

after the homesteaders came and took up the base lands, took up the lands, frankly, where the water is, where the winter feed is, took up the most valuable lands, and the others were left there. That is basically what we are talking about.

Let me tell you from a standpoint of a westerner, if we do not have a multiple-use policy for the lands, we have very little economic future to look forward to. By "multiple use," we are talking about hunting and fishing, talking about outfitting and mining, talking about oil, talking about grazing. These things have for a very long time been compatible with one another.

Some of this map is hard to see. The colored part belongs to the Federal Government. The green color is the Forest Service, the purple is the park, and all of this yellow are BLM lands. We can see how interspersed they are. This is particularly unique. These are called the checkerboard lands. When the West was developed and the railroads were encouraged to be out West, they were granted 20 miles on either side of the railroad, and every other section belongs to the Federal Government. In between are private sections. For the most part, there are no fences there. You do not manage these separately. These are very unproductive lands. This land probably takes 100 acres for one cow unit to last for a year. This is not the kind of land that people think about when they think about a pasture in Indiana.

When we were in the House, we went through this thing about the fees. The chairman of the committee was from Indiana. He had this pasture where the grass grew this big, and he could not figure out why the fee should not be the same for this land as it is for his land. It is quite different.

What we have in terms of landowner-ship patterns you have to take into account. Here is a blowup of the checkerboard land. Every other section here belongs to the Federal Government; the others are private. These are interspersed. The blue ones happen to be State lands. You can see, in order to manage this stuff, you have to have some of these local folks do it.

Now, talking very briefly about the condition of the range, this is the figure put together by the Bureau of Land Management in Wyoming. It talks about the percentage of acreage in a condition class. This green is called excellent and good; the red dotted line is poor. This starts in 1974 and goes up to 1993. This is the good and excellent here. This is the condition of the range. This is the poor down here. It has improved substantially.

Let me give you another reason why that is the case. This is the big game population on public lands in Wyoming. We talk about the multiple uses being able to work together. Here is antelope. In 1962, we had 97,000 of those rascals running around; now we have 226,721. I got one last year. Now, deer,

87,000; go up to 250,000. Elk, 12,000 in 1962; now 35,000. You can see the percentage increase over a 28-year period.

My point is that the range is in good shape. The range is carefully husbanded by these ranchers. Why? Not just because they are entirely gratuitous, but because their future depends on year after year usage of this resource.

I must tell you, having grown up there, that this wildlife would not do well if there was not somebody out there using this land for something else and preparing water, often digging out a spring and damming it up so there is water available, not only for cattle or sheep, but also for wildlife as well.

It is a very unique thing, Mr. President. I think we need to start with understanding that. Western cattlemen, western livestock people, of course, a very important part of our society, not only because of these families that live and work there but because these are the sustaining families for the small towns that are there. This is the economy for much of the West. This is a historic time now of low prices for cattle, as everybody knows. The considerable loss to predators has also been a problem and makes it much more difficult to make a living.

Now we face, I think, excessive regulations put on by the Bureau of Land Management. The Senator from New Mexico mentioned the number of trips of the Secretary out there. He is right. I was involved in very many of those. For 2 years we had meetings, meetings, and meetings. When the regulations were put out, they were put out almost precisely as they were initially. You can have meetings until you are green in the face; that does not mean there will be any difference. That is a fact.

That is where we are. We are seeking to make some changes here from this movement by the Secretary for more and more bureaucracy in Washington, to some movement where there is more impact of the people, more decision-making by the people who live there. I do not think there is any question that rangeland reform will drive families off the range, create some economic problems in our areas. We worry about that, naturally. Maybe the broader, more generic concern, however, is the maximum, ultimate best use of multiple resources. Grass is a renewable resource, one that you manage.

This Public Rangelands Management Act is a great step forward. It is something we have worked on for over a year. We have taken it to our friends on the other side of the aisle; we have talked about it; they have come back; they have agreed to some things; we have put in much more than we have changed for ourselves. However, there are some changes in which we do not basically agree. One of them is the degree of bureaucratic involvement in this bill.

We have established and very carefully established a relationship and a

balance between grazing and hunting and those activities. Personally, I come from a place where hunting and fishing is a very major function between Cody, WY, and Yellowstone Park. There is grazing, but hunting and fishing is equally important from the economic standpoint. I understand that. We balance that. That is what this bill does.

I think for too long over the last several years the grazing question has zeroed in on the fee. The Secretary does not even have a change in the fee. We have a fee. We have a simplified fee based on the value of the product, based on the average value of the livestock, and it raises the fee even in spite of the economic condition that livestock people are in. This is not a question, this time, about fee. It is a fee that is based on the product.

Too often there are comparisons made between this land and this land, these services and these services. I am sure we will hear, "Well, the State charges more, gets paid more, private gets paid more." Yes; they do. They also provide a great many more services. You can have exclusive use of State land, but you cannot do that with public land.

There are differences. Someone said it is a little like the difference between a furnished apartment and an unfurnished apartment. That is exactly right.

Mr. President, I think we have a great opportunity to move forward to do something that has needed to be resolved for a very long time, and I think this moves toward that resolution. And I think the bill, as it stands, is one that has been considered and approved by many people. It is time, certainly, for us to come to closure on it. I have been disappointed that each time we have tried to do something, we get a lot of disinformation from BLM. I do not think that is an appropriate role. We have been involved in that over a good period of time.

So, Mr. President, I am sure we will be back to talk some more about the specifics of the issue that have been brought up. I do not believe that this limits public input. I do not think that is true at all. On the contrary, we are seeking to deal with issues like NEPA and to try and say the NEPA law requires that activity in relation to a major Federal action.

Last year, we had a proposal in the Forest Service that every renewed grazing permit have a NEPA process. Ridiculous. If you ever heard of excessive bureaucracy, that is it. Indeed, the NEPA process takes place on the land use plan which takes up a number of allotments. That is the reasonable thing to do. I do not think there is anybody who would argue you should have a NEPA process for every renewable grazing lease. That was already seen to be not workable.

Mr. President, I am glad we are talking about it here. As I said, this is kind of an opening statement for me. I want to come back, as we go forward, to talk

about some of the specific things that were talked about here.

Let me say, finally, that I have no doubt that this is a question about the livelihood of families in the West. This is a question of small ranchers who depend on this public land to go with their deeded land, to be able to sublease. They were able to do that in the past, and they can do it now only if the BLM agrees to that. That is what it says in the bill. That is the way it ought to be.

So, Mr. President, I hope that we can move through these issues, and I hope that we can end up with a reasonable way to provide multiple use in the West, protect the environment, which all of us who live there want to do, and, at the same time, be able to use those resources so that those families in the West can make a living as they do over the rest of the country.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I will be brief today. We are here on the floor of the Senate talking about a grazing bill. I have spent a substantial amount of time on this issue this year. I cannot tell you the number of meetings I have had in North Dakota with ranchers, environmentalists, hunters, and others, talking about the various proposals that exist in the grazing legislation that has been offered by Senator DOMENICI, the substitute that was previously offered by Senator BINGAMAN and myself in the Energy Committee, and other iterations of each.

This is another one of those cases where in debate on the floor of the Senate, it seems to me, there is a little bit of truth on both sides. Each side takes their side of this issue and tends to take it out here and make a caricature out of it. The fact is that we have a circumstance with respect to publicly owned lands in many of our States that are used for a lot of purposes, where ranchers in my State—not big ranchers, but family ranchers—are trying to make a living grazing their cattle on public lands, as has been provided for many years with respect to the multiple use of these lands. They work hard and they do not ask for much from anybody.

Most of these folks are not big. They are family-size ranches. They are subject to the whims of the weather and subject to the ups and downs of cattle prices, and sometimes they have an awful time.

I notice that the Senator from Connecticut has something he wants to do. I will be happy to yield for a moment.

Mr. DOMENICI. Mr. President, we have been informed that Senator DODD will introduce a distinguished guest. He will then ask that we be in recess for a period of time.

I yield to Senator DODD for that purpose.

#### VISIT TO THE SENATE BY THE PRESIDENT OF HAITI

Mr. DODD. Mr. President, we have the high honor of having with us in the U.S. Senate today the President of Haiti, Rene Preval, who is visiting us in the Senate today. My colleague from Georgia, Senator COVERDELL, and I had a very good meeting in the Senate Foreign Relations Committee.

RECESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate stand in recess for 5 minutes so that our colleagues may have the opportunity to greet President Preval.

There being no objection, the Senate, at 5:05 p.m., recessed; whereupon, the Senate, at 5:11 p.m., reassembled when called to order by the Presiding Officer (Mr. COATS).

#### PUBLIC RANGELANDS MANAGEMENT ACT

The Senate continued with the consideration of the bill.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, as I was saying, this piece of legislation is a piece of legislation that deals with grazing issues that are important issues to people who ranch and who graze cattle on public lands. I indicated previously that there is some truth on every side here on this issue, and that each side seems to stretch some here and there to make their point.

I think there is a legitimate question with respect to some of the management practices, especially on the grasslands in North Dakota. I think there is a legitimate question about the management practices that create circumstances where a rancher who is grazing on public lands wants to move a water tank and months and months and months pass, and they do not get an answer. Some of these little issues that they ought to get resolved ought to be resolved. They ought not to wait forever for some answer. So ranchers get upset on that kind of management of public lands, and they have a right to be upset about that. We ought to resolve some of those problems and address some of those problems.

Senator DOMENICI has offered a piece of legislation that has gone through a couple of different drafts. Senator BINGAMAN and I offered a substitute in the Senate Energy Committee on two occasions I believe; maybe one. But we offered a substitute. We said that there are some things that we think have merit in Senator DOMENICI's approach, and there are some things that we think need to be improved upon and changed.

So we wrote a substitute that we think addresses the real problems that exist without causing some other problems. We are here wanting to solve problems—not create problems.

I say this to those who argue, as some have in the recent editorials in

the last day or two in the largest newspaper in our State, that this is a "land grab" by ranchers; that they want to seize control of public lands, period, end of story. That is not an accurate assessment of what is going on.

I am prepared to support some legislation to address these issues, as I think the Senator New Mexico, Senator BINGAMAN, does and as others do on the floor who have spoken. We may want to address it in a slightly different way. But, nonetheless, all of us come here saying there are some legitimate problems that ranchers have, and we ought to address some of those problems.

Those who make the charge—as was made a couple of days ago in an editorial in our largest newspaper that this is a "land grab"—that it simply would turn the keys to the Federal lands over to the ranchers with no input from anybody else is wrong. I will not support that. That is not what our substitute says. Frankly, that is not what the Domenici bill says. We come at this sometimes from different ways, and we, because we offer a substitute, think the bill moves too far in some areas. But all of us believe these are multiple-use lands—public lands available for multiple use—and that they ought to remain that way.

I really believe that hunters have a right to these lands. Hikers have a right to these lands. Environmentalists own these lands as well. These are multiple-use lands, and will remain multiple-use lands. And I would not support anything—not a substitute, anything—if someone brought a proposition to the floor that says this is not your land, and that this land belongs to ranchers. It is not my view. I will not support anything that supports that view. That is not what we are saying.

The substitute offered in the Energy Committee by Senator BINGAMAN and I says there are some problems and let us address those problems. Let us not address those problems by creating more problems for ranchers. Let us not address them restricting any access for anybody else. Let us simply address them the way they ought to be addressed.

I hope, as we talk through this set of issues in the next day or so—and hopefully we will have a vote tomorrow on this, and we will have a vote I think on a substitute that Senator BINGAMAN and I will offer along with some others—I understand that there will be a vote on an amendment by Senator BUMPERS on grazing fees. There may or may not be other Senators who come to offer amendments on the issue. But I hope when we get to the final stages of this process that most of us will understand that we are aiming for the same thing—we want to solve some problems. We do not want to create others.

I would say to those in my State, North Dakotans, who are interested in this issue that these are multiple-use lands and will remain multiple-use

lands. I feel very strongly that hunters and others have an interest in these lands, and I will not do anything to restrict that interest. By the same token, I come to the Senate wanting to solve some problems that ranchers have. They graze cattle and have some problems with respect to the management structure. And I am interested in solving those problems.

As we debate and discuss this, let us really deal with the facts on each side, and let us—each of us—represent what we want the answers to be to these problems. At the end of the day we count votes in the Senate. We do not weigh them. So whoever has the votes to advance their proposal, that is what public policy will be. And I hope, at the end of this, public policy will be one that says these are lands that belong to our country—all of the people of our country—and should be available for all of the people in our country to use. But some of the salt-of-the-Earth people in our country also are people who ranch, who work hard, who try to beat the odds, the weather, the prices, and they have some management problems, and we ought to address some of them. That is my interest in this legislation.

I will return to the floor with my colleague, Senator BINGAMAN, offering a substitute, and we will have a discussion about that. I will also, when I return to the floor, join in some discussion I am sure with Senator DOMENICI, Senator CRAIG, Senator BURNS, and others. While we might disagree on some parts of this bill we agree on others.

I commend all of those who are involved in this discussion because I think that this is an interesting discussion about the use of public lands, and I hope that we will shed more light rather than cause more fog in the next day or so.

Mr. President, with that, I yield the floor and I will return to the floor with Senator BINGAMAN and offer a substitute.

Mr. DOMENICI. Mr. President, I understand that Senator BURNS has been waiting a long time and wants to speak on our side. I am pleased that Senator BUMPERS is here. If all goes well, as soon as he is finished, the Senator may get the floor and offer his amendment, debate it, and try to vote this evening.

Is that all right?

Mr. BUMPERS. Mr. President, it is immaterial to me when we vote. We can vote this evening or possibly tomorrow. I am not prepared to enter into a time agreement at this moment. If the Senator from Montana would like to proceed, my chief cosponsor, Senator JEFFORDS, will be here in about 2 or 3 minutes. If the Senator wants to proceed, that is fine.

Mr. DOMENICI. He will proceed now, and then Senator BUMPERS will follow.

Let me just talk to Senator BUMPERS for a minute on the timing. I understand his amendment is an amendment to increase grazing fees. That is the one which he has given us. He may

have others. I just wanted to tell him what I told the Senate when I did not think he could be here. The leader wants us to finish tomorrow because he has a commitment to Senators that there will be no votes on Friday. We will be in tonight, if need be rather late, and then come back on this, I think, at noon tomorrow.

So we will give the Senator all of the time in the world because he is entitled to it. But I hope on his amendment that sometime later he might give us an idea when he might vote this evening so we could get one vote on this bill accomplished this evening.

Mr. President, before I yield, let me say to Senator DORGAN that I thank him for the way he has handled himself here on the floor this afternoon. I think his comments were very well taken. I think there is a lot of excess language on both sides of this. I mean ranchers frequently say, if this happens, they are out of business; they are gone. Environmentalists say, "If you do not do this, the public land is all going to be owned and confiscated by ranchers, and we will lose all of our rights." Frequently neither of those views are accurate.

We are going to try our best to have a multiple-use bill when we leave the Senate, get one from the House, and send it to the President. We have no intention of taking away any rights—we do, however, want to protect grazing, and try to put it in a secured position. But we are not trying to take away any of the other rights. We are doing our very best to try to see that they are there.

Mr. DORGAN. Will the Senator yield for a question?

Mr. DOMENICI. Of course.

Mr. DORGAN. With respect to the schedule, of course, that is up to the leaders. I would suggest I do not think there is a circumstance where you are going to see a filibuster that succeeds on this legislation. I think there is a general understanding that this legislation will be resolved by the end of tomorrow, and I hope that if we get to a circumstance where someone wants to offer an amendment, and it is going to take us until 8 or 9 tonight, and we are not going to call people back for tonight, we could roll that vote first thing in the morning.

So I would urge the leaders and the managers of the bill to consider that because I do not think this is a case where if we do not vote by 9 o'clock tonight, we are not going to have the bill out of here tomorrow. I do not know of anyone who is going to stall the bill tomorrow.

Mr. DOMENICI. Let me just make sure that the Senate understands that I do not intend, if we have some kind of understanding about how many amendments and we will finish tomorrow, to keep the Senate in until 9, if we have consent to debate it tonight and vote tomorrow. I thought we would get through the first amendment sooner than that, by 6 or 7. If not, I will talk to the leader about the Senator's idea.

I thank the Senator. I yield the floor.

The PRESIDING OFFICER (Mr. COATS). The Senator from Montana.

Mr. BURNS. Mr. President, I thank my friends from New Mexico for the leadership they have shown on this issue.

It is a wonderful day to start the debate on this particular issue, the first day of spring. Even though the weatherman has not chosen to cooperate properly in greeting this day for the most part across the country, a little bit colder than usual, the Earth is starting to shed its winter chill and the frost is giving way to the warmth that lives within this great Earth. It is also the time of renewal, when those seeds that have laid in the Earth and those grasses that were dormant, are starting to show some signs of growth. It starts to give the Earth a different hue.

It is also a pretty exciting time in livestock agriculture, too, a time for newborn calves and lambs, a special time of the year for those who are attached to the land in a very, very special way.

It is a season that also gives us renewal. This transformation that we have, this promise of renewal every spring, every year, this renewable resource that renews itself, happens right before our eyes and it assures us that the future is now and will ever be.

I realize it is hard to see the significance of the season by those who have never really experienced that special attachment to the land.

In saying that, it is time for the Senate and this Congress to bring some common sense, some predictability, and stability to the folks who really deserve it, the people who are charged with the business of caretaker of our lands and our resources that come from those lands. They are good caretakers because it behooves them to be good caretakers. I just do not know of any good or successful rancher who loves and cares for his livestock and his land, who lives for the day that he will finally turn over the reins and the ownership of that ranch to the next generation, whether it be a son or son-in-law or daughter or daughter-in-law, who does not live for that. They teach their next generations how important this caretaking is. If we in this country are to hand to our children and to our grandchildren a better ranch and therefore a better world, where they can work, where they can sustain life, where they can recreate in an environment of clean air and clean water, then we must dedicate ourselves to the idea that Washington must, in a different way, make regulations and work with the local people to make sure it happens.

After hour after hour of discussion both here in Washington and on the ground on this particular subject, it is time now to move forward with a rangeland bill that we can be proud of and that we know will work and has the support of everybody involved.

If one could have written a rangeland bill that has all the principles of multiple use, maybe this is not quite perfection. If we were to write one that reflects the dedication to pursue sensible environmental policy, that preserved the gains that we have made in the last 50 years on our rangeland, then I would say this one probably is not perfection either, for, you see, those folks who are charged with the caring of this land, they became concerned about our range conditions a long time ago. They just did not start in 1980 or 1986 or 1984 or 1990, and for sure not 1996.

Range management was put together after World War II and after the Great Depression and great droughts of the dirty thirties.

In this bill, as presented by Senator DOMENICI of New Mexico, we have taken a giant step to the resolution of a very, very contentious and emotionally charged issue, and at times it has defied common sense and good judgment because there are groups that probably have had to raise some money and this is probably a pretty good issue on which to do it.

As we look at the future of these lands, we must be careful as to what the people who are actually the caretakers of these lands provide for the rest of America to enjoy, for it is in the best interests of these people to care for these lands. Without the continual regeneration of the grass and the land they care for, they have nothing to graze. They are out in the cold. They are out of business.

We have heard that there are those who are concerned about wildlife. Please read all the journals of Lewis and Clark. Please read of the people who entered these lands long before there was a rancher there. Read in the journals how there was no wildlife at all, that they ate their horses in the dead of winter, and the only wildlife—and it was sparse—was along the rivers, the Missouri and the Yellowstone and the rest of them. That was in the north country. Those lands were not claimed during the homestead days. It was for one reason: There was no water. Very harsh land. But with people who cared and people with new and innovative ways to bring water into grasslands, there came the wildlife. I can give you all kinds of figures on the increase in antelope, deer, whitetail deer, muleys, elk, whatever you want to count. There are more of them now than at any time since the Great Depression.

I am not going to do anything that is going to harm the habitat of wildlife or harm my way of life. I like to hunt. I am chairman of the Sportsmen's Caucus in this body. I am not going to do anything to harm that. I would ask these people, where are some of our supporters whenever hunters' rights come up? Where are they then? Are we playing with a double-bitted ax here?

Section 102, paragraph (c) says:

Nothing in this title shall limit or preclude the use of and access to Federal land for hunting, fishing, recreational, watershed

management or other appropriate multiple-use activities in accordance with applicable Federal and State laws and the principles of multiple use.

How much clearer must it be? It is even written in plain, everyday English.

So, as we talk about this issue, we will all have a lot more to say about it. I agree with my friend from North Dakota, we have run into some problems. We have not been able to move a water tank when we wanted to. The decisions from BLM did not come fast enough, or decisions from the U.S. Forest Service did not come fast enough. But do we create two or three layers more of bureaucracy to make that decision? The best decisions are made at the local level. Do we have to call Washington to change a gate? I would say no, not and be good caretakers of the land, because if they delay the decision of moving the water tank, maybe they will delay the decision about moving some stock that should be moved. Maybe there is some real environmental damage that could be done because of the inability to make a decision 2,100 miles away from where the grazing activity is taking place.

The challenge that awaits this and every Congress from here on out will be the effect of how we manage public lands or the policy we set for those resources found on public lands. This bill seeks to provide an effective, reasonable management of our natural resources. Effective management means it will allow those close to the land, who have not only economic but also social involvement with a community, allow them to manage those resources, not as they see fit but as nature sees fit.

The terms of this bill, to make grazing an acceptable practice in the management of our Federal public lands, is that asking too much? Do we just let the grass grow up every year? Some years you are going to have drought, and it is not going to grow up. But let us say we got a lot of growth last year, this year there is a lot of dead grass around, and it burns. It will burn. In its path you put at jeopardy life, property, even residences. I do not know how many people on this floor have ever faced one of those fires. They are not a fun thing. They are pretty scary. But the people who are caretakers of this land face that every day.

Do you want to talk about prices of cattle? I can talk about that. I have a hard time relating \$58 and \$62 steers and heifers ready to be brought to market, and little T-bone steaks at Giant at \$4.50 to \$6 a pound. There is not too much relationship here. Packers say they are not making any money. You know how packers are.

Cattlemen will be hurt, but we will not feel it here in this town because, in this town, April 15, the shrimp boat comes home and we will get our check. They will get theirs this fall. But it will be 35 percent less than it was last year, and we think we are doing them

a favor. Those who pay the bills in that community, who provide the services to local government—schools, roads, public safety—all of this comes out of that check when he sells the product this fall.

So, as we talk about this, and we will bring up more points as we go along, I just want to remind folks what we are dealing with here and how delicate the balance is between good management on range and bad management.

In 1979, I started a little activity in Montana called Montana Range Days. It started off with about 200, 250 people who would attend every year. We had super starters, 8-year-old, 9-year-old kids, identify plants, weeds, grasses; identify carrying capacity on range, capacity conservation, watershed—3 days sleeping on the ground out on the range. I kind of helped that get started. It is bigger now than it was in 1979, under the leadership of Taylor Brown, who took over the Northern Ag Network when I left that organization. So we are pretty familiar with rangeland and what they teach in the colleges, and how they teach management and things that can happen on a range.

By the way, a range is not used for just about any other purpose. The only way we got to harvest that resource out there is through animal agriculture.

So, we will talk about the merits of amendments and the merits of this bill. But I ask my colleagues to think and look, and really look at it objectively, without any outside influence, to see exactly who contributes what to a neighborhood, to a community, to a county, and to a State, and look at the practices and look how far we have come in the development of better range for everybody. There is a lot more to be hunted, there are a lot more fish in the rivers, because there has been good stewardship on our range, because it is profitable for a rancher to do so.

The future of our public lands rests in our hands. We had an opportunity to make the future meaningful for all people, and I hope my fellow Members will work with us and vote with us to provide a sustainable and stable future for the land, for the livestock producer, and the people who enjoy those public lands.

Let us look at the real merits of what we are doing here and the effect it has on people. I am just talking about people. I have heard it from the other side, "We are the compassionate folks. We care." We will find out how much they care and the compassion they have for people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

AMENDMENT NO. 3556 TO AMENDMENT NO. 3555  
(Purpose: To increase the fee charged for grazing on Federal land)

Mr. BUMPERS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.