

be enhanced, as I believe this one does need to be.

So, this is a matter of enormous importance for the public health of the American people for the future. We must make sure we are not going to involve the nation's children in the nicotine addiction which has brought such tragedy and loss of life into so many families of this country. We can do something about it. It is a challenge for all of us, and I hope we are going to be up to the task.

I yield the floor.

The PRESIDING OFFICER (Mr. ALLARD). The Chair recognizes the Senator from Montana. I remind the Senator from Montana there is a 10-minute limitation.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. BAUCUS. Mr. President, we Americans are very lucky. We live in the most beautiful place on Earth. Our mountain chains, our Great Plains, our national parks, our coasts and forests are a heritage no other country can match. It is our responsibility, through this annual bill, to protect our heritage, to manage it so ranchers and the natural resource industry workers prosper and, as much as possible, to hand it down to the next generation.

At the same time, in this bill, we have a responsibility to keep our promise to our more than 500 Indian tribes and an opportunity to support and stimulate the creativity of our artists and authors. Unfortunately, this bill falls far short.

If we act now, in the coming debate—if we adopt some good amendments, we can create a very good bill, something we can all be proud of and, just as important, something President Clinton can sign, so we are not just wasting our time over here. But if we fail to improve this bill, we will have a bill that doesn't measure up and will not become law.

Let me begin by saying that this bill is quite good in some areas. For example, one of the West's real glories is its fishing. Norman Maclean spoke for quite a few Montana families when, in the opening lines of his book "A River Runs Through It" he writes, "In our family, there was no clear line between religion and fly fishing."

Today, this way of life is under threat. A parasite now found in many western rivers threatens the fish with whirling disease, and the Interior budget makes a commitment to protect these fish. It funds the Fish Technology Center in Bozeman, MT, as well as the Creston fish hatchery in the Flathead Valley. As well, this bill contains crucial research dollars for the nationally recognized Wild Trout Research Laboratory at Montana State University. It also provides \$1 million to the U.S. Fish and Wildlife Service to fund the western Montana project, which will acquire conservation ease-

ments to protect land in Montana's Blackfoot Valley, where Norman Maclean grew up, the basis for his book and movie, "A River Runs Through It." These are just a couple of important projects that I believe help both Montana and the country.

I would like to address a few sections in this bill which I think must be improved. The first crucial issue is the New World Mine. Of all our country's natural treasures, the finest might be Yellowstone National Park. It is America's first national park, home to the world-famous Old Faithful geyser, Yellowstone Lake and its wild trout, paint pots, mountain streams, and America's only free-ranging buffalo herd.

Several years ago, a Canadian company filed a patent to mine land in the mountains just north of Yellowstone Park. Such a mine, nearly 2 miles in the air, would have been a permanent threat to the park's water resources. Every generation of Montana children and every American child would have lived with it. Last year, the Clinton administration worked out an agreement to buy out the New World Mine, using the Land and Water Conservation Fund.

Congress agreed to do that when we passed the balanced budget amendment. I am very pleased that the Senate followed up with \$700 million in new funding for the Land and Water Conservation Fund; a wise investment in the conservation of our prized natural resources.

I am disappointed, however, that the House of Representatives failed to live up to its end of the bargain when they failed to appropriate the necessary funds. I must say, I am disappointed that the Senate appropriated the money but then attached language requiring authorization. There is no reason for that. The deal is done. It is fair to the company and it will protect the park forever. To add an extra hurdle to an already tortuous process is unnecessary, and, in fact, it is foolish, because it may put the whole New World Mine deal at risk. I will work in this debate to change that.

GALLATIN LAND EXCHANGE

A similar, although less well-known, example is the Gallatin land exchange.

For 10 years, we have been working to complete this critical land exchange, protecting some very special wild land for future generations. In this bill, we can complete the acquisition, blocking development in sensitive wildlife areas, and preserving access for our sportsmen and outdoor enthusiasts who use our public lands. Instead, we shortchange and drag out the process with an appropriation of only \$1 million, paying for only part of the exchange.

We must act swiftly, and decisively, if we are to preserve this special part of America. This exchange has broad public support in Montana. I call on my colleagues to provide the necessary commitment to this exchange.

NATIVE AMERICAN TRIBES

I am also concerned with the portions of this bill which address our relationship with native American tribes.

Section 120, for example, requires tribal governments to waive their sovereign immunity as a condition of receiving tribal priority allocations [TPA's]. These moneys fund local reservation programs, like housing, adult vocational training, and law enforcement, all desperately needed, and anyone who visits reservations can tell you that. Anyone who has visited Indian country knows that reservations are not always rich places and tribal governments don't have money to throw around. Section 120 would require tribes to choose between meeting the basic needs of their members or defending against frivolous lawsuits. And I believe that is wrong.

Equally troublesome is section 118, which would require the more than 500 federally recognized tribal governments to submit reports of business income to the Bureau of Indian Affairs as a condition of receiving TPA, since it is under the program I mentioned. Section 118 would create more bureaucracy by requiring the BIA to analyze income records, compile reports, develop formulas for allocating TPA funds, and submit the formulas back to the Appropriations Committee. That is bad enough. But still worse is the breach of faith this provision implies.

Mr. President, payments to tribes are the result of treaty obligations—I repeat, treaty obligations. The Federal Government agreed to make these payments in exchange for land and resources that the tribes ceded. Section 118 violates both the letter and the spirit of our American treaty obligations. We have a basic idea in America that you ought to keep your word, and that is a good idea. We should keep it here, too.

NATIONAL ENDOWMENT FOR THE ARTS

My final concern is the way that this Congress intends to treat the National Endowment for the Arts, the NEA.

The NEA represents a modest, but very important, commitment to the arts in America. In Montana, for example, NEA supports eight symphony orchestras in cities like Billings, Bozeman, Butte, and Missoula. Over 20 non-profit art museums and galleries such as the Liberty Village Art Center in Chester, the Jailhouse Gallery in Hardin, and the Hockaday Center for the Arts in Kalispell. And nearly 20 performing arts groups like Shakespeare in the Park and the Vigilante Players who tour communities all across Montana, from the towns to the most remote rural areas.

This is a great service. Through the work of NEA, children all over Montana come to understand our cultural heritage, meet and talk with artists and authors, and get an appreciation of much of the best and most creative work Americans can do. It is a small investment but a good one.

Yet, every year we hear almost hysterical attacks against any commitment to the arts at all. NEA has certainly picked a few clunkers, I admit, but nothing to justify the rhetorical flights that some of our colleagues direct against it. The House this year, by one vote, eliminated all commitment to the arts in America. I repeat, eliminated all commitment to the arts in America. That means a great loss for our children, and particularly those in rural America where there are no offsetting private resources to fund the arts.

I am hoping that the Senate will do better. I asked that the NEA be funded at administration's request of \$136 million. So far, the Interior Appropriations Subcommittee has seen fit to fund the NEA at \$100 million. I believe that is a start, but I will oppose any actions taken on the Senate floor to lower that funding level.

CONCLUSION

As you can see, this bill needs a great deal of work, but we should see that as an opportunity rather than a disappointment. This bill is our chance, this year, to protect America's natural heritage for our children. To give renewed vitality to our artistic and cultural life, and to show that, in relations with America's sovereign Indian nations, that we are people who keep our word.

I commend the members of the Interior subcommittee for their hard work. I know they have devoted a lot of time to dealing with these contentious issues. They have done some good work. I applaud them for it. We can build on that as we debate the bill on the floor. I hope that the result will be an Interior bill in which we can all take great pride.

Thank you, Mr. President. I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I thank the Chair.

(The remarks of Mr. WARNER pertaining to the introduction of S. 1173 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

NOMINATION OF DR. DAVID SATCHER TO BE SURGEON GENERAL

Mr. FRIST. Mr. President, I rise to speak to the nomination for the position of U.S. Surgeon General and Assistant Secretary for Health to be made by the President of the United States today, which will be sent to Congress today for consideration.

Nearly 4 months ago, I, the only physician in the U.S. Senate, publicly called for the immediate nomination of a Surgeon General—specifically, one who could rise above partisanship, rise above the political fray to be a rea-

soned and nonpartisan spokesman for public health. The reason was very simple, and I outlined it at that time, and that is that the position of Surgeon General is one of recognition—a recognized authority not just in this country, but throughout the world. Second, it is a leadership position, leadership that can offer a clear, concise, consistent message. Third, I briefly made a point at that time of the advantages of actually merging into this position of Surgeon General that position of Assistant Secretary for Health.

For the past year, I have served as chairman of the Subcommittee on Public Health and Safety within the Senate Labor Committee. This particular subcommittee oversees the statutory jurisdiction of the Public Health Service. The Surgeon General oversees the administration of the eight agencies of the Public Health Service, and the Surgeon General serves as the public's doctor, the Nation's doctor, the Nation's physician, in advising the Secretary of Health and Human Services. It is in this role that I feel even more strongly that we need a Surgeon General to provide that clear, that loud, that visible, that understandable voice to promote the health and the safety of our citizens.

Like most Americans of my generation, I vividly remember that very famous, well-known—and it's actually referred back to a lot today—Surgeon General's report back in 1964 warning of the dangers of cigarettes. Well, over 30 years ago now, we still point back to that single instance, that label, that stepping forth as a benchmark in warning our children today, and others, about the dangers of smoking.

In the 1980's, Dr. C. Everett Koop woke America up to something that at that time was terribly misunderstood, and that was the emerging AIDS crisis. He spoke with candor and realism that helped the American people, helped people who saw him on television, who saw him in person, who read his writings, separate fact from fiction about what at that time was a very mystical, misunderstood disease.

Just last summer, the Surgeon General's office issued a significant report demonstrating that moderate physical activity does indeed reduce the risk of cardiovascular disease and some cancers. All of these reports were issued with no political agenda in mind—only the well-intentioned health of the Nation being the focus. We inevitably still face lingering public health problems, and we can only think about and imagine the new public health challenges that will face us—the current challenges of AIDS, emerging infectious diseases—and, again, who knows 3 years from now what new virus, bacteria, or resistance to bacteria will be a threat to each of our children? There are issues like foodborne illnesses, substance abuse, tobacco use by children, alcoholism.

We need to use the same approach today that we have used in the past. To

do so, I think it can be best accomplished by having a high-profile, experienced official who speaks with authority and can educate all of us, the public, about the important link between illness and personal behavior. Past experience shows that the uniformed position of the U.S. Surgeon General, with the right person in that position, can educate the Nation on these key public health issues. During Surgeon General Koop's tenure, by educating the public on the dangers of smoking, adult tobacco use decreased 7 percent. More recently, we have witnessed, unfortunately, increased drug and tobacco usage among our youth over the past years. Is it coincidental that during this same period the Surgeon General position has been vacant?

I think we as legislators, as trustees of the public, in many ways have an obligation, a responsibility, to appoint a Surgeon General and to do it as expeditiously as possible, so that we can direct our attention to improving the public health.

Now, clearly, tough problems, whether it is smoking or alcoholism or foodborne illnesses, a Surgeon General is not going to be able to fix them alone. But what he or she can do is be that one voice. We all know how important it is to have a simple message, a straightforward message, a concise message, a persistent message given by one voice—that voice being the Surgeon General.

Dr. Koop I think summarized the position very well. He said that the Surgeon General is a position " * * * high calling with an obligation to interpret health and medical facts for the public."

I like the way Dr. Koop expressed it because, first of all, that is a calling, and in many ways public service can be a thankless job. So it really is a calling. But the obligation is one that the nominees must take very seriously; and, that is to interpret the health and medical facts for the public. We know that there is a tremendous amount written today, with the health advances, with the new discoveries. We just simply need to look at the new genes being discovered today, the human gene projects. But when a person looks at the medical literature, how can they interpret it? The Surgeon General can look at the reports, can assimilate the data, and help boil that down into a simple, crystal-clear message which can improve and affect the health of every American.

Dr. David Satcher today is being forwarded to the Senate as the nominee for the position of U.S. Surgeon General and Assistant Secretary for Health. It will arrive in Congress today.

As a result, the Senate is asked to consider this nomination and to eventually vote as to whether or not to confirm Dr. Satcher for these positions. I hope that my colleagues will consider this nomination based on his qualifications and his ability—again, pushing partisanship and politics aside.