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PHILOSOPHICAL DIFFERENCES ON  
TAX RELIEF

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

Mr. ROGAN. Mr. Speaker, there is a great philosophical divide between we Republicans and the Democrats when it comes to the issue of tax cuts. For the 40 years that the Democrats controlled this Chamber, they ended their reign by giving America the highest tax increase in American history. For 2 years the Republicans have controlled this Chamber, and in each Congress we have offered a tax cut for middle class families. Democrats consistently oppose these tax cuts because the less money that gets to come back to Washington by way of the IRS means there is less money available for them to spend on their favorite projects.

We Republicans believe that those people who go to work each day ought to be able to keep more of their hard-earned money to spend for their families. The choice is simply this: If American taxpayers really believe that they do not have enough common sense to spend the money they earn for their families, then they should support the liberal rhetoric that supports high taxes. If, on the other hand, families believe that they ought to be able to make spending decisions for their families, they should support the Republican plan to cut taxes for the middle class.

## THE CHOICE IS CLEAR

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

Mr. MOAKLEY. Mr. Speaker, this week Democratic and Republican negotiators will decide what sort of tax bill to send to President Clinton. I think the choice is very clear. We can give them the Republican bill, with handouts for the rich, or the Democratic bill, with help for the rest.

As far as I am concerned parents working full time and making \$30,000 a year or less need a lot more help than corporate frequent flyers who use company jets for personal use and then want a tax exemption for it.

The Democratic bill, Mr. Speaker, helps hospitals and will send 214,000 more Massachusetts students to college, and it is a far better bill than the Republican bill, that will cut \$70,000,000 from Massachusetts hospitals and do very little to help students.

The Republican bill skimps on tax breaks for students. It shortchanges lower income working families, it gives enormous tax breaks to the very rich, and it gives handouts to the people who need a leg up, and for people making less than \$93,000. It is a bad idea, Mr. Speaker. I urge my colleagues to reject it.

TUITION CREDIT ASPECTS OF TAX  
PROPOSALS

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

Mr. FAZIO of California. Mr. Speaker, while the Republican tax bill is loaded with benefits for the rich, it offers little to make higher education affordable for the rest of us. The Democratic tax cut, in contrast, provides a credit of up to \$1,500 in tuition for 2 years of community college.

For example, if you go to a college where the tuition is \$1,500 you will get a full \$1,500 tax credit. Compare that to the Republican plan, where you get only 50 percent of tuition costs up to \$3,000. The \$1,500 tuition bill will get you only a \$750 credit, or half as much.

The Democratic plan would allow employers to continue to deduct tuition expenses. Therefore, millions of workers who are hitting the books to improve their skills through employer-paid plans would be allowed to continue. The Republicans would end the deduction, and put an end to many of those programs.

That is why the Republicans are getting an F for their education plan from student and business groups nationwide. Building opportunity for more Americans by making education affordable is one of the building blocks of the Democratic tax cut. We urge the President to continue to fight for this provision as the negotiations continue.

IN OPPOSITION TO TRADE  
BARRIERS BETWEEN STATES

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

Mr. CAPPS. Mr. Speaker, this past weekend the Los Angeles Times ran an insightful article about the cooperative spirit of the California delegation. In the spirit of this bipartisanship, I along with my Republican colleague, the gentleman from California, Mr. FRANK RIGGS, and the California delegation have urged the Governor of Florida to repeal an egregious law which unfairly targets small wineries.

Under this law, if a Florida resident orders a bottle of wine from another State, the vintner, the delivery person, and the unsuspecting consumer are all guilty of felonies, punishable by up to 5 years in prison and a \$5,000 fine.

Mr. Speaker, none of us wants trade wars. Florida's own attorney general is against this questionable legislation. Our small wineries are critical to the economy of my district and to the entire State of California. They should not be subject to unfair and extreme trade barriers within this great Nation. Mr. Speaker, we must support the rights of small businesses and interstate commerce.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. SNOWBARGER). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today

SHACKLEFORD BANKS WILD  
HORSES PROTECTION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 765) to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

The Clerk read as follows:

H.R. 765

*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 "Shackleford Banks Wild Horses Protection Act".

SEC. 2. MAINTENANCE OF WILD HORSES IN CAPE  
LOOKOUT NATIONAL SEASHORE.

Section 5 of the Act entitled "An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes", approved March 10, 1966 (16 U.S.C. 459g-4), is amended by inserting "(a)" after "SEC. 5.", and by adding at the end the following new subsection:

"(b)(1) The Secretary, in accordance with this subsection, shall allow a herd of free roaming horses in the seashore.

"(2) Within 180 days after enactment of this subsection, the Secretary shall enter into an agreement with the Foundation for Shackleford Horses (a nonprofit corporation established under the laws of the State of North Carolina) to provide for management of free roaming horses in the seashore. The agreement shall—

"(A) provide for cost-effective management of the horses; and

"(B) allow the Foundation to adopt any of those horses that the Secretary removes from the seashore.

"(3)(A) The Secretary shall accommodate the historic population level of the free roaming horse herd in the seashore, which shall be considered to be not less than 100 horses and not more than 110 horses.

"(B) The Secretary may not remove, or assist in or permit the removal of, any free roaming horses from Federal lands within the boundaries of the seashore unless—

"(i) the number of free roaming horses in the seashore exceeds 110;

"(ii) there is an emergency or a need to protect public health and safety, as defined in the agreement under paragraph (2); or

"(iii) there is concern for the persistence and viability of the horse population that is cited in the most recent findings of annual monitoring of the horses under paragraph (4).

"(4) The Secretary shall annually monitor, assess, and make available to the public findings regarding the population structure and health of the free roaming horses in the national seashore.

"(5) Nothing in this subsection shall be construed as creating liability for the United

States for any damages caused by the free roaming horses to property located inside or outside the boundaries of the seashore."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, H.R. 765 was introduced by the gentleman from North Carolina [Mr. JONES] to ensure the maintenance of a herd of wild horses in Cape Lookout National Seashore, North Carolina. This bill is entitled "The Shackleford Banks Wild Horses Protection Act." H.R. 765 would amend section 5 of the establishment act for Cape Lookout National Seashore to require the Secretary of the Interior to manage a herd of free-roaming wild horses on the island under agreement with the Foundation for Shackleford Horses, a non-profit corporation established under the laws of North Carolina.

Specifically, Mr. Speaker, the bill mandates that the National Park Service maintain a population of 100 to 110 wild horses at the seashore. The National Park Service has an inconsistent policy in managing wild horses. This bill assures that a healthy survivable herd will remain at the seashore, which has historically existed at a 100-horse level. These wild horses have been on the Outer Banks of North Carolina for over 300 years, but the National Park Service will not recognize their cultural value.

Mr. Speaker, I wish to compliment my colleague, the gentleman from North Carolina [Mr. JONES], for his diligence in moving H.R. 765 to the House floor. He was persuasive in the Subcommittee on National Parks and Public Lands, and also in the full Committee on Resources to express the concerns his North Carolina constituents have for the wild horses of the Shackleford Banks.

These wild roaming horses truly are a cultural resource that is important not only to North Carolina but to the entire Nation. H.R. 765 protects the wild roaming horses in Cape Lookout National Seashore. I strongly urge my colleagues in the House to support this worthwhile legislation.

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

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

Mr. Speaker, H.R. 765 introduced by my colleague, the gentleman from North Carolina [Mr. JONES], requires the National Park Service to maintain a herd of wild horses on Shackleford Banks in Cape Lookout National Seashore. I recognize and appreciate my good friend's deep personal interest in this matter, as well as the concern this issue has generated in the local community. As such, I am supporting the

bill in the House today. I must note for the record that the administration has strong concerns and objections to the bill which are also shared by the National Parks and Conservation Association, a park advocacy group.

Mr. Speaker, H.R. 765 has been very specific in management directives for the National Park Service, right down to specifying that the number of wild horses that must be maintained at the National Seashore be no less than 100 and no more than 110. That detailed a number may well cause some significant management problems, I am sure. We do not know the genetic diversity of this herd, nor the carrying capacity of the small barrier island on which they live. In fact, a report on the genetic diversity of the horses is due by sometime next month. We would do well to have better scientific information as we consider this legislation.

Part of the problem here, Mr. Speaker, is that the National Park Service waited for years to develop a management plan to deal with these horses. The National Park Service's handling of this matter has also raised concerns within the local community. I understand that the Foundation for Shackleford Horses, a local group, is currently reviewing a draft memorandum of understanding between the National Park Service and the foundation that will address many of the issues that H.R. 765 now involves. This I hope will be a positive step.

It seems to me that a great deal of time and effort has been spent by the National Park Service and others in this matter. Perhaps from these efforts scientific and management processes could be made to work cooperatively, and before this bill is sent to the President we would have a product that all parties could support. This legislation also has the full support of the Governor of North Carolina.

Mr. Speaker, I support the legislation of the gentleman from North Carolina, with the hope that we will try to iron out some of the difficulties or provisions of the bill before it is sent to the White House.

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

Mr. HANSEN. Mr. Speaker, it is a pleasure for me to yield such time as he may consume to the gentleman from North Carolina [Mr. JONES], the chief sponsor of this piece of legislation, who has done such an outstanding job on it.

Mr. JONES. Mr. Speaker, I would like to thank the chairman and ranking member of the subcommittee for their time and support in helping to secure passage of H.R. 765, the Shackleford Banks Wild Horses Protection Act.

As the chairman mentioned, H.R. 765 simply requires the National Park Service to maintain a representative herd of wild horses on Shackleford Banks, a part of the Cape Lookout National Seashore. These horses have been roaming free for over 300 years,

much like their descendents, the Spanish mustangs which swam ashore after Spanish galleons wrecked off the North Carolina coast centuries ago.

As one can imagine, these horses have become a permanent part of North Carolina's heritage. Generation after generation of schoolchildren have been taught about these horses and their unique story. Some time ago the Park Service ignored the cultural importance of these horses and began initiating a management plan to reduce the size of the herd. I was amazed at the arrogance of the Park Service in its inability to work with local citizens for the best interests of the community and the region.

After witnessing the behavior and track record of the Park Service, I introduced H.R. 765 out of a concern for the health and the future of the Shackleford Banks wild horses. This legislation requires the Park Service to maintain a herd of not less than 100 horses and not more than 110 horses, a number determined by sound science, not unelected bureaucrats.

The numbers were reached in consultation with Dr. Dan Rubenstein, a professor of biology at Princeton University who has been studying these horses for more than 14 years. Also, a genetic scientist working in consultation with the Park Service also believes the herd should consist of at least 100 horses. The numbers are consistent with the number of horses that were on the island when the Park Service assumed ownership of the land back in the 1970's.

This legislation, as mentioned before, is strongly supported by North Carolina's Democratic Governor, Jim Hunt, our Democratic secretary of cultural resources, Betty McCain, and numerous local elected officials. I have even received petitions signed by schoolchildren across the State of North Carolina encouraging passage of this legislation.

After being part of the effort to save these horses, I believe this legislation is the only line of protection between the Park Service's intent to manage the vegetation instead of this national treasure.

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I strongly encourage my colleagues to support passage of this legislation and the continuation of this historical rich herd, which is so important to the State of North Carolina.

Mr. FALEOMAVAEGA. Mr. Speaker, will the gentleman yield?

Mr. JONES. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Speaker, I think it is interesting to note that in the hearings process, maybe the gentleman will for the record, it is my understanding that this issue has been going on now for over 10 years and that very much the National Park Service was properly informed; but yet they sat on this issue for all this time until the gentleman practically was forced

to have to introduce legislation to get them moving. Is that correct?

Mr. JONES. Mr. Speaker, yes, sir, I appreciate the gentleman's question. I tried before this legislation was introduced to reach some common ground with the Park Service, and quite frankly I saw no sincere interest on their part, I use the word sincere, until I introduced the bill.

Mr. FALEOMAVAEGA. Mr. Speaker, so now they are more sincere than ever.

Mr. JONES. Yes, sir.

Mr. FALEOMAVAEGA. I thank the gentleman.

Mr. JONES. Mr. Speaker, I thank the gentleman for his help, too.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, I too appreciate the gentleman from North Carolina for introducing this bill. I think it is very important that we recognize that maybe these horses are not indigenous to the island but they do add and enhance the beauty and the preservation of it. I represent coastal Georgia, and we have Cumberland Island there where there is a herd of wild horses. These horses are also of Spanish descent.

The interesting thing about Cumberland Island is that the environmental community wants to eliminate the horses. Their reasoning is that it is not indigenous. Not all environmentalists feel this way, but many of them do. They come up with very specious reasons for doing so. We were told last year that the Cumberland horse population had been going up 15 percent a year for the last 10 years. Upon researching it within our office we found that the horse population on Cumberland Island had in fact been in the 250 to 260 range for about 10 years, and there was not an increase in the horse population.

We further found this year after another census was done that the horse population had in fact declined. So I think it is very important that we recognize that on wild horse populations, many times we are arguing not necessarily based on science but based on political correctness.

I believe that the gentleman from North Carolina is doing the right thing. Let the folks down there decide. Let them work with the biologists, get the emotion of the Park Service who sometimes gets involved in the politics on the politically correct politics, which says that nonindigenous animals have to go.

I think that this is a great piece of legislation, and I enthusiastically support it. I hope the day does not come when we have to have similar legislation to protect the wild horses on Cumberland Island. Right now they are being protected, but it does take a nudge to the Park Service.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore [Mr. SNOWBARGER]. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 765.

The question was taken.

Mr. FALEOMAVAEGA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent all Members may have 5 legislative days to revise and extend their remarks on H.R. 765, the bill just considered.

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

There was no objection.

#### WARNER CANYON SKI HILL LAND EXCHANGE ACT OF 1997

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1944) to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon.

The Clerk read as follows:

H.R. 1944

*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 "Warner Canyon Ski Hill Land Exchange Act of 1977".

##### SEC. 2. LAND EXCHANGE INVOLVING WARNER CANYON SKI AREA AND OTHER LAND IN OREGON.

(a) AUTHORIZATION OF EXCHANGE.—If title acceptable to the Secretary for non-Federal land described in subsection (b) is conveyed to the United States, the Secretary of Agriculture shall convey to Lake County, Oregon, subject to valid existing rights of record, all right, title, and interest of the United States in and to a parcel of Federal land consisting of approximately 295 acres within the Warner Canyon Ski Area of the Fremont National Forest, as generally depicted on the map entitled "Warner Canyon Ski Hill Land Exchange", dated June 1997.

(b) NON-FEDERAL LAND.—The non-Federal land referred to in subsection (a) consists of—

(1) approximately 320 acres within the Hart Mountain National Wildlife Refuge, as generally depicted on the map referred to in subsection (a); and

(2) such other parcels of land owned by Lake County, Oregon, within the Refuge as are necessary to ensure that the values of the Federal land and non-Federal land to be exchanged under this section are approximately equal in value, as determined by appraisals.

(c) ACCEPTABLE TITLE.—Title to the non-Federal land conveyed to the United States under subsection (a) shall be such title as is acceptable to the Secretary of the Interior, in conformance with title approval standards applicable to Federal land acquisitions.

(d) VALID EXISTING RIGHTS.—The conveyance shall be subject to such valid existing rights of record as may be acceptable to the Secretary of the Interior.

(e) APPLICABILITY OF OTHER LAWS.—Except as otherwise provided in this section, the Secretary of the Interior shall process the land exchange authorized by this section in the manner provided in subpart 2200 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(f) MAP.—The map referred to in subsection (a) shall be on file and available for inspection in 1 or more local offices of the Department of the Interior and the Department of Agriculture.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Interior or the Secretary of Agriculture may require such additional terms and conditions in connection with the conveyances under this section as either Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho [Mrs. CHENOWETH] and the gentleman from American Samoa [Mr. FALEOMAVAEGA], each will control 20 minutes.

The Chair recognizes gentlewoman from Idaho [Mrs. CHENOWETH].

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

H.R. 1944, introduced by the gentleman from Oregon [Mr. SMITH], provides for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon. I commend Chairman BOB SMITH for bringing this bill before us today.

H.R. 1944 deeds approximately 290 acres of Forest Service land comprising the Warner Canyon Ski Hill to Lake County, Oregon. In exchange, Lake County will deed approximately 320 acres of land that is currently owned by Lake County within the Hart Mountain National Antelope Refuge to the U.S. Fish and Wildlife Service. The specific acreage offered by Lake County will be dependent upon an appraisal of all the lands to determine what amounts to an equal value trade in this exchange.

The Warner Canyon Ski Hill has been operated by the nonprofit group, the Fremont Highlanders Ski Club, since 1938. It is one of America's last nonprofit ski hills, the kind I learned to ski on, and I love them. The Warner Canyon Ski Hill anticipates many benefits by the trade including the reduction in the cost of liability insurance as well as better management of the ski area. The Forest Service will benefit by reducing the cost of managing this recreational property.

H.R. 1944 is noncontroversial and supported by all interested parties. This legislation is good for national taxpayers as well as the local taxpayers in Oregon. I would urge support for this bill.

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