

finding creative things to do with cold leftovers.

You see, the budget they're serving today is nothing but a warmed-over version of the same misplaced priorities that the American people rejected last year.

Take away the sugarcoating, and you've got crucial education programs targeted for deep cuts or elimination.

Minus the garnish, you've got a Medicare plan that will make seniors pay more for less, while their hospitals close.

And, when you remove the trimmings on their budget, you end up with huge tax breaks for the wealthy special interests we simply can't afford.

Mr. Speaker, this is not a blueprint for balancing the budget—it's a recipe for disaster. So, I say to the new majority: Keep your cold leftovers.

It's time to give the American people what they want—a balanced budget that moves our Nation forward without leaving behind those who depend on us most—our children, seniors, families, and our environment.

#### ANOTHER CLINTON SCANDAL BREWING: FBI FILES RAIDED

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, the paper shredders over at the White House are abuzz with activity. Yet another Clinton scandal is brewing involving a coverup and the abuse of power.

Evidently, the Clinton administration raided the FBI files of 341 Bush and Reagan employees. Not only were these people investigated, but their files were kept inside the vault of the White House security office.

Information gleaned from these files was passed along to Clinton appointee Craig Livingstone, whose boss was Associate Counsel William H. Kennedy, a former Rose law firm partner with Hillary Clinton.

Mr. Speaker, why did the White House want these files? What kind of information were they after? Are there other people who were investigated?

In 1992, Bill Clinton refused to make public any FBI files about his anti-Vietnam activity. But as President he has no reservations whatsoever about raiding the FBI files of his Republican opponents.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair again reminds Members that personal references to the President are not supposed to be made.

#### REPUBLICAN MEDICARE PLAN: SECOND VERSE, SAME AS THE FIRST

(Mr. GENE GREEN of Texas asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, here we have the second verse same as the first but with a lower in tone.

Mr. Speaker, the Republican majority is continuing its attack on Medicare. Last year they wanted to cut the growth in Medicare \$270 billion and provide for a tax cut of \$245 billion. While they still have their sights set a little lower this year, they still want to cut Medicare \$168 billion.

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Now they say that it is cutting Medicare or that it is cutting the growth of Medicare, but again let us reason that if you have more people getting to be 65 and people 65 living longer, you have to have growth even more than inflation that they say. At the same time they want to give this tax cut of \$176 billion only to some of the wealthiest. For the second year in a row the Republican majority is using the trustees' report to talk about how bad they need to do it.

If Medicare is in trouble, then let us take that savings and plow it back into Medicare, and not use it to give tax cuts or to balance the budget. I hope that our Republican majority will change their second verse.

#### THE CARE FOR HUMAN LIFE IS THE OBJECT OF GOOD GOVERNMENT

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I had a town meeting Saturday in Hampton, FL, and Janice Sanford was there at the town meeting and she gave me hundreds of petitions dealing with the partial-birth abortion veto by the President. President Clinton has once again demonstrated that he favors legal, unrestricted, and easily available abortions on demand, even in the ninth month of pregnancy.

Mr. Speaker, Thomas Jefferson once said,

The care of human life and happiness, and not their destruction is the first and only legitimate object of good government.

I share this commitment to actively support legislation that sustains the Federal Government's traditional goals in family planning.

Members of both Houses of Congress already voted to promote these goals when we said no to partial-birth abortions. I strenuously oppose President Clinton's veto of the ban, and urge my colleagues to say no once again when we have the opportunity to override this veto.

Once again, I congratulate Janice Sanford for her active efforts to demonstrate this by the petition she gave me last Saturday.

#### AMERICA NEEDS A NEW GARDENER

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, America needs a new gardener. When Speaker GINGRICH insists that Medicare should be permitted to wither on the vine, it is time to find a gardener who knows the difference between strengthening Medicare and allowing it to shrivel.

That is not EverGrow that Speaker GINGRICH is proposing to pour on the vine of Medicare; it is the salt of neglect, of decades of neglect of the health care security of American families. That is not a green thumb that the Speaker is offering; it is the darkened green thumb of neglect of the health care security of American families.

Mr. Speaker, we should focus on the Medicare trustees' report, for the real issue is trust. Should we trust the people who want to let Medicare shrivel on the vine, or should we trust those who overcame the opposition of BOB DOLE and the Republicans of that era to build Medicare into a garden whose fruits of health care security are available to every American?

#### PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule: Committee on Agriculture; Committee on Banking and Financial Services; Committee on Commerce; Committee on Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on International Relations; Committee on the Judiciary; Committee on Resources; Committee on Transportation and Infrastructure; Committee on Veterans' Affairs; and the Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. WALKER). Is there objection to the request of the gentleman from Colorado?

There was no objection.

#### REPORT ON H.R. 3610, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1997

Mr. YOUNG of Florida (during consideration of H.R. 2909) from the Committee on Appropriations, submitted a privileged report (Rept. No. 104-617) on the bill (H.R. 3610) making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, which was

referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. WALKER). All points of order are reserved on the bill.

#### CORRECTIONS CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

#### SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE EMINENT DOMAIN PREVENTION ACT

The Clerk called the bill (H.R. 2909) to amend the Silvio O. Conte National Fish and Wildlife Refuge Act to provide that the Secretary of the Interior may acquire lands for purposes of that act only by donation or exchange, or otherwise with the consent of the owner of the lands.

The Clerk read the bill, as follows:

H.R. 2909

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act".

#### SEC. 2. RESTRICTION ON METHOD OF ACQUISITION OF LANDS FOR PURPOSES OF THE SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE ACT.

Section 106 of the Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212; 16 U.S.C. 668dd note) is amended by adding at the end the following new subsection:

"(e) RESTRICTION ON METHOD OF ACQUISITION.—The Secretary may acquire lands for purposes of this title only by donation or exchange, or otherwise with the consent of the owner of the lands."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 30 minutes.

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

MODIFICATION OFFERED BY MR. SAXTON

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that on page 2, line 5 of the bill, the word "Emminent" be corrected to read "Eminent."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

Mr. Speaker, H.R. 2909, the Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act, was introduced by Congressman CHARLES BASS on January 31, 1996. The bill directs the Secretary of the Interior to acquire lands for the Silvio O. Conte Refuge only with the consent of the landowner. Unlike many refuges, the Conte refuge spans four States—Vermont, Connecticut, Massachusetts,

and New Hampshire. Landowners surrounding the refuge are concerned that eminent domain will be used to condemn their properties, so the Fish and Wildlife Service will be able to purchase the properties without the owners' consent. At the subcommittee's legislative hearing, the Fish and Wildlife Service did acknowledge that there is precedent for similar willing seller language already set in law. The Service also maintains that it does not intend to use eminent domain as a land acquisition tool for the Conte Refuge. That being the case, codifying this prohibition into statutory language would not adversely affect Fish and Wildlife Service operations. It would, however, serve the useful purpose of quelling landowner concerns.

I urge an "aye" vote on this bill in support of property owners' rights.

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

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

Mr. Speaker, believe it or not, I rise in opposition to H.R. 2909, because it is both an example of bad policy and bad process. When the Corrections Day Calendar was originally proposed, it was touted as a way to address bureaucracy that is particularly dumb, or to address obviously silly, redundant Government regulations in a rapid fashion. H.R. 2909 does not address silly Government regulations or bureaucracy, it addresses one of the fundamental powers granted to the Federal Government by the Constitution—the power of eminent domain. Supporters of this bill may claim that it is about protecting private property. But there is a world of difference between uncompensated takings of private property and the rare and judicious use of eminent domain to acquire private property, for fair market value, to protect public wildlife resources.

The Corrections Day Calendar was ostensibly created to expedite the passage of noncontroversial, bipartisan legislation. This legislation is controversial. I and a number of my colleagues on the Resources Committee oppose it. The administration opposes it. And environmental groups such as the Sierra Club, the Wilderness Society, and the Audubon Society oppose it. Lastly, I believe that if our late friend and colleague, Silvio Conte, were alive today, he would join me in opposing this legislation. Since the Fish and Wildlife Service has no intention to use eminent domain to acquire land for the refuge, H.R. 2909 is a solution in search of a problem.

It is my understanding that corrections day legislation should be narrow in scope. But, since H.R. 2909 sets a bad precedent for the entire 92 million acre National Wildlife Refuge System, it is much broader in scope than the problem it purports to address.

The Corrections Day Calendar was never intended to circumvent the committee process. However, the Corrections Day Advisory Group considered

H.R. 2909 for placement on the Corrections Day Calendar a month and a half before the Resources Committee reported the bill.

The Silvio Conte National Fish and Wildlife Refuge represents a new kind of wildlife refuge that will protect a total of 78,000 acres using a combination of conservation easements, cooperative agreements, and cost-sharing partnerships. This approach minimizes the need for Federal land acquisition: Only about 6,500 acres, spread over the States of New Hampshire, Vermont, Connecticut, and Massachusetts, will be under Federal ownership. And how is this innovative approach rewarded? By the adoption of punitive legislation that restricts the ability of the Fish and Wildlife Service to protect public wildlife resources when they are threatened.

The Fish and Wildlife Service is entrusted with the power of eminent domain to acquire lands for the greater public good. Although eminent domain authority is a tool of last resort for the Service, without it there is ultimately no way to protect land already purchased with taxpayer dollars from adjacent harmful development or to prevent the destruction of critically important wildlife habitat. If we deny the Service this tool, we make it that much more difficult to protect effectively the public interest in habitat conservation.

Furthermore, this bill exclusively ties the hands of the Federal Government in protecting the public interest in fish, game, and wildlife habitat. I am not aware of any attempts to restrict eminent domain authority when it is applied to highways, dams, or other public works projects in New England. In establishing a differential standard for application of the power of eminent domain, H.R. 2909 relegates wildlife habitat protection to second-class status. That is wrong.

For these reasons, I oppose H.R. 2909 and feel that it was inappropriately placed on the Corrections Calendar. I urge the House to reject this legislation.

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

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Speaker, I rise in support of this piece of legislation. I would like to thank the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Alaska [Mr. YOUNG] for moving this bill promptly, in an expeditious fashion. I believe that their understanding of the time-sensitive nature of this matter in allowing H.R. 2909 to move in an expeditious manner is important.

Mr. Speaker, simply put, as we have heard, this bill will smooth the road for the creation of the Silvio O. Conte Refuge by reassuring local residents, and folks who live in the affected areas, that their land will not be taken by