

Mr. DOMENICI. That is correct. As a matter of fact, the \$13 billion is about 3 percent of the appropriated accounts, whereas the dollar number the President has in his of just the appropriated accounts over the next 5 to 7 years is far less than half a percent—of just the appropriated accounts—perhaps as low as a quarter of a percent. I have not done the arithmetic, but almost unnoticeable in the cuts and restraints and reductions that we are going to have to make.

Mr. GREGG. So, if the Senator will yield for an additional question, Madam President, if you wish to undertake real budget savings, what you should be doing is supporting the rescission package that is coming forward and then work with the President to take the \$13 billion of additional cuts and maybe raise it up to a level that is a real reduction in spending so we move toward a balanced budget over 5 years?

Mr. DOMENICI. Madam President, the Senator is absolutely correct. Let me be precise. The President is trying to make a case for deficit reduction. He is talking about \$13 billion in reductions over the next 5 years.

What the President really ought to be doing is to be saying loud and clear: "I compliment the House and Senate for a rescission package, and I hope you send it to me quickly." And he ought to be saying, "I will sign it," because it will accomplish in 6 months as much savings as he pledges in 5 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I certainly do not intend to get into a debate with the very learned chairman of the Budget Committee, but I think, in fairness to the White House, you have to give him credit for what he is doing. It may not be all that everyone wants, but I think the fact that the Federal payroll has been cut by some 150,000 people since he has been President, and this will be the third year in a row that we have had a decline in the deficit, the first time in some 50 years this has happened—we all know he has significant problems with the deficit.

In the balanced budget amendment that they established were three things. They established, No. 1, that we have a problem with the deficit; No. 2, we have to do something about it; and, No. 3, we need to do it and not burden Social Security.

I am not going to get into a long debate with my friend from New Mexico other than to say I think we have to give the President credit for having taken a number of steps that are important in the overall need to balance the budget. It is not going to be done in one fell swoop. It is going to be a series of small things that add up to something big. And the work that the President and the Vice President did yesterday—and the Vice President was given another 60-odd days to report to the President on some other things—needs to be done. Let us give them credit for making good-faith efforts to solve the

crisis and the problems that face this country.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REGULATORY TRANSITION ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 414 TO AMENDMENT NO. 410

(Purpose: To require the Secretary of Agriculture to issue new term permits for grazing on National Forest System lands to replace previously issued term grazing permits that have expired, soon will expire, or are waived to the Secretary, and for other purposes)

Mr. REID. Madam President, in behalf of the minority leader, the Senator from South Dakota, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DASCHLE, proposes an amendment numbered 414 to amendment No. 410.

Mr. REID. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

TITLE —TERM GRAZING PERMITS

SEC. 01. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Secretary of Agriculture (referred to in this Act as the "Secretary") administers the 191,000,000-acre National Forest System for multiple uses in accordance with Federal law;

(2) where suitable, 1 of the recognized multiple uses for National Forest System land is grazing by livestock;

(3) the Secretary authorizes grazing through the issuance of term grazing permits that have terms of not to exceed 10 years and that include terms and conditions necessary for the proper administration of National Forest System land and resources;

(4) as of the date of enactment of this Act, the Secretary has issued approximately 9,000 term grazing permits authorizing grazing on approximately 90,000,000 acres of National Forest System land;

(5) of the approximately 9,000 term grazing permits issued by the Secretary, approximately one-half have expired or will expire by the end of 1996;

(6) if the holder of an expiring term grazing permit has complied with the terms and conditions of the permit and remains eligible and qualified, that individual is considered to be a preferred applicant for a new term grazing permit in the event that the Secretary determines that grazing remains an appropriate use of the affected National Forest System land;

(7) in addition to the approximately 9,000 term grazing permits issued by the Secretary, it is estimated that as many as 1,600 term grazing permits may be waived by permit holders to the Secretary in favor of a

purchaser of the permit holder's permitted livestock or base property by the end of 1996;

(8) to issue new term grazing permits, the Secretary must comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other laws;

(9) for a large percentage of the grazing permits that will expire or be waived to the Secretary by the end of 1996, the Secretary has devised a strategy that will result in compliance with the National Environmental Policy Act of 1969 and other applicable laws (including regulations) in a timely and efficient manner and enable the Secretary to issue new term grazing permits, where appropriate;

(10) for a small percentage of the grazing permits that will expire or be waived to the Secretary by the end of 1996, the strategy will not provide for the timely issuance of new term grazing permits; and

(11) in cases in which ranching operations involve the use of a term grazing permit issued by the Secretary, it is essential for new term grazing permits to be issued in a timely manner for financial and other reasons.

(b) PURPOSE.—The purpose of this Act is to ensure that grazing continues without interruption on National Forest System land in a manner that provides long-term protection of the environment and improvement of National Forest System rangeland resources while also providing short-term certainty to holders of expiring term grazing permits and purchasers of a permit holder's permitted livestock or base property.

SEC. 02. DEFINITIONS.

In this Act:

(1) EXPIRING TERM GRAZING PERMIT.—The term "expiring term grazing permit" means a term grazing permit—

(A) that expires in 1995 or 1996; or

(B) that expired in 1994 and was not replaced with a new term grazing permit solely because the analysis required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws has not been completed.

(2) FINAL AGENCY ACTION.—The term "final agency action" means agency action with respect to which all available administrative remedies have been exhausted.

(3) TERM GRAZING PERMIT.—The term "term grazing permit" means a term grazing permit or grazing agreement issued by the Secretary under section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752), section 19 of the Act entitled "An Act to facilitate and simplify the work of the Forest Service, and for other purposes", approved April 24, 1950 (commonly known as the "Granger-Thye Act") (16 U.S.C. 580f), or other law.

SEC. 03. ISSUANCE OF NEW TERM GRAZING PERMITS.

(a) IN GENERAL.—Notwithstanding any other law, the Secretary shall issue a new term grazing permit without regard to whether the analysis required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws has been completed, or final agency action respecting the analysis has been taken—

(1) to the holder of an expiring term grazing permit; or

(2) to the purchaser of a term grazing permit holder's permitted livestock or base property if—

(A) between January 1, 1995, and December 1, 1996, the holder has waived the term grazing permit to the Secretary pursuant to section 222.3(c)(1)(iv) of title 36, Code of Federal Regulations; and

(B) the purchaser of the term grazing permit holder's permitted livestock or base property is eligible and qualified to hold a term grazing permit.

(b) TERMS AND CONDITIONS.—Except as provided in subsection (c)—

(1) a new term grazing permit under subsection (a)(1) shall contain the same terms and conditions as the expired term grazing permit; and

(2) a new term grazing permit under subsection (a)(2) shall contain the same terms and conditions as the waived permit.

(c) DURATION.—

(1) IN GENERAL.—A new term grazing permit under subsection (a) shall expire on the earlier of—

(A) the date that is 3 years after the date on which it is issued; or

(B) the date on which final agency action is taken with respect to the analysis required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws.

(2) FINAL ACTION IN LESS THAN 3 YEARS.—If final agency action is taken with respect to the analysis required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws before the date that is 3 years after the date on which a new term grazing permit is issued under subsection (a), the Secretary shall—

(A) cancel the new term grazing permit; and

(B) if appropriate, issue a term grazing permit for a term not to exceed 10 years under terms and conditions as are necessary for the proper administration of National Forest System rangeland resources.

(d) DATE OF ISSUANCE.—

(1) EXPIRATION ON OR BEFORE DATE OF ENACTMENT.—In the case of an expiring term grazing permit that has expired on or before the date of enactment of this Act, the Secretary shall issue a new term grazing permit under subsection (a)(1) not later than 15 days after the date of enactment of this Act.

(2) EXPIRATION AFTER DATE OF ENACTMENT.—In the case of an expiring term grazing permit that expires after the date of enactment of this Act, the Secretary shall issue a new term grazing permit under subsection (a)(1) on expiration of the expiring term grazing permit.

(3) WAIVED PERMITS.—In the case of a term grazing permit waived to the Secretary pursuant to section 222.3(c)(1)(iv) of title 36, Code of Federal Regulations, between January 1, 1995, and December 31, 1996, the Secretary shall issue a new term grazing permit under subsection (a)(2) not later than 60 days after the date on which the holder waives a term grazing permit to the Secretary.

SEC. 04. ADMINISTRATIVE APPEAL AND JUDICIAL REVIEW.

The issuance of a new term grazing permit under section 03(a) shall not be subject to administrative appeal or judicial review.

SEC. 05. REPEAL.

This Act is repealed effective as of January 1, 2001.

Mr. GLENN. Madam President, we have been through the details of this. I think it is justified. We would be glad to accept it on this side.

The PRESIDING OFFICER. Is there further debate on this amendment?

Mr. NICKLES. Madam President, we have no objection to the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment offered by the Senator from South Dakota.

The amendment (No. 414) was agreed to.

Mr. REID. Madam President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

VISIT TO THE SENATE BY THE KING OF THE HASHEMITE KINGDOM OF JORDAN, KING HUSSEIN I, AND QUEEN NOOR

Mr. HELMS. Madam President, we have in the Chamber two distinguished guests, one a native of the United States, the Honorable King of Jordan, King Hussein, and his bride, Queen Noor.

RECESS

Mr. HELMS. Madam President, I ask unanimous consent that we stand in recess so that Senators may greet our guests after which time we resume.

There being no objection, the Senate, at 4:36 p.m. recessed subject to the call of the Chair; whereupon, at 4:43 p.m. the Senate reassembled when called to order by the Presiding Officer (Ms. SNOWE).

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COCHRAN). Without objection, it is so ordered.

REGULATORY TRANSITION ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 415 TO AMENDMENT NO. 410

(Purpose: To ensure that a migratory birds hunting season will not be canceled or interrupted, and that commercial, recreational, or subsistence activities related to hunting, fishing, or camping will not be canceled or interrupted)

Mr. PRYOR. Mr. President, at this time, I rise to offer an amendment with my friend, Senator STEVENS of Alaska, and also Senator PRESSLER, Senator WELLSTONE, and Senator COCHRAN. This amendment would ensure that the 45-day suspension of a significant rule does not include the regulations opening duck hunting season. The amendment I am offering at this time was adopted by the Governmental Affairs Committee when it considered S. 219, but it was not included in the Nickles-Reid substitute.

The substitute would suspend for 45 days any significant rule to give Congress time to review the regulation. The annual rule regulating duck hunting, which has a direct effect on the economy of \$686 million annually, would be considered a significant rule. The effect of this 45-day suspension on the duck hunting season would be most severe. The Fish and Wildlife Service is

required by law to issue regulations each year to open and close the duck hunting season. Each year, in late July, after the young birds are large enough to be counted, the Fish and Wildlife Service then gathers information about the various duck populations. They then have roughly 2 months to draft and finalize the duck hunting regulations, which are typically issued 2 or 3 days before the hunting season begins.

Because these regulations are significant regulations, they would be suspended for 45 days, which would cut a month and a half from the duck hunting season. I do not believe this effect on duck hunting is necessary or useful. It is counterproductive, and it may be a classic case of unintended consequences.

Our amendment today simply says that for the purposes of the Nickles-Reid substitute, duck hunting regulations would not be considered significant and, therefore, would not be suspended for 45 days. The duck hunting rule, like all other rules under the Nickles-Reid substitute, would still be reported to Congress.

Mr. President, I do not think that in the name of regulatory reform, we should eliminate 45 days of the duck hunting season. I believe our amendment is simple and it is straightforward. I thank my colleagues for cosponsoring this amendment with me.

I sincerely appreciate the help and the strong support of my good friend and colleague from Alaska, Senator STEVENS, who has worked with us very carefully to develop this amendment as it is.

Mr. President, I have not actually sent my amendment to the desk. I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR], for himself, Mr. STEVENS, Mr. PRESSLER, Mr. WELLSTONE, and Mr. COCHRAN, proposes an amendment numbered 415 to amendment No. 410.

Mr. PRYOR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 13, beginning on line 12, strike all through line 8 on page 14 and insert in lieu thereof the following:

“(2) SIGNIFICANT RULE.—The term “significant rule”—

(A) means any final rule, issued after November 9, 1994, that the Administrator of the Office of Information and Regulatory Affairs within the office of Management and Budget finds—

(i) has an annual effect on the economy of \$100,000,000 or more or adversely affects in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;