA tribal priority allocation account recommended by the Interior Appropriations Committee will have the potential to further decrease and eliminate many important programs such as tribal courts, law and order, social services, roads, and housing needs that are so important to tribal self-sufficiency.

Mr. DOMENICI. Mr. President, I thank the Senator for his kind remarks and completely agree that the funding

contained in the fiscal year 1996 Interior appropriations bill for the BIA and tribal programs is simply inadequate.

Mr. DASCHLE. Mr. President, my support for the BIA restoration amendment is based on an understanding that the offsets will not be taken from the EROS Data Center, which is funded from the U.S. Geological Survey's [USGS] national mapping, geography, and surveys account.

The EROS Data Center is a data management, systems development, and research field center of the National Mapping Division of the USGS. Located near Sioux Falls, SD, EROS is a state-of-the-art facility that receives, processes, and distributes data from Landsat satellites. Today, the center holds the world's largest collection of images of the Earth, including more than 3 million images acquired from Landsat, meteorological and foreign satellites.

As my colleagues on the Senate Appropriations Subcommittee on Interior know, the EROS Data Center works closely with USGS, the Interior Department, and other Federal agencies including the Department of Defense and the National Aeronautics and Space Administration [NASA]. The center, for instance, manages the National Satellite Land Remote Sensing Data Archive and participates in NASA's Mission to Planet Earth Program. As a unique hub of high technology research, EROS is particularly important to South Dakota because it provides opportunities for scientists, educators, and students in our State and assures them a role in the rapidly changing area of supercomputing and on the information superhighway.

Mr. DOMENICI. Mr. President, I understand the Senator's strong support for the EROS Data Center and would like to assure him that it is our intent that the offsets for our amendment will not be taken from the national mapping, geography, and surveys account of USGS.

Mr. INOUE. Mr. President, I concur with the chairman of the Budget Committee. The Senator from South Dakota is correct. It is my intent that the important work done by the EROS Data Center will not be affected by our amendment. It is my intent that the offsets from the U.S. Geological Survey will not come from the national mapping, geography, and surveys account to support the amendment that restores funds for the Bureau of Indian Affairs.

Mr. DASCHLE. I want to thank my colleague from the Budget Committee and my colleague from the Committee on Indian Affairs for this clarification and assurance. I commend them for offering this important amendment.

TRANSFER OF HATCHERIES

Mr. CONRAD. Mr. President, I would like to ask the authors of the amendment about an offset item in the amendment. Regarding the reduction in funding to the U.S. Fish and Wildlife Service, it is my understanding that,

consistent with the committee report, the 11 fish hatcheries proposed by the administration for transfer to States and tribes will be operated during fiscal year 1996, and that the working group to be formed to plan the future of the hatcheries will carry out its mission. Is my understanding correct?

Mr. DORGAN. Before the Senators respond, I would also like to ask the authors of the amendment about the reduction in funding for the Natural Resources Science Agency. It is my understanding that, consistent with the committee report, it is the intent of Congress that the Northern Prairie Science Center at Jamestown, ND will be maintained at its present level of funding. Also, I understand that funding provided for the Water Resources Research Institutes and for National Cooperative Mapping by the U.S. Geological Survey will not be reduced by this amendment. Am I correct?

Mr. DOMENICI. The Senators from North Dakota are correct. The amendment's reduction in funding to the U.S. Fish and Wildlife Service, the Natural Resources Science Agency, and the U.S. Geological Survey should not negatively impact the programs mentioned by the Senators.

Mr. DORGAN. It is also my understanding that it is the intent of the amendment's sponsors that, of funds provided for other Bureau of Indian Affairs recurring programs, not less than \$2.5 million will be provided to implement the Child Protection and Family Violence Prevention Act of 1990.

Mr. INOUE. The Senator's understanding is correct.

Mr. DORGAN. Mr. President, the appropriations bill for the Department of the Interior cuts spending on Bureau of Indian Affairs programs by 16 percent and strips it of major responsibilities for natural resources management. Even more damaging is the fact that tribes will be faced with a one-third cut in the funds that go directly to tribes so that they can provide people with critical education, human services, public safety, and economic development programs.

Indian programs have traditionally been the first to see the budget ax and the last to see funding. This is wrong. It's asking some of our poorest communities and most vulnerable citizens to foot the bill for balancing the budget—while saying, "We have plenty of money for tax cuts for the wealthy and for star wars."

The statistics on Indian poverty are staggering. About one out of every three Indians lives in poverty—and so do half of the children under age 6 who live on reservations. The average employment rate on reservations is about 45 percent, and the per capita income is approximately \$4,500.

Tribes are in desperate need of resources, for educating children, for protecting abused and neglected children, for combating alcoholism and drug abuse, for fighting crime, for building roads, homes, and water and sewer sys-

tems. And we—the Federal Government—have a special trust responsibility to provide those resources to tribes.

This appropriations bill falls far short of meeting the fundamental obligation of the United States toward the Indian nations. In North Dakota, the funding cuts contained in this bill will mean tribal governments will be faced with cutting employees who run the courts, who prevent child abuse, who teach children. The cuts mean that, on reservations where there are waiting lists for housing, understaffed police departments, decrepit schools, and unpaved roads, there will be even fewer dollars to meet critical needs.

One of these needs that will continue to go unmet under this appropriations bill is particularly troubling to me—and that is the need to fight and prevent child abuse on Indian reservations. Many of you have heard me speak on the floor about Tamara, a young woman from Fort Yates, ND, who at age 3 was placed in a foster home by a caseworker who was juggling 150 cases. She was placed in a foster home which had not been inspected. This was a home where the norm was heavy drinking and all-night parties. After one such party—if you can call it that—this 3-year old girl was so severely beaten that her hair was pulled out by its roots. Her arm and nose were broken.

I wish every Member of this body could someday look into Tamara's eyes, so that he or she may see what happens when the Federal Government says, "No, we don't have enough money to help tribes hire social workers."

The BIA requested \$5 million to help prevent child abuse on Indian reservations. The Appropriations Committee killed all of this funding—all of it. I hope that every Member of this body will think long and hard about the effect of passing legislation in which our priorities become so skewed, so wrong-headed, that we are willing to cut out funding that could very well save the life of a small child who is living in fear and in pain.

I am pleased to offer my support for the amendment offered by Senators DOMENICI, MCCAIN, and INOUE. This amendment will provide critical funding for Indian programs. I understand from the managers of the amendment that no less than \$2.5 million of the restored funding would be set aside for child abuse and treatment programs under the Child Protection and Family Violence Prevention Act of 1990. I thank them for their efforts to protect Indian children, and I hope my colleagues will join me in supporting this critical amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, Members have on their desks a brief outline of what this bill does with respect to the agencies within the Department of the Interior and the other responsibilities of this subcommittee. The entire

thrust of the argument for this bill has been aimed not at reductions in Indian programs, but at reductions of the appropriations for the Bureau of Indian Affairs, a Bureau, I may say, criticized by most of these same Members over the years as one of the least efficient and least responsive in the entire Federal Government.

But the total reductions for the Bureau of Indian Affairs itself are 16 percent. The total reduction for Indian programs are 8 percent. By comparison, the Forest Service is reduced 22 percent, the various endowments by 39 percent, the Fish and Wildlife Service by 11 percent, territorial affairs by 23 percent. It is just simply not the case that Indian programs have been singled out for disproportionate reductions.

I stand here, as does my colleague from West Virginia, to share with Members that frustration at the fact that, because of what we have decided to do in order to balance the budget, under the leadership of the Senator from New Mexico, we have, overall, 11 percent fewer dollars for our responsibilities. I want to emphasize once again, we have reduced Indian programs by only 8 percent, and they are not the programs the Senator from Arizona was talking about. These are not the programs that provide for education, or for health, or for housing, or for the relief of poverty. These are the moneys that go through the Bureau of Indian Affairs to give to Indian governments, which raise no money on their own—unlike every other form of local government in the United States.

In order to see to it, at a time of starkly declining budgets for all of these agencies, that the Bureau of Indian Affairs, for all practical purposes, has no reduction, so that the total reduction for Indian programs is a mere 2 percent, this amendment would devastate responsibilities of the Government of the United States, which it literally cannot delegate to anyone else—the management of all of the lands owned and operated by the Bureau of Land Management. The Bureau of Land Management, quite accurately, tells us that it has already taken a \$50 million reduction from the President's budget request and that its outreach programs, its recreational programs will, of necessity, have to go if this additional huge reduction is imposed upon it because it cannot abandon the land itself.

The Fish and Wildlife Service, which is reduced \$41 million from the President's proposal by our budget, and for which this amendment asks another \$30 million reduction would, of necessity, come out of its recreation, its people-oriented activities. I read a list last night, that the Fish and Wildlife Service sent to us through the Department of the Interior, of more than 50 wildlife refuges that will close, as far as public access is concerned, because all that will be left is what is necessary for the preservation of habitat. They cover most of the States of the United

States—as many as four or five in States like North Carolina and Oregon and Texas, and at least one in almost every other State. Of course, that is going to happen. This is a lot of money.

There has been a colloquy submitted between the distinguished Democratic leader and the chairman of the Budget Committee with respect to the National Geological Survey and the EROS Data Center in Sioux Falls, SD. I can tell you, Mr. President, that Sioux Falls, SD, EROS Data Center is No. 1 on the list for the National Geological Survey for closure if this amendment is agreed to. It does not do much good to say it is not the intention of the sponsors to close it. It will close if this amendment becomes law.

We have been in the process of distributing reductions which were forced on us—not ones which we asked for—in a field in which the Federal Government is solely responsible. We have been able to have no reductions at all only in the operations of the National Park Service and the cultural institutions here in Washington, DC, like the Smithsonian and National Gallery of Art, for which we are solely responsible, and the Indian Health Service, which is actually increased, the only significant item in this bill which is increased. Yet, these sponsors put on blinders. They do not tell you about the \$1.8 billion worth of programs for Indians in other appropriations bills. They do not talk about Indian education or the Indian Health Service. They speak only about the BIA, and within that only one program within the BIA.

If they wish to refocus the amounts of money to the BIA within this appropriation, I am certain that the Senator from West Virginia and I would be more than accommodating. But this does not attack the welfare and income maintenance programs of the Indians at all. And this bill, I must repeat, reduces Indian programs considerably less than it reduces the average of all other programs in this bill. It is extremely unfortunate, but it is the only fair way in accomplishing a goal.

Mr. DOMENICI. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes 15 seconds.

Mr. DOMENICI. I yield 2 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President.

First of all, I ask unanimous consent to be included as an original cosponsor of the Domenici amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Thank you.

Mr. President, I told my colleague from New Mexico that I did not come to the floor last night to speak on this amendment because I wanted to get a clear understanding of the offsets which are contained in the amendment.

Mr. President, frankly, some of the offsets are troubling to me. Especially

those which pertain to the National Biological Service, the Bureau of Land Management, the Fish and Wildlife Service, and the Minerals Management Service. As a strong environmentalist, I wish we did not have to make any tradeoffs in these areas at all because they are all important. But I think this is a matter of simple justice and equity. I believe the Domenici, McCain, and Inouye amendment is extremely important.

Mr. President, as I look at the proposed cuts, I am troubled that most of these cuts really are not in Federal bureaucracy but instead go right down to the tribal programs at the reservation level.

Mr. President, the statistics all translate into personal and human terms. It is unconscionable to have deep cuts in programs at the tribal level; be they education programs or health-care programs. It is one thing to talk about all these statistics in a cut and dried way. But when you travel in Minnesota, New Mexico, Arizona, or any number of other States, and you visit with people in the Indian nations, it is just staggering to observe the poverty, including the horrifying poverty of children.

Mr. President, it strikes me that this amendment is about simple justice and fairness. This amendment deserves the support of all Senators. It is just that simple.

Mr. President, we cannot turn our gaze away from a history that none of us can be proud of. We cannot turn away from the dire poverty that still is out there in Indian country. We cannot turn away, Mr. President, from the impact these cuts are going to have on the lives some of the poorest Americans.

Therefore, I rise to strongly support this amendment.

Mr. GORTON. Mr. President, I yield 4 minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair. I thank the manager.

Mr. President, we had debate on this amendment for an hour and a half last night. Senator GORTON and I have both spoken in opposition to the amendment.

The amendment being voted on this morning proposes to reduce six different accounts within the Interior Department in order to increase funding for the Bureau of Indian Affairs. The reductions proposed by this amendment would:

Double the reduction already imposed on the operations of the Bureau of Land Management, which will affect the conduct of the grazing, mining, and timber programs;

Increase the cut on Fish and Wildlife Service operations to more than \$100 million below the fiscal year 1995 level, which will affect the delivery of services at national wildlife refuges—of which there are 500—and fish hatcheries;

Reduce the Geological Survey by \$46.5 million, which will lead to additional job termination beyond the 400 positions being eliminated this year, and affect earthquake, volcano, and landslide monitoring as well as mapping and streamflow measurements;

Cut \$45 million from the Natural Resources Science Agency, which would eliminate existing natural resource evaluation, monitoring, and investigation; and

Reduce the royalty management function whereby the Interior Department ensures that moneys owed the Federal Government due to mineral extraction are paid.

Mr. President, the proponents of the amendment have contended that the recommendations contained in the pending bill disproportionately affect Indian programs. In fact, this is not the case. Senators should remember that this bill is reduced \$1.1 billion below the fiscal year 1995 enacted level. Cuts are real throughout the bill, not just in the Indian program.

The potential consequences of the committee's recommendations are what most concern the sponsors of the amendment. Mr. President, consequences are what happen when we impose reductions on discretionary spending. And as I said last night, this is just the tip of the iceberg. Further reductions in discretionary spending are called for next year. The budget resolution has told us that programs have to be cut. Our task is to do so responsibly. It is not an easy chore. Rather, it is an unpleasant one. It is one that each Senator probably thinks he or she can do better than the next Senator. But each appropriations bill is a series of compromises and a balancing of authorities, and this Interior bill is no different.

Mr. President, in recent days, this body has been debating an appropriate funding level for national defense. As was said during that debate, military spending is the only portion of the discretionary budget that will increase in fiscal year 1996. Mr. President, if the senate were willing, it could impose a reduction of less than 3 percent on the amount of growth in the Defense budget and fully achieve the objectives of the pending amendment.

In closing, Mr. President, I cite the following facts:

First, total funding in this bill is down 11 percent versus last year. Indian programs are down 8 percent, which is below the average for the bill. And, if the amendment is agreed to, the funding for Indian programs will be down to 2 percent below last year. It will drop from 8 percent to 2 percent below last year.

Second, funding for the land management operations for nearly one-third of the land base of this country is down 14 percent, a reduction 75 percent greater than that applied to the Indian programs.

Third, the committee recommendations protect the most fundamental of

Indian programs—Indian health and elementary and secondary education for Indian children on reservations. Protecting these critical functions resulted in cuts in other Indian programs in this bill.

Fourth, the House imposed less of a reduction on the Bureau of Indian Affairs, but they did so by constraining programs of interest to numerous Senators, including land acquisition, low-income weatherization assistance, zero funding for the National Museum for the American Indian, and termination of the Bureau of Mines.

Mr. President, this bill adds, I believe, \$12 billion in spending authority and \$3.5 billion of that \$12 billion is allocated to Indian programs.

I find it unpleasant to oppose the amendment that was offered by these three distinguished Senators and others. But I feel as manager that I must do so. I urge Senators to reject the amendment.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, there is a chart on the desk of each Member which is the only chart and set of figures which covers this bill as a whole. It indicates that land management agencies are reduced 14 percent, science agencies by 5 percent, cultural activities by 15 percent, the Department of Energy by 10 percent, Indian activities by 8 percent and other Department of the Interior functions by 14 percent, for a total of 11 percent.

To concentrate on one aspect of one of those sections to the exclusion of all others is not to paint an appropriate picture for Members in dealing with a very difficult bill at a very difficult time. It is simply an error for the Senator from Minnesota or the Senator from Arizona to say that this preserves the bureaucracy in the Bureau of Indian Affairs. The largest account in the Bureau of Indian Affairs to be cut is central office operations, considerably larger than these self-government functions.

The bottom line is that this amendment by its own terms will be devastating to primary responsibilities of the Government of the United States. They will probably be modified adversely to affect the National Park Service. It would have to be in order to become law, ultimately. And, Mr. President, this does not affect the poverty-oriented programs for Indian tribes. It simply affects the bureaucracy of the Bureau of Indian Affairs and of the governments of the various Indian tribes themselves. Overall, however, these reductions for Indian programs in this bill are less than those for land management agencies, for cultural activities, for the Department of Energy, for territorial administration, or for the main office of the Department of the Interior itself. This is a fair bill that will be distorted unfairly, unwisely, and unsustainably by this amendment.

Mr. CAMPBELL. Mr. President, I would like to make a few observations on the amendment offered by my colleagues on the Committee on Indian Affairs. I strongly support this amendment because it seeks to restore funds that go directly to tribal governments for basic, necessary governmental functions, such as public safety and law enforcement, education, human services, and community development each vital elements of any government, whether it is a State, local, or tribal government.

I appreciate the work of the distinguished chairman and ranking member of the Appropriations Subcommittee. I know they have tried to craft a spending bill that equitably distributes the reductions taken as a result of an overall reduction of nearly 11 percent from fiscal year 1995 levels.

However, I remain greatly concerned with the reductions reported by the committee for those programs administered through the Bureau of Indian Affairs.

H.R. 1977, as reported by the Interior Appropriations Subcommittee, reduces spending for BIA administered programs by approximately \$255 million from fiscal year 1995 enacted levels, and \$207 million below the level passed by the House earlier last month.

While the committee report indicates that every effort was made to limit reductions for Indian-related programs, I would respectfully ask my colleagues to take a closer look at overall spending for each of the major spending categories for Indian programs. Depending on how one reads the numbers, one could come to the conclusion that Indian programs are reduced by a modest 8 percent.

While this may be the case if you add in all Indian-related categories such as the Indian Health Service, Indian Education, and others, it is also true that programs administered through the Bureau of Indian Affairs will suffer a reduction of nearly 38 percent in fiscal year 1996.

Further, and most importantly, Mr. President, is the fact that these reductions will immediately, and most definitely have hurtful impacts on many Indian people and Indian communities. Unlike the proposed reductions to the other Interior agencies such as: the National Endowment for the Arts, 33 percent; the National Endowment for the Humanities, 33 percent; and the Institute for Museum Services, 27 percent.

Cuts in these programs, I suspect, will not force people to go hungry, lose their homes, or reduce an already depressed standard of living.

Mr. President, I need not remind my colleagues of the living conditions that exist on many Indian reservations and in many Indian communities, nor do I need to remind my colleagues of the history of Indian people on this continent and the unique relationship that has evolved between Indian tribes, the Congress, and the Federal Government.

We, as Members of Congress, have a compelling trust responsibility to Indian people, the origins of which are grounded in the Constitution and through treaties, agreements, and Executive orders that were negotiated with individual Indian tribal nations.

Because Congress and the executive branch have, for many years, endorsed the concept of tribal self-determination, and tribal self-governance, efforts have been made so that tribal governments are empowered to administer a greater number of Federal programs with the flexibility to determine how best to serve their local communities. While the Federal Government speaks of "self-determination", our actions—such as these cuts—continue to force dependency.

In keeping with the concept of empowering our local communities, the amendment before us today seeks to restore \$200 million to the Bureau of Indian Affairs "Tribal Priority Allocation" line item. These funds go directly to Indian tribes for the operation of all tribal governmental programs and are not funds that are siphoned off by the operation and administration overhead costs of the Bureau of Indian Affairs.

According to the committee report, "Tribal Priority Allocations" are proposed to be reduced by nearly \$343 million from budget estimate levels. Again, what causes me great concern is that the proposed reductions are not to construction programs or economic development programs, but to funding that goes directly to local Indian communities.

Like all Members of this body, I am well aware of our current budgetary constraints and the necessity for each of us to step up and make sacrifices, however, I believe we should do so in the framework of the budget resolution this Congress adopted earlier this year, Senate Concurrent Resolution 13. In that resolution the Senate directives in all spending categories that provide a direction of where we need to reduce spending in order to reach a balanced budget by the year 2002. In function 300, the category for natural resources and environment, there were several recommendations that were made with respect to agencies of the Department of the Interior. One recommendation assumes a 10-percent reduction in the operating budgets of the Forest Service, National Park Service, Fish and Wildlife Service, and the Bureau of Land Management.

In addition, the committee recommendation assumes the devolution of the National Biological Survey. While that would also have negative impacts in my home State, that cut is preferable to forcing real people into even deeper poverty and deprivation.

Further, the bill as passed out of the House recognizes the need to trim the Federal bureaucracy. That is reflected through reduced spending for the various land management agencies. I support those principles.

I tend to believe that in order to maximize the taxpayer dollar, we should not continue to feed the Federal bureaucracy, but should promote funding that will go directly to local communities, in this instance, Indian communities.

As debate continues on this amendment, I would ask my colleagues to give their strong support for this amendment. Supporting this proposal is to further empower local communities to maximize taxpayer dollars and to reduce spending on Federal bureaucracy.

It is also the right and moral thing to do. I thank the Chair.

Mr. BAUCUS. Mr. President, I want to express my strong support for the amendment being offered by Senators DOMINICI, INOUE, and MCCAIN.

The Interior appropriations bill as it is now written would single out native American programs for deep, deep budget cuts. While we must all do our fair share to bring down the budget deficit, these programs that are so important to our Indian people of my home State of Montana, are being singled out unfairly.

For instance, as Senator DOMINICI pointed out last night, 47 percent of the savings in this bill come from the Indian programs. And, under the Senate bill in its present form, BIA programs would be slashed by about half a billion dollars—a reduction of over 30 percent from last year's appropriation.

In a word, this is unfair.

But it is also unwise. While the leadership of Montana's tribal nations have worked hard—and effectively—to improve conditions on our seven reservations, enormous needs remain.

We need to do more to educate our Indian youth. But this legislation cuts Indian education.

We have a trust responsibility to provide for the health and welfare of our Native Americans. But this legislation takes a meat axe to those programs.

And, while we should be doing everything possible to encourage economic development on our Indian reservations—places with some of the highest unemployment in America—community development programs take a huge hit in this legislation.

I believe our Indian people are willing to do their fair share to bring down the deficit. But it is wrong to single them out for such unfair treatment. For this reason, I urge the adoption of this amendment.

Mr. DASCHLE. Mr. President, I wholeheartedly support the efforts of Senators DOMINICI, INOUE, and MCCAIN to restore funding to the Bureau of Indian Affairs, but I am very concerned about the offsets for the amendment.

Unfortunately, the managers of the bill, the distinguished chairman of the Interior Appropriations Subcommittee, Senator GORTON, and the ranking member of the subcommittee, Senator BYRD, have made clear their belief that passage of the amendment in its cur-

rent form would result in cuts to the U.S. Geological Survey that could force the closure of the EROS Data Center in Sioux Falls, SD, a state-of-the-art facility that receives, processes, and distributes data from Landsat satellites. Today, the Center holds the world's largest collection of images of the Earth, including more than 3 million images acquired from Landsat, meteorological, and foreign satellites.

While I strongly support the goal of the Domenici amendment—to restore BIA funding for key tribal programs—in light of the statements by the bill managers that the offsets in the amendment could eliminate EROS funding, I cannot support the amendment as currently drafted.

The amendment represents the right thing to do, but the wrong way to do it. It is my hope we can go back to the drawing board and work out a compromise that restores this essential funding for Indian priorities without robbing EROS funding. I will be doing all I can to accomplish that goal.

There should be no misunderstanding about the need for the restoration of BIA funding. The existing level of funding for the Bureau of Indian Affairs [BIA] and tribal programs is extremely inadequate. While the Bureau of Indian Affairs received a slight increase in the President's fiscal year 1996 budget request, the Republican-controlled Congress appears intent on drastic cuts. The House of Representatives cut the administration's request by \$100 million, and the Senate Appropriations Committee reduced it by \$500 million. At the same time, we are considering an Armed Services Committee-reported defense bill that proposes spending \$7 billion more than the Pentagon has requested. This is yet another clear indication of misplaced priorities.

The objective of the BIA is to encourage and help Indian people manage their own affairs under the Federal trust relationship. Historically, the BIA has never been funded at a level that meets the needs of Indian people. The reductions in the BIA tribal priority allocation account recommended by the Interior Appropriations Committee have the potential to further decrease and eliminate many important programs such as tribal courts, law and order, social services, roads, and housing needs that are so important to tribal self-sufficiency.

Mr. President, I appreciate the efforts of Senators DOMINICI, INOUE, and MCCAIN to address the problem associated with the offsets. Again, while I feel I cannot support the amendment as currently drafted, I hope that, before the fiscal year 1996 appropriations bill becomes law, we can restore funding for Indian programs without forcing the closure of EROS.

Mr. PRESSLER. Mr. President, I rise today in reluctant opposition to the amendment offered by my colleague, Mr. DOMINICI. I am proud of the native American heritage which is so much a

part of South Dakota's history. However, the Domenici amendment would inadvertently threaten the future of the EROS Data Center in Sioux Falls, SD, which will carry South Dakota into the 21st century and will bring new jobs to our state.

South Dakota can trace its native ancestry back more than 9,000 years. Today, South Dakota is home to nine Sioux or Lakota Indian tribes: the Cheyenne River Sioux, the Crow Creek Sioux, the Flandreau Santee Sioux, the Lower Brule Sioux, the Oglala Sioux, the Rosebud Sioux, the Sisseton-Wahpeton Sioux, the Standing Rock Sioux and the Yankton Sioux. South Dakota's Indian reservations are the very poorest areas in the Nation.

Mr. President, I recognize the importance of Federal funds to the survival and growth of the Indian tribes. These funds also are part of the longstanding Federal policy of self-governance. During my 20 years in Congress—both in the House and the Senate—I have strongly supported legislation to authorize and fund programs for native Americans. In fact, I recently coauthored a proposal which would allow tribes to run their own welfare programs.

Though, I support the intent and the goal of the Domenici amendment, I must object to the means used to fund the goal. The funding offsets could result in the elimination of the EROS Data Center—which in many ways, represents the future of technology in South Dakota.

The Earth Resources Observation Center, commonly known as EROS, was established in Sioux Falls, SD in the early 1970's. South Dakotans are justifiably proud of the EROS Data Center. For 20 years, it has been the Nation's primary center for managing and distributing land remote sensing data. Its excellent track record for making this information available has made EROS famous among scientists throughout the world.

The National Satellite Archive houses the world's largest collection of space- and aircraft-acquired imagery. It currently holds more than 8 million aerial photos and over 2 million satellite images of the Earth.

EROS facilities house the scientists, researchers, and technicians, as well as the high performance computer systems and advanced telecommunications networks, needed to process and distribute the data. Researchers use the data to better understand the Earth, determine the extent and distribution of natural resources, monitor land surface changes, and evaluate environmental conditions.

What makes EROS unique is the availability of its information. The images collected at EROS provide very important information for agriculture, mining, urban planning, and other global change research. In fact, in South Dakota, many native Americans are utilizing Landsat data provided by EROS to manage land and resources on

their reservations. EROS enjoys an internationally renowned reputation—a reputation that is well-deserved. The economic future of South Dakota depends upon the advanced technologies of facilities such as EROS.

Balancing the budget requires that we make difficult choices. This certainly is one such choice. But a balanced budget is the key to growth for both the native American and scientific communities. Without balanced budgets, interest on the Federal debt will continue to skyrocket, squeezing out funds for legitimate programs, such as the tribal priority allocation.

I would be pleased to work with my colleagues during the upcoming House-Senate conference to find a way to fund Indian programs without unnecessarily cutting other programs which are vital to South Dakota. It is my hope that we can work to this end.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Do I have 4 minutes, 5 minutes?

The PRESIDING OFFICER. Four minutes remaining.

Mr. DOMENICI. Mr. President, first of all, for all Senators, let me suggest that the chart which Senator GORTON, my good friend, has just alluded to, in this Senator's opinion, does not state the case right.

What we really should focus on here is Department of Interior funding, and not the entire bill. There are a lot of other things in this bill, some by accident, some by precedent and design, but the Department of Interior, of which the Bureau of Indian Affairs is 26.6 percent in budget terms—I say to the Senator from Mississippi who is observing this chart, the fact is that within the Department of Interior—that is all of the Department of Interior—a 26-percent portion it is getting cut 45.6 percent.

There are 550 Indian and Alaska Native governments in the United States; about 250 of them are villages in Alaska. This source of funding that we attempt to replenish has been cut \$270 million. What this amounts to is economic termination of Indian self-determination and self-governance policies. If you take 27 percent away from the governments that we say should have self-determination, take it away from them, have we not made a de facto decision that Indian government cannot run, that it is going to be there with seriously reduced resources?

Nothing else in the Department of Interior comes close to getting cut 27 percent. As a matter of fact, many Senators do not even know because many States have no Indian people, but these are little, tiny villages in some instances and they may get \$350,000 to run their government, to operate their own local welfare assistance program—not the American system, theirs. They get it for fire protection, for police protection. And we are saying to them, the United States of America is cutting

its overall budget for all kinds of things; you little governments, the smallest governments in America and the poorest, you take a 27-percent hit. And we will go through all this kind of arithmetic and say it is only a reduction of 8 percent for Indians. But 8 percent for all the Indian programs has little to do with the Department of Interior funding which we believe has inappropriately taken 27 percent out of Indian governments.

How are they going to operate? Self-determination is eloquently spoken to in the Chamber. How do you have self-determination when you just gut little Indian governments all over the place; you say you used to get \$350,000 to run it. We are going to take 27 percent away, but be self-determined. Get on with running your own government, but do it with a third fewer resources.

Really, it is not going to work. It amounts to deciding by appropriations that Indian government is going to have to retreat, perhaps disappear in some cases. Frankly, in the final analysis it will not work.

Now, having said that, Mr. President, this bill does some good things, the overall bill does in fact help Indians—not the Interior Department allocation of funds which we are debating. The overall bill does some wonderful things except it takes too much out of the tiny Indian governments. The bill also has Indian health in it. That is not the Department of Interior. The only source of health protection on reservations is the Indian Health Service of the Department of Health and Human Services, but it is funded in this bill.

So what we have done, what the chairman and ranking member said is "Let us keep Indian health solid." It is a \$2 billion program for all the Indians of America. That has nothing to do with the program that funds tribal government operations—general assistance to the individual tribal governments that serve Indians under their tribal government. They provide small child welfare programs, services for Indian families within the rubric of a tribe, police protection, resource protection and other vital functions for maintaining tribal life.

Mr. President, the chairman's chart is deceiving. I wish I had a simple one that just said, out of the Department of Interior programs for Indian tribal governments—known as the Tribal Priority Allocation Program—there is a 27-percent reduction. The small Indian governments are cut 27 percent. Overall, the BIA represents 26 percent of all Interior Department functions, yet the BIA cuts in this bill account for 45 percent of the Interior Department's reduction for the next fiscal year.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GORTON. How much time remains?

The PRESIDING OFFICER. The Senator from Washington has 47 seconds remaining.

Mr. GORTON. Indian programs even in the Department of the Interior are not cut 27 percent but 16 percent. But the point is from the perspective of the country as a whole, how much money is being reduced from Indian programs? In this bill, 8 percent; for everyone else, more than 12 percent. Indians are doing almost twice as well in this bill alone as are all of the other functions in this bill combined. Because of the budget resolution, there has to have been a reduction. These reductions are taken fairly.

Mr. DOMENICI. Mr. President, I ask for 30 seconds to clarify a mistake that I made.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, the Senator is correct. Indian tribal government funding is cut 27 percent. That is what we are attempting to replenish. I mistakenly said all Indian programs within the Bureau are cut 27 percent. But the tribal priority allocations are the program that helps them directly to govern, and this is the program that is cut 27 percent.

Thank you for giving me 30 seconds. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2296 to H.R. 1977. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Minnesota [Mr. GRAMS] and the Senator from Florida [Mr. MACK] are necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER (Mr. COVERDELL). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 36, nays 61, as follows:

[Rollcall Vote No. 374 Leg.]

YEAS—36

Akaka	Exon	McCain
Baucus	Faircloth	Moynihan
Bingaman	Feingold	Murkowski
Burns	Harkin	Murray
Campbell	Heflin	Nickles
Conrad	Helms	Packwood
Craig	Inhofe	Pell
D'Amato	Inouye	Simon
DeWine	Kassebaum	Simpson
Dodd	Kempthorne	Stevens
Domenici	Kohl	Thomas
Dorgan	Kyl	Wellstone

NAYS—61

Abraham	Brown	Cohen
Ashcroft	Bryan	Coverdell
Bennett	Bumpers	Daschle
Biden	Byrd	Dole
Bond	Chafee	Feinstein
Boxer	Coats	Ford
Breaux	Cochran	Frist

Glenn	Kerry	Robb
Gorton	Lautenberg	Rockefeller
Graham	Leahy	Roth
Gramm	Levin	Santorum
Grassley	Lieberman	Sarbanes
Gregg	Lott	Shelby
Hatch	Lugar	Smith
Hatfield	McConnell	Snowe
Hollings	Mikulski	Specter
Hutchison	Moseley-Braun	Thompson
Jeffords	Nunn	Thurmond
Johnston	Pressler	Warner
Kennedy	Pryor	
Kerrey	Reid	

NOT VOTING—3

Bradley	Grams	Mack
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So the amendment (No. 2296) was rejected.

Mr. GORTON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, we have now dealt with two of the most contentious amendments to this bill. We have now finished, I believe, debate on mining patents and on grazing, and the principal, but though not the only amendment on Indian programs. I have been prepared to go to a series of amendments on the endowments at this point. But the objection to the committee amendment on the endowments was lodged by Senator MCCAIN, who is now chairing a markup in the Indian Affairs Committee.

There is also an amendment on an African-American museum by Senator SIMON, who has to attend that same committee session. I trust that it will be relatively short. We would be prepared to take another amendment on another subject.

But, Mr. President, what I would like to announce is, of course, the majority leader and the managers of this bill would like to have a full debate but, at the same time, would like to finish the bill today. So I request that Members on my side try to get to me or to my staff within the course of the next hour and give us notice and, if they can, copies of the amendments they propose to lodge. I believe the distinguished Senator from West Virginia will make the same request. We would like to be in a position, within an hour or so, to get a unanimous-consent agreement at least as to the amendments that are available for consideration, so that we can see how to manage our time for the rest of the day.

Mr. BYRD. Mr. President, I share the viewpoint expressed by the distinguished manager of the bill. I hope that our floor staffs will do whatever they can to contact the Senators' offices and let them know that amendments should be called up.

There is a desire and a need to complete action on this bill today. The sooner Senators will come to the floor and offer their amendments, the sooner we will be able to achieve that goal.

Mr. KENNEDY. Mr. President, I have a brief statement on another matter. If it is the desire of the managers to consider an amendment I will withhold. But if there is not, I would like to proceed briefly on another matter.

Mr. GORTON. That is perfectly satisfactory, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

THE UNHOLY ALLIANCE TO
DISMANTLE MEDICARE

Mr. KENNEDY. Mr. President, as Congress prepares for the summer recess, it is important for the American public to understand what is at stake in the Republican Medicare cuts and who wants those deep cuts adopted.

Medicare is part of Social Security. Without Medicare, no senior citizens has retirement security. Medicare is a promise of health security for every senior citizen. If Republicans break the promise of Medicare, they are breaking the promise of Social Security.

For the Nation's elderly, this is more than a partisan political issue. The vast majority of senior citizens cannot afford to pay more for health care. They already pay an average of 21 percent of their limited income for Medicare premiums and for health costs that Medicare does not cover. Those who are older and sicker pay even more. Senior citizens today are paying a higher proportion of their income for health care than senior citizens paid before Medicare was enacted. And Medicare was enacted because senior citizens were already paying too much.

Paying such a high percentage of income for health care would be a heavy burden for almost any part of our population. But is especially hard for senior citizens. The median income for elderly households is only \$17,750. Eighty-three percent of Medicare expenditures are for senior citizens with incomes less than \$25,000; and almost two-thirds are for those with incomes below \$15,000.

Deep cuts in Medicare hurt not only senior citizens, but their families as well. Children and grandchildren of senior citizens will face unexpected additional serious financial burdens, just at the time they are trying to make ends meet for their own families.

Cuts in Medicare will also damage the overall health care system. The system as a whole will suffer because these deep Republican cuts will hurt hospitals and other providers, especially rural hospitals, public hospitals, and academic health centers.

The Republican strategy is clear. They will refuse to put anything specific on the table until after the recess—and then try to pass it quickly before the public realizes what is happening.

It is wrong to try to slam dunk Medicare through Congress and it will not work—because the key elements of the Republican program are already clear. First, there will be heavy additional costs for senior citizens in the form of