

this. Maybe the EIS showed a wetlands. The Corps of Engineers has to check off on it. This process is a little bit longer. They approve the permit. It goes to public comment. Then it can be appealed. If the appeal is successful, that kills the project. If it does not, it still has to go to the EPA through another appeal, and finally it has to go down to the Fish and Wildlife Service.

All of these are Federal agencies. I do not know how your history has been in dealing with Federal agencies. But you can see there are a lot of things to take into consideration in this line right here when you start talking about wetlands.

Say you are successful at that. You want to count the time. In this line right here it is probably quite a lot.

The next is air quality. You have to take that into consideration. It goes to the EPA, or to the State. It can go to either one. But I would guess, if I was a guessing person—which I am—it would probably go to both. They get notice. There is a comment period. And there is also an area down here where, if there is a conflict on the air quality—if you get down here and see there is no conflict, we move on. If there is conflict, then we go back through the process again. And also here is another area, one more area where the permit could be denied.

Then you have another law called the Endangered Species Act. Some folks have said the act is really not working, and it will be, I think, amended and reauthorized this year. So then you have to take your permit and go to the U.S. Fish and Wildlife Service. They are in consultation. Here again is another area for public comment, and a place where a 32-cent stamp comes in that says you can file an appeal, and there is a conflict noted. Then you have to go through that decision process.

The only thing we are trying to do is get from here to here. But it looks like a regular steeplechase.

I am going to have this chart made up smaller and pass it out to my colleagues. I am wondering as we put laws into effect and try to develop some kind of rules and regulations for the protection of the people's property. Sometimes we actually destroy the people's property while we are doing it. Of course, this process is expensive. You hope by the time you start the process up here and by the time you get down here that you have money enough to implement the proposed action.

Mining—the editorial for mining the other day in the Washington Post said, Who is minding the mint? It takes 10 to 15 years to permit mining of a metal, or a trace metal, or whatever you want to mine on that property. Right now the property has doubtless value. Before you can give it value there has to be something to make it valuable. I am not sure the Government wants to spend money on its own land or speculate with that money to give that land value before the mine is sited—10 to 15

years. If you are thinking about running out West and starting a mine, you want to be ready because all of this is just for you. In mining it becomes a little more. There are a few more things that you have to talk about.

The difference? Here is what we are trying to do. We are trying to simplify and still gather the same information on the activities of BLM. Under the State permitting system, in the State of Montana we have a board of land managers which is made up of the Governor, the Lieutenant Governor, and it manages those school sections under the school trust. They manage for a benefactor which is the schools. That is the way we fund our schools. On every range there are a couple of sections that are set aside and managed, whether it is farmland, or woods, or timber, or whether it is mining for whatever. Any time you have to do business on State land, they do not have as many hoops to jump through. According to a white paper that was done by a woman out of the University of California at Berkeley, it showed that State lands are managed 25 percent more efficiently than Federal lands because of a benefactor, which are the schools.

Basically what we are doing is we have a request for an activity. It goes through MEPA, which is the environmental act in the State of Montana, and it also has public and Federal comment only. It goes into a field evaluation. There is a notice of competitive bidding. In other words, if something is going to happen on that land, notice is given to everybody if they want to participate. That goes out to all interested parties. There is a bid acceptance, and the lease is issued. They derive an improvement settlement. That can be appealed. Then arbitration, and maybe another appeal. It goes to the State director. Maybe there is another appeal. And then it goes to the district court. That all happens pretty fast. But, nonetheless, to get from here to here is the time saved, the expense saved, and it also provides as much opportunity for public comment as any other process and with very few conflicting laws as we can have.

I will have a chart of this also done for my colleagues so they understand what we are trying to do.

Basically, the bill that was crafted by Senator THOMAS says this. They are going to offer the BLM's to the State. If the States do not want them, then they will continue to be managed by the Bureau of Land Management. If they do, then there is a 10-year transition period.

I would say before it is over that we will not know what the final form of this bill will take because there are some people who would like something to happen, and some people would not. It is big Government. They all want to sit here in Washington, DC, and the decisions made here in Washington. I happen to think that people who live next to the land, basically those people who live in the State of Montana, can

make those decisions probably better about the resources and the resource management on those lands.

So the laws and regulations of public land ownership have been developed over the years. We have areas in Montana that are checkerboard. This gives them an opportunity for land exchanges, and to block it and make it more efficient. The land management agencies complain that most of their resources are dedicated to paperwork and paperwork exercises, and they are stymied with conflicting requirements. We are trying to take some of that out of that, and also to take out some of those areas where there are conflicts caused by nuisance more than they are by substance.

There is a lot of funding and manpower in the United States. I know from just dealing with the State of Montana. When I went to the State of Montana as a young man, I think the BLM probably did not have 50 people that managed all of the BLM land in the last 30 years. They probably did not have 50 people when I first went to Montana managing around 8 million acres. I will stand corrected on that. Now there are over 300 in one sector and 500 in another all paid by the taxpayers of America of which they are getting no return for those people working out there. No return unless it is from resource management, and, of course, some of that resource management is held up because of the first chart.

So, Mr. President, that sort of clears the air. There is also another bill that would set up a commission, a commission to take a look at our laws and how they apply to our public lands, how to manage them, and also the resources found on them and to make some recommendations back to Congress. I think both of those pieces of legislation should move.

A LEGISLATIVE BLUEPRINT

Mr. BURNS. Mr. President, I thank you for allowing me to run over my time. I wish to at this time thank the leadership of Congress. I know the last 2 or 3 days have been the most grueling days in trying to iron out some sort of a blueprint on which we can get this country and this Government back in some kind of fiscal order.

The President stepped up. I congratulate him. But I think you have to look around at the faces of those who have worked all through it. Some of us kind of took some time off and did some things we wanted to do on Friday and Saturday, not being involved in leadership, but that was not something that was afforded to leadership because they had to stay and stay. When you read this commitment to a 7-year balanced budget, even when it gets down to saying, yes, we have to assure Medicare solvency, that is the reason most of us come down for it. And Medicaid, or Medigraunt they are calling it now, or welfare, all of this is something we

campaigned on in 1994. It is still the parameters of which we will do business.

If we did not care for these programs, we would do nothing, we would not fight to make sure that this Government stays solvent; that we can pay our bills; that we can take care of the next generation in Medicare and Medicaid and help those people who we really sincerely believe need help. It is our responsibility to help them. That was the driving force behind this whole plan on the Republican side when I campaigned last year.

Had we not cared, we would have turned our back on this and said, "Do it any way you want to, Mr. President. We will keep on doing business the way we have been doing it for 40 years," or at least the last 6 years that I have been here. We could have said no, but we did not do that. We did what was responsible. We came to the forefront to fix it, to save it, to make it stronger and make sure we assure the integrity of the programs designed to serve the people on Medicaid and Medicare, the needy and not the greedy.

I think we have done that. Now the hard work begins. We will get onto the main playing field. There will be a lot of dust and a lot of talk, but basically what you looked at yesterday is exactly what we campaigned on in 1994 and which continues to be the noble goal of this Congress.

Mr. President, I yield the floor.

LABOR, HHS APPROPRIATIONS

Mr. HARKIN. Mr. President, for several years I had the privilege of chairing the appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies. This year, the chair is Senator SPECTER from Pennsylvania. We had our bill finished in pretty good time, but now it is being held up and there have been various unanimous-consents propounded about trying to bring it up. Last week, we hotlined it on this side, and I am informed that the Republicans hotlined it on their side to bring the bill up without the legislative riders and simply pass it on voice vote. No Democrat on this side objected to that. The objection came, as I understand it, from the other side.

I thought perhaps over the weekend and in the spirit of compromise and in the spirit of moving this legislation forward I might try to propound a unanimous-consent request again.

So, Mr. President, I ask unanimous-consent that the Senate proceed immediately to the consideration of H.R. 2127, the Labor-HHS appropriations bill; that the language on page 21, lines 3 to 10, relating to striker replacement, be stricken; that all other committee amendments be agreed to en bloc; that the bill be read a third time and passed and that the motion to reconsider be laid on the table, with the above occurring without intervening action or debate.

Mr. BURNS. I object.

The PRESIDING OFFICER. Is there objection?

Mr. BURNS. There is objection.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. Mr. President, I guess I probably expected that there would be objection to my unanimous-consent request.

I wish to make the case again that this bill is ready to come to the floor but for a legislative rider that is on this appropriations bill which deals with striker replacement. It has no business being on an appropriations bill. There are other legislative bills that will be before this body before we adjourn on December 15, or whenever that occurs, that would be more appropriate for that to be attached.

I would also point out that we have voted twice on this issue in the Senate and cloture could not be obtained. Again, I would just for the record repeat for the record what Senator DOLE, our majority leader, said on this bill on September 29, 1995. He said, "I agree with the Senator from Pennsylvania," meaning Senator SPECTER, "and the Senator from Iowa," meaning me, "that we ought to pass the bill on a voice vote. We cannot get cloture. There were two votes, 54 to 46, party line votes." That was on the striker replacement. "So my view is we ought to do it, pass it and find out what happens after a veto in the next round."

I might also say for the record that I checked with the Senator from Pennsylvania [Mr. SPECTER] before I propounded this unanimous-consent request, and he also concurs that this is the way we ought to do it—bring the bill up without legislative riders, pass it on a voice vote, go to conference with the House, and work on the legislation from there.

So again I wanted to point out that it is really not this side holding up the Labor, HHS bill. We are willing to get it now in 60 seconds, voice vote it through but for the legislative rider that was attached in committee, which, as I have pointed out, is a legislative rider and is not a matter of appropriations whatsoever. If that side is willing to strike that, we can bring up that bill and pass it, as I said, within 60 seconds.

As I said, I hotlined this last week and no Democrats objected to it, and unless the majority leader has changed his mind I think he agrees with that process also, as he stated on September 29.

So, Mr. President, I wanted to make that point because I feel strongly it is important we move ahead with that bill. It not only appropriates the money for the Department of Labor and for job training programs but also the Department of Health and Human Services to administer the Medicare program, for the Health Care Finance Administration, HCFA. It also appropriates money for the National Institutes of Health and for all of the programs there, for biomedical research,

and also the Department of Education, some very important programs and agencies that need to be funded with the appropriations bill. And as I said, there is really no reason why we should not pass it except for the insistence by some that they have a legislative rider attached to it, which, again, I understand the process here.

A lot of times people try to attach legislative riders. Sometimes it is done without too much concern, people support it on both sides; they will support a legislative rider on an appropriations bill. But I think in a case like this, where you have a legislative rider which is so adamantly opposed by at least a majority on this side—and I think maybe even a few on the other side—this is no place for that legislative rider.

Lastly, Mr. President, let me say that I am glad that both sides over the weekend worked out an arrangement, an agreement on the continuing resolution, and also on the budget. As I have said before, the continuing resolution should not have taken that long since it is only a sense of the Senate anyway. It has no binding force and effect. But I am glad we did agree on the 7 years. I had voted for 7 years for balancing the budget. What I oppose, however, is the manner in which it was proposed that we do it.

I still object to the budget that was passed here. That is why I voted against it. And I trust the President will veto it sometime later this week, and then we will begin in earnest next week in trying to work out some compromise on the budget. That will be the important work of the Senate and of the House in the next 2 weeks or so, because that is the budget, that is the money. That is where we sign on the dotted line, so to speak, as to who is going to pay and who is going to benefit in the next 7 years when we do reach a balanced budget.

I must say that I agree with an article in the U.S. News & World Report written last week by David Gergen in which he pointed out that "the lowest 20 percent of the population [in income] would lose more income under these spending cuts than the rest of the population combined. At the other end, the highest 20 percent would gain more from the tax cuts than everyone else combined."

As Mr. Gergen pointed out, he said:

Ronald Reagan is often invoked as the patron saint of this revolution. How soon we forget that as President, Reagan insisted that seven key programs in the safety net—Head Start, Medicare, Social Security, veterans, Supplemental Security Income, school lunches and summer jobs for youth—would not be touched; now, six of those seven are under the knife. Reagan believed, as he said in his memorable address accepting his party's nomination in 1980, that "we have to move forward, but we're not going to leave anyone behind."

This budget that this Senate passed, which I voted against, which is going to the President, moves a few people ahead. As a matter of fact, it is like