

It is somehow the big versus the small, and that does not seem to work very well. A blade of grass is a blade of public land grass and ought to be worth the same to anybody who wants to buy it. Certainly, when we sell trees off the national forests we do not say to the great big Weyerhaeuser's or Louisiana Pacific's, or any of the big timber companies, "You have to pay a premium because you are big," and to the small timber operator in my State of Idaho, "You are small and you are little and you pay less." We don't do that. We offer it to up to bid. But in the instance of grazing, because grazing is tied with the ranch, we have said you will pay a fee determined by the Congress. That is what we have tried to do in a fair and equitable way, and I think we have accomplished that, because not only are we trying to get a reasonable amount of money from the public resource for the public Treasury, but we are still trying to reflect the relationship that was crafted back in the teens with the creation of the BLM Act, or the Taylor Grazing Act, when we said that ranches ought to have a relationship to that public land to be able to graze it under reasonable conditions. That kept the local economy together. That kept the main streets of Grand View, or Twin Falls, or Oakley, or Buhl, or any of these small Western agricultural ranching communities, together because they didn't own the vast lands. Those were owned by the public. But there would still remain a relationship between the ranching community, the economy, and the land. For a long time that was the right relationship, but now we have wanted to make changes.

The Bumpers amendment makes the kind of change that dramatically alters big and small, because the one thing that has never been talked about in all of this was all of my small ranchers have been marvelous stewards of the land throughout this time. They are the ones who gave the time. They are the ones that put in the water systems. They are the ones that have largely made the public range what it is today by investing millions of hours of person time and millions of dollars of their own money on public lands to improve them not just for grazing, but for wildlife habitat. Yet, that seems to not be recognized today in this kind of amendment, the big versus the small, the rich versus the not-so-rich, which should never become a factor in the uniform management of and the selling of public resources. Yet, that is what the Senator from Arkansas attempts to do. And it is wrong, Mr. President, it is just plain wrong. We do not treat any other public resource—renewable or nonrenewable—that is up for sale that way.

Let us compare it. You go to a national park. You pay a fee to go into a park. Do they ask you at the time you drive through the park, "Are you a millionaire," or, "Are you poor?" If you are a millionaire, you pay \$10,000

to enter the national park, and if you are not so rich, you pay the daily fee.

We do not do that when somebody enters the public resource buildings of the national treasures of the Nation's Capital. There is a fee charged, and that happens in some instances but not many. Yet, taxpayers pay millions of dollars annually to keep these beautiful buildings up. Do we say to the rich, "You pay more," and to the poor, "You pay less"? No, we do not do that. But that is what the Senator from Arkansas does on grazing.

When we provide coal resources, oil resources, they go to the highest bidder, and they go to the finder. Then we have a national fee that we charge per ton or per gallon. Do we say to the Standard Oil's of America, "You pay more," and to the small stripper well producers in Kansas, "You pay less"? No, we do not. We expect a reasonable and a balanced fee.

I don't know how, Mr. President, to make another comparison that the public would understand. How about two apartments, one side by side, and one is furnished and one is not furnished. That is what the Senator from Montana was talking about. Certainly, the one that is furnished you would pay more for.

So when the Senator from Arkansas talks about State lands, in many instances, the State lands are a better quality grazing land. The services on them are treated differently. Certainly, it is true of private grazing. I know; I used to lease out private grazing. We took care of the cattle. We fixed the fences. We sold to them. We made sure that the water facilities were operating, and the person who put the cattle on the land never came back to see them sometimes until 2 or 3 months later when they wanted to pick them up. So we were able to charge more because we offered a service. But when the rancher leases public grazing land, BLM or Forest Service land, none of those services are offered. You ride for the cattle, and you care for the cattle. You pick up all of those extra expenses.

That is a part of the reason that the formula over the year has reflected some of disparity of difference, and it is unfair to make those comparisons. But I am afraid that some of my colleagues, who have an entirely different mission in mind than just getting for agriculture a fair price for the public resource, want to change the story. And, in changing it, they know that the consequence of their action would be disastrous to the public grazing lands as we know it.

I hope, Mr. President, that Senators will once again join with us in rejecting this amendment. This Senate has done its duty. We have crafted a compromise, bipartisan grazing reform bill with a fee increase in it which is fair and equitable to all, and passed it through the Senate. Now, to have this kind of an end run on an amendment that divides—that says to the rich this, says to the less rich this, that says we

create different levels and different fees for different blades of grass grazed by different cattle, it does not make sense.

It will not work. We do it nowhere else when we deal with public resources, and we certainly ought not do it with grazing.

So I hope that the Senate will reject this amendment at the appropriate time and continue to work with the Energy and Natural Resources Committee to accomplish the grazing reform that we need, because there is no Senator who would suggest we need none.

As a Senator who represents a western public lands State, I will tell you that I helped lead the reform this year. We did not stand back, because we wanted to make sure that the reform was reflective of not only national interests but that unique relationship that was crafted with the Taylor Grazing Act decades ago between the public lands State and the public domain and the public resource and the grazing industry and the citizens of the States involved.

That is the issue at hand here. I hope the Senate will honor its historic commitment in these areas to maintain balance and to maintain reasonable return for the public resource.

I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I believe that debate on this grazing fee amendment has been concluded for the day. I have one short correction from last week that I now ask unanimous consent be printed in the RECORD separately from the debate on the grazing fee amendment.

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

#### CLARIFICATIONS OF COMMITTEE REPORT

Mr. GORTON. Last Friday, during debate on the Interior appropriations bill, I put a list of clarifying items into the CONGRESSIONAL RECORD. They were incorrectly identified as amendments to the committee report. So that there is no misunderstanding, these were clarifications of, not changes or amendments to, the committee report.

#### ACID MINE DRAINAGE

Mr. SARBANES. Mr. President, I was pleased to be able to offer this amendment on behalf of myself and Senator MIKULSKI to provide the State of Maryland with the flexibility and additional resources needed to clean up environmental problems associated with acid mine drainage from abandoned coal mines. Specifically, my amendment would allow the State of Maryland to set aside the greater of \$1 million or 10 percent of the funds received under the Surface Mining Control and Reclamation Act of 1977 for use in undertaking acid mine drainage abatement and treatment projects.

There are over 450 miles of rivers and streams in Maryland which are contaminated by acid mine drainage.

Much of the north branch of the Potomac River, from its headwaters near Kempton, MD, to the Jennings Randolph Lake is biologically dead. The Kempton mine alone contributes 3 million gallons of acid mine drainage to the Potomac each day and estimates to clean up this problem run as high as \$80 million.

Section 402 (g)(6)(B) of SMCRA authorizes States to set aside up to 10 percent of their annual title IV abandoned mine land reclamation allocation into a special interest-bearing account for addressing adverse environmental effects caused by abandoned mine drainage. For a minimum program State like Maryland, which receives only \$1.5 million in AML funds a year, 10 percent is clearly insufficient to address our State's acid mine drainage problems.

My amendment will not authorize or appropriate any new money to be expended for acid mine drainage. It will provide greater flexibility for Maryland to use its existing AML funds for acid mine drainage abatement as well as health and safety problems and help address the most serious environmental problem facing the western region of my State.

#### MORNING BUSINESS

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination which was referred to the Committee on Banking, Housing, and Urban Affairs.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT CONCERNING THE CONTINUATION OF THE EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT—PM 169

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this pro-

vision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola ("UNITA") is to continue in effect beyond September 26, 1996, to the Federal Register for publication.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolution 864 (1993) continues to oblige all Member States to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the Angolan peace process. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to UNITA to reduce its ability to pursue its aggressive policies on territorial acquisition.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 16, 1996.

#### MEASURE PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

S. 2073. A bill to require the District of Columbia to comply with the 5-year time limit for welfare recipients, to prohibit any future waiver of such limit, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4093. A communication from the Chief of the Programs and Legislation Division in the Office of Legislative Affairs, Department of the Air Force, transmitting, pursuant to law, a notice of a cost comparison study with respect to the grounds maintenance function at Keesler Air Force Base; to the Committee on Armed Services.

EC-4094. A communication from the Assistant Chief Counsel of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report concerning a rule entitled "Lending and Investment," (RIN 1550-AA94) received on September 16, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-4095. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a statement regarding transactions involving exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC-4096. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report with respect to the rule entitled "Truth in Lending; Docket Number R-0927" (received on September 16, 1996); to the Committee on Banking, Housing, and Urban Affairs.

EC-4097. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to

law, eight rules regarding the table of allotments for FM broadcast stations (RM6904, 7114, 7186, 7415, 7298, 8719, 8815, 8788, 8645, 8655, 8698, 8552) received on September 13, 1996; to the Committee on Commerce, Science, and Transportation.

EC-4098. A communication from the Assistant Attorney General in the Office of Legislative Affairs, Department of Justice, transmitting draft legislation regarding economic espionage; to the Committee on the Judiciary.

EC-4099. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report with respect to a rule regarding Immigration Title II benefits (RIN-1115-AE51) received on September 13, 1996; to the Committee on the Judiciary.

EC-4100. A communication from the Assistant General Counsel for Regulations in the Office of the General Counsel, U.S. Department of Education, transmitting, pursuant to law, a rule regarding student assistance (received on September 16, 1996); to the Committee on Labor and Human Resources.

EC-4101. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, the budget request for fiscal year 1998; to the Committee on Labor and Human Resources.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 531. A bill to designate the Great Western Scenic Trail as a study trail under the National Trails System Act, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 1091. A bill to improve the National Park System in the Commonwealth of Virginia.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 2636. A bill to transfer jurisdiction over certain parcels of Federal real property located in the District of Columbia, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 608. A bill to establish the New Bedford Whaling National Historical Park in New Bedford, MA, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 695. A bill to provide for the establishment of the Tallgrass Prairie National Preserve in Kansas, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 902. A bill to amend Public Law 100-479 to authorize the Secretary of the Interior to assist in the construction of a building to be used jointly by the Secretary for park purposes and by the city of Natchez as an intermodal transportation center, and for other purposes.

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 951. A bill to commemorate the service of First Ladies Jacqueline Kennedy and Patricia Nixon to improving and maintaining the Executive Residence of the President and to authorize grants to the White House Endowment Fund in their memory to continue their work.