

REPORT ON H.R. 2490, TREASURY,
POSTAL SERVICE, AND GENERAL
GOVERNMENT APPROPRIATIONS
ACT, 2000

Mr. KOLBE, from the Committee on Appropriations, submitted a privileged report (Rept. No. 106-231) on the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Under clause 1 of rule XXI, all points of order against provisions in the bill are reserved.

DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 243 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2466.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Oklahoma (Mr. COBURN) had been disposed of. The bill has been read through line 6 of page 21.

AMENDMENT OFFERED BY MR. GEORGE MILLER
OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment and I ask unanimous consent that it be considered at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

Insert before the short title the following new section:

SEC. ____ None of the funds appropriated or otherwise made available by this Act may be used to directly construct timber access roads in the National Forest System.

Mr. GEORGE MILLER of California. Mr. Chairman, I am pleased to be joined by the gentleman from California (Mr. HORN) and the gentleman from Washington (Mr. INSLEE) in offering this amendment. This is intended to be a friendly amendment, one that is consistent with the committee's recommendation in its report on page 91.

After many years of debate and close votes on this floor, this amendment would put the House clearly on record to end the controversial practice of using taxpayer subsidies to construct roads for commercial timber sales on national forest land. It is a straightforward amendment.

Mr. Chairman, the taxpayers have helped construct over 483,000 miles of authorized roads in our national forests. That is a road system that is eight times, eight times longer than the interstate highway system, enough to circle the globe 15 times. While the administration has been happy to request and Congress has been happy to provide funding for new road construction in the past years, we have not been very adept at providing funds for maintaining existing roads.

As a result, the Forest Service estimates that there is a backlog of \$8.4 million in capital improvements needed on forest roads for heavily used passenger vehicles. Less than 20 percent of the roads are being maintained to the safety and design standards.

Under Secretary Jim Lyons and Forest Service Chief Mike Dombeck have testified repeatedly before Congress that it is fiscally and environmentally irresponsible to keep building new roads when they do not have the budget to address the annual maintenance needs or begin to address the backlog of maintenance on the existing road system. While I appreciate the committee has provided a \$19 million increase in road maintenance, that is still much less than the \$500 million annually needed that the agency estimates is necessary to catch up with the backlog of needs.

Recognizing that they have a major problem on their hands, the Forest Service is in the midst of an 18-month moratorium on new road construction in roadless areas in most national forests. The purpose of this time-out is to develop a long-term road policy and identify nonessential roads and those roads that should be reconstructed and maintained for safe and environmentally sound practices.

In my view, the remaining roadless areas in our national forests are vital reserves and must be maintained for clean water, fish and wildlife habitat, low-impact recreation, and wilderness values. I have joined with the gentleman from New York (Mr. HINCHEY), the gentleman from Washington (Mr. INSLEE), and the gentleman from California (Mr. HORN), along with 162 of our colleagues, in urging the administration to come up with long-term protections of these critical roadless areas.

In closing, I wish to recognize the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Washington (Mr. DICKS), for their work in the committee report to resolve what has been a contentious issue in past years. I also want to acknowledge the gentleman from Illinois (Mr. PORTER) and our former colleague, Mr. Joe Kennedy,

who were pioneers in this effort to reduce taxpayer subsidies to timber roads.

Mr. Chairman, I urge the adoption of this amendment.

Mr. DICKS. Mr. Chairman, I move to strike the last word and to engage the author of the amendment, the gentleman from California (Mr. GEORGE MILLER), in a colloquy.

I would like to ask the gentleman from California if he could help me clarify his amendment. Is it the gentleman's intention that his amendment apply only to appropriations for direct construction of timber access roads and not to any of the necessary planning, engineering, management, and support activities conducted by the agency?

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I would say to the gentleman that he is correct.

Mr. DICKS. Mr. Chairman, reclaiming my time, if the amendment is written to specifically target only appropriations for direct construction of timber access roads, I am pleased to support it. What I believe the gentleman is trying to accomplish is codification of the language already contained in the interior appropriations report on this matter.

For clarification, this amendment addresses the issue of appropriations for direct construction of timber access roads and does not affect the other necessary planning, engineering, management, and support activities of the Federal land management agencies. It will also not reduce or prohibit any funding which enables the agency to comply with necessary environmental regulations such as the Endangered Species Act, the Clean Water Act, and the National Environmental Policy Act.

Mr. GEORGE MILLER of California. Mr. Chairman, if the gentleman will continue to yield, I would say the gentleman is correct.

Mr. DICKS. Mr. Chairman, I would like to submit for the RECORD information regarding the Urban Park and Recreation Fund.

The following is according to the fiscal year 2000 budget justification submitted by the National Park Service in support of the Urban Park and Recreation Recovery Program:

URBAN PARK AND RECREATION FUND

Funding provided in the past has also contributed to the development of programs and projects such as the innovation project established in Tacoma, Washington. The goals of this innovative project were to provide at-risk youth alternatives to gangs and drugs through participation in outdoor recreation activities, and to develop life skills such as self-esteem, leadership, decision-making, and cooperation. The program was designed to operate as an extensive partnership involving professionals from the disciplines of parks and recreation, education, city government, social services and criminal justice. It

was designed to operate year-around with expanded activity during the summer months and over extended holiday periods. Youth participants were involved through various avenues such as schools, home school associations, youth service agencies and neighborhood community centers. The program has provided various activities such as backpacking in Olympic National Park; white water rafting on the Thompson River in British Columbia; cross-country skiing in Mount Rainier National Park; winter camping, inner-tubing and snow shoeing in various winter sports areas; water safety instruction; fishing, canoeing, boating and swimming, mountain biking on designated State and Federal lands; weekly environmental education and outdoor skills workshops; leadership training for advanced youth participants; and youth hosting and meeting travelers from around the world.

The Tacoma program blossomed, leveraged other sources of funding and continues today as a model partnership program involving schools, government, criminal justice, social service and park and recreation agencies. It has since expanded to the adjacent community of Enumclaw, Washington. New partnerships have been formed with agencies such as Faith Group Homes and the Pierce County Juvenile Courts Probated Youth Program. This Tacoma program has received national recognition and was featured at a February 1995 invitational colloquium at Fort Worth, Texas, titled "Recreation for At-Risk Youth: Programs that Work," sponsored by the National Park and Recreation Association.

Mr. BOEHLERT. Mr. Chairman, I rise in support of the amendment.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, this amendment is a logical fulfillment of the agreement reached among Republicans last year to end the purchaser road credit. This amendment simply reiterates that no Federal funds have been appropriated to improve or construct timber access roads. Language with the identical substantive effect is already in the report accompanying the bill.

Just to clarify, this amendment applies only to the use of appropriated funds for actual construction of roads. Funds may still be used for the engineering design associated with road construction and reconstruction projects as well as for environmental reviews and public involvement. And private funds may still be used for road construction and reconstruction in any area where roads may be built, just as the report states.

This amendment is narrow, but it is a great step forward, concluding the work begun last year. Road costs must be borne by the companies that will benefit from their use. That is a win for the taxpayers and a win for the environment. I am pleased this amendment has drawn broad bipartisan support.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I want to thank the gentleman for yielding, and I just

wanted to say I was remiss in not mentioning his name when I was thanking those who had made this agreement possible so that the chairman and the ranking member could come to this agreement.

As the gentleman knows, he has the battle scars of many contentious battles on this floor over forest policy and road policy, and I want to thank him for his efforts last year, along with the members of the committee that dealt with the first step in this process, and for his support for this amendment, and again to the chairman and to the ranking member for their efforts in the markups of this legislation before it came to the floor.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we have no problem with this amendment. It simply codifies what we had directed be done last year in the bill, and so it is appropriate to accept this amendment and we support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. NEY

Mr. NEY. Mr. Chairman, I offer amendment No. 12, and I ask unanimous consent that it be considered at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. NEY:

Page 39, line 25, after the dollar amount, insert the following: "(reduced by \$5,000,000)".

Mr. NEY. Mr. Chairman, let me just start by congratulating the chairman, the gentleman from Ohio (Mr. REGULA), and the other members of the committee for a fine bill they have crafted. The purpose of this amendment will be to reduce the total amount for the departmental management in the Department of the Interior by \$5 million.

As Members of the House, we just recently and have consistently cut our own Members' representational accounts. We have cut our franking accounts so we can show the American people we are willing to make sacrifices to balance the Nation's budget. I think it is only fair we begin cutting out some of the bureaucracy in some of the agencies, and I intend to do amendments along the appropriations process that will help to accomplish this.

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With the help of the Congressional Research Service, I was able to find that the Department of Interior roughly has in the account \$126 million in expense, of which travel is a part of it, for fiscal year 1998.

I think that there is significant and enough money in this account and it can sustain some type of cut that will again be part of the process to help to continue to balance our budget. I arrived at the \$5 million figure by taking roughly 4 percent of the fiscal year 1998 report. Unfortunately, we do not have the 1999 numbers because they have not yet to be filed.

So, as my colleagues can see, the reduction of the \$5 million comes out of the departmental management section of the bill, which is funded actually at \$62.9 million. The Department of the Interior uses funds from this account and others for their travel. Reduction by the \$5 million would fund the departmental management section at \$57.9 million.

We as Members, Mr. Chairman, have sacrificed our MRAs, franking accounts, and rightfully so. We have even cut the Congressional Research Service. I feel that the bureaucracy can sustain this reduction.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would advise the gentleman from Ohio (Mr. NEY) that we have cut this account \$2 million already below the 1999 level and recognize that, in an effort to save money, this I think might be a little bit heavy. We need to assess it, and we could do that in the conference procedure.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I agree with the chairman. I mean, we have I think been very tight in terms of these increases. We have tried to hold them down. And we are talking about the management of the Department of the Interior, which is an agency that we demand a lot of. The Secretary of the Department of the Interior, his office, are under tremendous pressure on a whole series of fronts.

I mentioned to the gentleman from Oklahoma (Mr. COBURN) earlier, just the work that is being done today with all the very important habitat conservation plans that require input from the Secretary, they have got all the tribal account problems that we have been trying to get straightened out; and I just think that we are within our allocation. We have cut a lot of accounts here. This is one that I hope that we could spare. And I agree with the chairman that this is something we ought to continue to look at as we go into the conference.

So I urge a "no" vote unless the gentleman wants to withdraw his amendment.

Mr. NEY. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Ohio.

Mr. NEY. Mr. Chairman, let me just say that I do want to congratulate both gentlemen. I think they have done a fine job of this bill and on the accounts. And I just wanted to just note, we have cut in Congress our accounts and we have squeezed a little bit more.

So I just think that, in the areas of travel, all the agencies in the Federal government can squeeze just a little bit more out.

But I want to mention, my colleagues have done a fine job on the existing accounts.

Mr. DICKS. Mr. Chairman, reclaiming my time, let me just tell the gentleman that some of these things that we are talking about are uncontrollable. And these are pay raises that are, under the law, required. They have got Worker Compensation payments, unemployment compensation payments, rental payments to the GSA, some of which go up automatically.

So I do not believe that there is anything untoward here or anything that is excess. It is just that the cost of administration of these agencies goes up some each year. I think that this is a reasonable request and, therefore, again I urge a "no" vote on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. NEY).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FALEOMAVAEGA

Mr. FALEOMAVAEGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FALEOMAVAEGA:

At the end of title I, page 56, after line 2, insert the following new section:

SEC. ____ (a) LOAN TO BE GRANTED.—Notwithstanding any other provision of law or of this Act, the Secretary of the Interior (hereinafter the "Secretary"), in consultation with the Secretary of the Treasury, shall make available to the government of American Samoa (hereinafter "ASG"), the benefits of a loan in the amount of \$18,600,000 bearing interest at a rate equal to the United States Treasury cost of borrowing for obligations of similar duration. Repayment of the loan shall be secured and accomplished pursuant to this section with funds, as they become due and payable to ASG from the Escrow Account established under the terms and conditions of the Tobacco Master Settlement Agreement (and the subsequent Enforcing Consent Decree) (hereinafter collectively referred to as "the Agreement") entered into by the parties November 23, 1998, and judgment granted by the High Court of American Samoa on January 5, 1999 (Civil Action 119-98, American Samoa Government v. Philip Morris Tobacco Co., et. al.).

(b) CONDITIONS REGARDING LOAN PROCEEDS.—Except as provided under subsection (e), no proceeds of the loan described in this section shall become available until ASG—

(1) has enacted legislation, or has taken such other or additional official action as the Secretary may deem satisfactory to secure and ensure repayment of the loan, irrevocably transferring and assigning for payment to the Department of the Interior (or to the Department of the Treasury, upon agreement between the Secretaries of such Departments) all amounts due and payable to ASG under the terms and conditions of the Agreement for a period of 26 years with the first payment beginning in 2000, such repayment to be further secured by a pledge of the full faith and credit of ASG;

(2) has entered into an agreement or memorandum of understanding described in subsection (c) with the Secretary identifying with specificity the manner in which approximately \$14,300,000 of the loan proceeds

will be used to pay debts of ASG incurred prior to April 15, 1999; and

(3) has provided to the Secretary an initial plan of fiscal and managerial reform as described in subsection (d) designed to bring the ASG's annual operating expenses into balance with projected revenues for the years 2003 and beyond, and identifying the manner in which approximately \$4,300,000 of the loan proceeds will be utilized to facilitate implementation of the plan.

(c) PROCEDURE AND PRIORITIES FOR DEBT PAYMENTS.—

(1) In structuring the agreement or memorandum of understanding identified in subsection (b)(2), the ASG and the Secretary shall include provisions, which create priorities for the payment of creditors in the following order—

(A) debts incurred for services, supplies, facilities, equipment and materials directly connected with the provision of health, safety and welfare functions for the benefit of the general population of American Samoa (including, but not limited to, health care, fire and police protection, educational programs grades K - 12, and utility services for facilities belonging to or utilized by ASG and its agencies), wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 75 percent of the amount owed, shall be given the highest priority for payment from the loan proceeds under this section;

(B) debts not exceeding a total amount of \$200,000 owed to a single provider and incurred for any legitimate governmental purpose for the benefit of the general population of American Samoa, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 70 percent of the amount owed, shall be given the second highest priority for payment from the loan proceeds under this section;

(C) debts exceeding a total amount of \$200,000 owed to a single provider and incurred for any legitimate governmental purpose for the benefit of the general population of American Samoa, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 65 percent of the amount owed, shall be given the third highest priority for payment from the loan proceeds under this section;

(D) other debts regardless of total amount owed or purpose for which incurred, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 60 percent of the amount owed, shall be given the fourth highest priority for payment from the loan proceeds under this section;

(E) debts described in subparagraphs (A), (B), (C), and (D) of this paragraph, wherein the creditor declines to compromise and settle the debt for the percentage of the amount owed as specified under the applicable subparagraph, shall be given the lowest priority for payment from the loan proceeds under this section.

(2) The agreement described in subsection (b)(2) shall also generally provide a framework whereby the Governor of American Samoa shall, from time to time, be required to give 10 business days notice to the Secretary that ASG will make payment in accordance with this section to specified creditors and the amount which will be paid to each of such creditors. Upon issuance of payments in accordance with the notice, the Governor shall immediately confirm such payments to the Secretary, and the Secretary shall within three business days following receipt of such confirmation transfer from the loan proceeds an amount sufficient to reimburse ASG for the payments made to creditors.

(3) The agreement may contain such other provisions as are mutually agreeable, and which are calculated to simplify and expedite the payment of existing debt under this section and ensure the greatest level of compromise and settlement with creditors in order to maximize the retirement of ASG debt.

(d) FISCAL AND MANAGERIAL REFORM PROGRAM.—

(1) The initial plan of fiscal and managerial reform, designed to bring ASG's annual operating expenses into balance with projected revenues for the years 2003 and beyond as required under subsection (b)(3), should identify specific measures which will be implemented by ASG to accomplish such goal, the anticipated reduction in government operating expense which will be achieved by each measure, and should include a timetable for attainment of each reform measure identified therein.

(2) The initial plan should also identify with specificity the manner in which approximately \$4,300,000 of the loan proceeds will be utilized to assist in meeting the reform plan's targets within the timetable specified through the use of incentives for early retirement, severance pay packages, outsourcing services, or any other expenditures for program elements reasonably calculated to result in reduced future operating expenses for ASG on a long term basis.

(3) Upon receipt of the initial plan, the Secretary shall consult with the Governor of American Samoa, and shall make any recommendations deemed reasonable and prudent to ensure the goals of reform are achieved. The reform plan shall contain objective criteria that can be documented by a competent third party, mutually agreeable to the Governor and the Secretary. The plan shall include specific targets for reducing the amounts of ASG local revenues expended on government payroll and overhead (including contracts for consulting services), and may include provisions which allow modest increases in support of the LBJ Hospital Authority reasonably calculated to assist the Authority implement reforms which will lead to an independent audit indicating annual expenditures at or below annual Authority receipts.

(4) The Secretary shall enter into an agreement with the Governor similar to that specified in subsection (c)(2) of this section, enabling ASG to make payments as contemplated in the reform plan and then to receive reimbursement from the Secretary out of the portion of loan proceeds allocated for the implementation of fiscal reforms.

(5) Within 60 days following receipt of the initial plan, the Secretary shall approve an interim final plan reasonably calculated to make substantial progress toward overall reform. The Secretary shall provide copies of the plan, and any subsequent modifications, to the House Committee on Resources, the House Committee on Appropriations Subcommittee on the Department of the Interior and Related Agencies, the Senate Committee on Energy and Natural Resources, and the Senate Committee on Appropriations Subcommittee on the Department of the Interior and Related Agencies.

(6) From time to time as deemed necessary, the Secretary shall consult further with the Governor of American Samoa, and shall approve such mutually agreeable modifications to the interim final plan as circumstances warrant in order to achieve the overall goals of ASG fiscal and managerial reforms.

(e) RELEASE OF LOAN PROCEEDS.—From the total proceeds of the loan described in this section, the Secretary shall make available—

(1) upon compliance by ASG with paragraphs (b)(1) and (b)(2) of this section and in accordance with subsection (c), approximately \$14,300,000 in reimbursements as requested from time to time by the Governor for payments to creditors;

(2) upon compliance by ASG with paragraphs (b)(1) and (b)(3) of this section and in accordance with subsection (d), approximately \$4,300,000 in reimbursements as requested from time to time by the Governor for payments associated with implementation of the interim final reform plan; and

(3) notwithstanding paragraphs (1) and (2) of this subsection, at any time the Secretary and the Governor mutually determine that the amount necessary to fund payments under paragraph (2) will total less than \$4,300,000 then the Secretary may approve the amount of any unused portion of such sum for additional payments against ASG debt under paragraph (1).

(f) EXCEPTION.—Proceeds from the loan under this section shall be used solely for the purposes of debt payments and reform plan implementation as specified herein, except that the Secretary may provide an amount equal to not more than 2 percent of the total loan proceeds for the purpose of retaining the services of an individual or business entity to provide direct assistance and management expertise in carrying out the purposes of this section. Such individual or business entity shall be mutually agreeable to the Governor and the Secretary, may not be a current or former employee of, or contractor for, and may not be a creditor of ASG. Notwithstanding the preceding 2 sentences, the Governor and the Secretary may agree to also retain the services of any semi-autonomous agency of ASG which has established a record of sound management and fiscal responsibility, as evidenced by audited financial reports for at least 3 of the past 5 years, to coordinate with and assist any individual or entity retained under this subsection.

(g) CONSTRUCTION.—The provisions of this section are expressly applicable only to the utilization of proceeds from the loan described in this section, and nothing herein shall be construed to relieve ASG from any lawful debt or obligation except to the extent a creditor shall voluntarily enter into an arms length agreement to compromise and settle outstanding amounts under subsection (c).

(h) TERMINATION.—The payment of debt and the payments associated with implementation of the interim final reform plan shall be completed not later than October 1, 2003. On such date, any unused loan proceeds totaling \$1,000,000 or less shall be transferred by the Secretary directly to ASG. If the amount of unused loan proceeds exceeds \$1,000,000, then such amount shall be credited to the total of loan repayments specified in paragraph (b)(1). With approval of the Secretary, ASG may designate additional payments from time to time from funds available from any source, without regard to the original purpose of such funds.

Mr. FALEOMAVAEGA (during the reading). Mr. Chairman, I ask unanimous consent that my amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from American Samoa?

There was no objection.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, it would have been totally impossible for me if it had not been for the

support and certainly the patience of the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Appropriations on the Interior, and also the gentleman from Washington (Mr. DICKS), the ranking Democrat, for their support and assistance in getting this amendment worked out.

Mr. Chairman, my amendment would authorize a procedure by which the American Samoan government can irrevocably assign for 26 years the rights to its proceeds under the 46-State tobacco lawsuit settlement; and, in return, American Samoa will receive \$18.6 million from the United States government for a period of 3 years. The United States will receive back about \$40 million in principal and interest and an additional amount required by CBO to score the provision as budget neutral.

Mr. Chairman, the money would be used to reduce the critical existing debt of the local government and to implement certain fiscal reforms. For this arrangement to become effective, local government would have to enter into an agreement with the Secretary of the Interior for the use of the funds; and each payment would have to be approved in advance by the Secretary of the Interior.

Mr. Chairman, the money for the financial reform of the American Samoan government would be used to reduce the size of the territorial workforce. Options could be used such as buyouts, early retirements and would be included in the agreement instituted between the Secretary of the Interior and the local government.

Mr. Chairman, this amendment has the endorsement of both the chairman of the Committee on Resources, the gentleman from Alaska (Mr. YOUNG), as well as the ranking Democrat, the gentleman from California (Mr. MILLER), supported this amendment.

I urge my colleagues to support it.

Mr. Chairman, I include the following letter for the RECORD:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 1, 1999.

Hon. NORM DICKS,
Ranking Member, Subcommittee on Interior and Related Agencies, House Committee on Appropriations, Washington, DC.

DEAR CONGRESSMAN DICKS: We have been contacted by our Colleague, Mr. Faleomavaega, seeking clearance of the House Committee on Resources for a proposal he is seeking to have incorporated into the pending FY2000 Interior Appropriations legislation. His proposal would have the Secretary of Interior arrange for an "advance" to the government of American Samoa (ASG) in the form of a fully repayable loan, secured by ASG's future payments from the 46-state tobacco lawsuit settlement. The purpose of this advance would be limited to payment of existing ASG debt, with a small portion available to fund implementation of badly-needed ASG fiscal and managerial reforms, and would be overseen by the Secretary.

It is our further understanding that the Congressional Budget Office has determined the budget impact score of the proposal to be "neutral" since ASG would be required to fully repay the \$18.6 million principal, with interest, over a period of 26 years.

This letter is to inform you and the Members of your subcommittee that, on behalf of the House Committee on Resources, we have not reservations or objections to inclusion of the provision as currently drafted into the pending Interior Appropriations measure. Properly implemented, we believe this self-help project will greatly benefit both the people and the government of American Samoa in resolving a crucial fiscal dilemma and building a foundation for future progress and greater self-sufficiency. We encourage adoption of the proposal.

Sincerely,

DON YOUNG,
Chairman, House Committee on Resources.
GEORGE MILLER,
Senior Democratic Member, House Committee on Resources.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is an 11-page piece of legislation. I think normally it should be handled by the authorizing committees. We do not have any objection to the substance of the amendment and are not going to oppose it. But I do think that it ought to be considered as part of the authorizing process. However, we will not object.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to compliment the gentleman for his outstanding work and his ingenuity. I have no objection to the amendment. In fact, we enthusiastically support it on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CROWLEY

Mr. CROWLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CROWLEY:
Page 101, line 23, insert after "individuals" the following: ", including urban minorities,".

Mr. CROWLEY. Mr. Chairman, I ask unanimous consent that my amendment be considered out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Mr. Chairman, I rise today as a strong supporter of the National Endowment for the Arts and as a strong believer in the positive effect that the arts have on our urban communities.

The National Endowment for the Arts has continued its laudable mission to bring the arts to segments of the population that would otherwise have a hard time accessing them. Through local theater troop performances and through shows at small museums, hundreds of communities have received exposure to the arts because of the NEA.

In order to ensure that all Americans have equal access to the arts, the NEA strives to give priority "to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations."

The purpose behind my amendment is to help the NEA achieve its commendable goal of leaving no American untouched by the arts. To that end, I am proposing that this bill makes specific mention of one traditionally underserved population, urban minorities. I believe Congress should encourage the NEA to fund programs that improve the availability of the arts to minority populations in our cities.

Quite often, NEA funding has been directed to groups which serve an upper middle class audience. Many times these groups are inaccessible to many minority groups.

Mr. Chairman, in my own Congressional District of Queens, there is a large Latino population that the Queens Theatre in the Park targets each summer with its Latin Arts Festival, a multi-cultural ethnic celebration. This festival, though certainly successful in its own right, would greatly benefit from additional Federal funding.

The Queens Theater in the Park has consistently applied for Federal support from the NEA but has been denied funding despite the fact that they target an underserved community. For many families in my district, the average \$75 cost to a Broadway play is far too expensive. Queens Theater in the Park and other local community arts groups are the only exposure many of my residents have to the arts.

That is but one example of the difficulty facing minority populations in accessing the arts in Queens, New York, and the Bronx and around this country. Projects targeted at urban youth would greatly help keep them off the streets and away from crime and drugs.

In the President's own NEA budget, he outlined a key initiative to use the arts as a way to help at-risk youths.

Mr. Chairman, in New York and in communities throughout our American cities there are tens of thousands of at-risk youths who will benefit from exposure to the arts. This amendment would help send a message to our urban youth that we are interested in improving their quality of life by helping to bring the arts to them.

The arts help break down the barriers caused by economic and cultural diversity that bring communities together and they offer hope.

I am not suggesting that we take funding away from any other program. I am only suggesting that we give projects affecting underserved minority communities, whether they be in our cities or our rural areas, equal access to important NEA funding.

Once again, let me state that this amendment will not expand the scope of the original language. It will merely

perfect that language by emphasizing that urban minorities are included within the term "underserved population."

I urge my colleagues to stand up for equal access to the arts and support the Crowley amendment.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to commend the gentleman for his amendment. I think it is very thoughtful.

I must tell him that I had the pleasure of taking one of the previous NEA directors, Jane Alexander, to Seattle; and we visited a very important program there at Garfield High School that was serving underserved minorities within the city of Seattle. Also, we had a very successful program in Tacoma with Dale Chihuly, who is one of the great glass artists of our time. He set up a program on the Hill Top in Tacoma, which is one of our urban areas in the city of Tacoma, and got these literally dozens of young children learning how to make glass pottery and other things; and it had a remarkable effect on their lives.

I think the gentleman brings a very serious point here, and I certainly am willing to accept his amendment and urge the House to accept it.

Mr. CROWLEY. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New York.

Mr. CROWLEY. Mr. Chairman, I want to thank the gentleman from Washington (Mr. DICKS) and the gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY) for their support in bringing this amendment to the floor today.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I think it is a good amendment. We made a real effort in the arts to broaden the base, and this is just one more step in making that happen.

I think when Mr. Yates was here we had some groups come in from situations that the gentleman described and performed, and it made us realize how important access to the arts were in their lives.

Mr. DICKS. Mr. Chairman, I urge a positive vote.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Crowley amendment. It is thoughtful. It will benefit arts in urban areas.

I also rise in support of the entire bill. I applaud the leadership of the chairman and the ranking member. I was concerned of how the committee would operate after my dear friend and colleague, Mr. Yates, left. But I see the gentleman from Washington (Mr. DICKS) is continuing with the chairman in a very firm and strong way.

I particularly applaud the committee for wisely rejecting efforts to load this

bill up with controversial anti-environmental riders. Unfortunately, the version of this bill passed by the Committee on Appropriations in the other House contains numerous riders that would never pass on their own and have absolutely no place in this legislation.

□ 2000

One of these riders, in particular, robs the American taxpayer of over \$66 million per year. This rider would permit big oil companies to continue to underpay the royalties they owe to the Federal Government, States and Indian tribes—cheating taxpayers of millions and millions of dollars.

It would do this by blocking the Interior Department from implementing a new rule which would require big oil companies to pay royalties to the government based on the market value of the oil they produce. Currently, the oil companies are keeping two sets of books, one which they pay themselves, market value, and one which they pay the taxpayers, the Federal Government, which is greatly undervalued to the true value of the oil.

Earlier this year, I released a report demonstrating how these companies have cheated the American taxpayer of literally billions of dollars in the past several decades. They do this by complex trading devices which mask the real value of the oil they produce. By undervaluing their own oil, these companies can avoid paying the full royalty payments they owe.

The Justice Department investigated these practices and decided they were so wrong that it filed suit against several major oil companies for violating the False Claims Act. As a result, one company settled with the government and paid over \$45 million. Numerous other companies have settled similar claims brought by States and private royalty owners for millions, and, in one case, billions of dollars.

Mr. Chairman, the rule that the Interior Department is proposing is simple. It requires that oil companies pay royalties based on the fair market value of the oil they produce, just like everybody else when they sell their product to the Federal Government. But these oil companies that have been cheating the American taxpayer for years are now trying to block the Interior Department from implementing a rule using every excuse imaginable.

Mr. Chairman, this rider robs money from our schools, our environment, our States and our Indian tribes. It does this to benefit the most narrow special interest imaginable, big oil companies with billions of dollars in profits. I applaud the Committee on Appropriations for leaving this issue to the experts at the Interior Department and for not loading it up with other unnecessary and wrong anti-environmental riders.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. CROWLEY).

The amendment was agreed to.

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HAYES) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 13, 1999.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on July 13, 1999 at 1:00 p.m. and said to contain a message from the President whereby he transmits a six-month periodic report on the national emergency concerning weapons of mass destruction declared by Executive Order 12938.

With best wishes, I am

Sincerely,

JEFF TRANDAHLL.

NATIONAL EMERGENCY CONCERNING WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-93)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 204 of the International Emergency Economics Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), I transmit herewith a 6-month report on the national emergency declared by Executive Order 12938 of November 14, 1994, in response to the threat posed by the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction") and of the means of delivering such weapons.

WILLIAM J. CLINTON.
THE WHITE HOUSE, July 13, 1999.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING THE PLIGHT OF THE KASHMIRI PANDITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, recent events in India's state of Jammu and Kashmir, where radical Islamic militants have infiltrated into India's territory with the support of, and apparently active collaboration with, Pakistan, have drawn international attention to this mountainous region. Now that Pakistan has apparently agreed to withdraw its fighters who have crossed onto India's side of the Line of Control, I hope that the attention of the U.S. and the world community will finally focus on the long-ignored plight of the Kashmiri Pandits.

The Pandits, who are the Hindu community of Kashmir, have an ancient and a proud culture. Their roots in the Kashmir Valley run deep. The Pandits have been amongst the most afflicted victims of the Pakistani-supported campaign of terrorism in Jammu and Kashmir. Virtually the entire population of 300,000 Kashmiri Pandits have been forced to leave their ancestral homes and property. Threatened with violence and intimidation, they have been turned into refugees in their own country.

Mr. Speaker, in June, the Pandits received somewhat of a mixed message from the National Human Rights Commission of India. In a positive step, the Commission did accept jurisdiction over the issue of human rights in Kashmir which was a matter of some question because of the special status that the state of Jammu and Kashmir enjoys under India's federal system. But the Commission also announced that it would not term the violence against the Pandits as genocide as has been requested by leaders of the Pandit community as well as myself and other Members of Congress. The National Human Rights Commission also rejected the request to define the Pandits as an Internally Displaced People. The Commission did acknowledge that the Pandits had been victims of killings and ethnic cleansings as part of the militants' campaign to get Kashmir to secede from India.

The National Human Rights Commission has recently set up a committee to address the Pandits' concerns, which includes representatives from the Com-

mission, the Jammu and Kashmir State Government, and one representative from the Pandit community. But, Mr. Speaker, the committee has not yet met.

I am asking my colleagues to join me in signing a letter to the National Human Rights Commission asking that the decisions on genocide and internally displaced persons be reconsidered and that the new committee begin regular meetings. I have often cited India's Human Rights Commission as a model for other Asian nations and developing nations the world over to emulate. It is an example of India's commitment to democracy and the rule of law. I am sure the commission will give serious consideration to these requests by myself and other Members of Congress.

Mr. Speaker, I have been calling along with some of my colleagues in this House for increased world attention to the plight of the Kashmiri Pandits. As I have gotten to know the Kashmiri-American community and have heard about the situation facing the Pandits, I have become increasingly outraged not only at the terrible abuses that they have suffered but at the seeming indifference of the world community. Mr. Speaker, India's government must work to provide conditions for the safe return of the Pandit community to the Kashmir Valley.

I also urge that our State Department continue to hold Pakistan accountable for provoking the current fighting in Kashmir by its support for the militants who have infiltrated India's territory.

Even before the current fighting, there has been a disturbing pattern of massacres of civilians carried out by the militants operating in Kashmir. While it is predominantly Hindus who have been the victims of these attacks, we have also seen attacks against Muslim residents of Jammu and Kashmir who have dared to assist the legitimate state authorities in putting a halt to the violence.

Finally, Mr. Speaker, this is the true face of the insurgency in Kashmir. The militants have transformed a peaceful, secular state in India, one which happens to have a predominantly Muslim population, into a killing field as part of the goal of turning the state into an area under strict Islamic rule. From the standpoint of international stability, this would be a disaster. From the human standpoint, the militants' campaign has already been a disaster as the displaced Kashmiri Pandit community demonstrates. It is wrong to continue to ignore their plight. We must address their concerns and hopefully the Human Rights Commission will do so and reconsider some of the decisions that it has already made.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

(Mr. DIAZ-BALART addressed the House. His remarks will appear