

saying the FDA needs to be approving more generics, ask themselves why they are not speaking about the underlying problems associated with delivery of health care and medicines to our seniors instead of creating a new program which our children will pay for but, most importantly, will be twice as expensive as what it should be because we have not fixed the underlying problems.

I want to leave my colleagues with one last story. I recently had one of my senior patients who had a stroke. She was very fortunate in that she had no residuals. But the studies of her carotid arteries proved that she had to be on a medicine to keep her blood from clotting.

One of my consulting doctors wanted to put her on a medicine called Plavix. It is a great drug. It is a very effective drug. The only problem is it costs over \$200 a month. The alternative drug that does just as well but has a few more risks, which she had taken before in the past, is Coumadin.

Now, the difference in cost per month is 15-fold. I could have very easily written her a prescription for Plavix. She would have walked out of the hospital, not been able to afford the Plavix, and had another stroke, or I could have done the hard work and said, this is going to do 95 percent of it. It is going to be beneficial. It has a few risks. Here is what this costs. What do you think? She chose to take the Coumadin because that gives her some ability to have some control of her life.

So these are complex problems; and I do not mean to oversimplify them, and I do not mean to derange either the physicians, the patients, or the drug companies, other than to say that our whole economy is based on a competitive model and, when there is no competition, there is price gouging.

Today I honestly believe in the drug industry there is price gouging. We need to fix it, and we need to fix that before we design any Medicare benefit to supply seniors with drugs, especially since there are free programs out there that are not being utilized that are offered by the drug companies.

#### DIFFERENCES IN APPLICABILITY OF WATER USAGE IN WEST AS COMPARED TO EAST

The SPEAKER pro tempore (Mr. WALDEN of Oregon).

Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, this evening in my night-side chat I would like to take the opportunity really to talk about three subjects.

The first subject is the subject that is very important to all of us, obviously. It is the only way that we can survive. But in the West there is a lot of differences on the applicability of it as compared to the East. And that is water.

The second issue that I would like to talk about tonight is also a doctrine that has particular specifics in regards to the West. It is called the Doctrine of Multiple Use.

The third subject I hope I get an opportunity this evening to talk about is on the issue of education.

Mr. Speaker, it seems, as my colleagues know, last evening I spoke about education. I spoke about discipline in the classroom. I spoke about the fact that we need to assist our teachers out there by having some consequences of misbehavior in the classroom. And apparently I hit a soft spot with some people because I heard from some people overnight say, how dare you talk about discipline in the classroom.

I could not believe it. Some of these people were very antagonistic. I am pleased to say I did not get many letters out of the West. I got them out of the East. And I am sure I got them, in my opinion, from some pretty liberal people that, for some reason, think that we should follow political correctness when we talk about classroom discipline, that, for some reason, classroom discipline really is not a problem in today's school system. So I hope I have an opportunity to come back to that subject because it is something I believe very firmly in.

Education is so fundamental for the survivability of this country. It is so fundamental for our country to remain the superpower in this world that we have to give it all of the attention that we can give to it. But it also means that we have got to be ready to face the music. And when we have problems with discipline in our school system, sometimes we cannot be politically correct. Sometimes we have got to go right directly to the problem. I hope we have an opportunity to talk about that.

But let us talk and begin, first of all, by talking about water. Water in the West is very critical. One of the concerns I have is here in the East. In fact, when I came to the East for the first time, I was amazed at the amount of rain that we get in the East. In the West, we are in a very arid region, and we do not have that kind of rainfall. It does not rain in the western United States like it rains in the eastern United States. As a result of that, we have different problems that we deal with in regards to water.

My district is the Third Congressional District of Colorado, as my colleagues know. It is a mountain district. The district actually geographically is larger than the State of Florida. And if any of my colleagues here have ever skied in Colorado, if they have ever gone into the 14,000-foot mountains, with the exception of Pike's Peak, they are in my district in Colorado.

Water is very critical, as it is everywhere else. But we are going to talk about some of the different aspects of water, about the spring runoff, about water storage, about water law in gen-

eral, about how we came about to preserve and to store our water through water storage projects.

But let us begin I think with an appropriate quote from a gentleman named Thomas Hornsberry Ferrell. He said, speaking about Colorado, "Here is a land where life is written in water. The West is where water was and is father and son of an old mother and daughter following rivers up immensities of range and desert, thirsting the sundown, ever crossing the hill to climb still drier, naming tonight a city by some river a different name from last night's camping fire. Look to the green within the mountain cup. Look to the prairie parched for water. Look to the sun that pulls the oceans up. Look to the cloud that gives the oceans back. Look to your heart, and may your wisdom grow to the power of lightning and the peace of snow."

Let us say a few basic facts so that we understand really some fundamental things about water. First of all, I have got a chart and I know it is somewhat small, but I hope that my colleagues are able to see it. Let me go through it. It talks about water usage. It is very interesting, very few people realize how much water it takes for life to exist, how much water it takes to feed a person three meals a day, how much water it takes to feed a city, for example, their drinking water or their cleaning water or their water for industrial purposes. But this chart kind of gives us an idea.

The chart is called "water usage." I would direct the attention of my colleagues to my left to the chart. Americans are fortunate, we can turn on the faucet and get all the clean, fresh water we need. Many of us take water for granted.

Have my colleagues ever wondered how much water we use every day? This is direct usage of water on a daily basis, our drinking and our cooking water. Now, this is per person. Our drinking and our cooking water, two gallons of water a day. Flushing of our toilets on a daily basis, five to seven gallons per flush. That is on an average. We now have some toilets that have reduced that usage somewhat. Washing machines, 20 gallons per load. Now, remember, this is daily. Twenty gallons per load. Dishwasher, 25 gallons every time we turn on that dishwasher. Taking a shower, 7.9 gallons per minute. In essence, eight gallons every minute a person is in the shower. Eight gallons of water.

Now, growing foods takes the most consumption of water. As I said earlier, water is the only natural resource that is renewable. But in our foods, growing foods, the actual agriculture out there is the largest consumer of water in the Nation. And here is why growing foods takes the most water.

One loaf of bread takes 150 gallons of water. From the time they till the field, to watering the field, to harvest the wheat, to take care of the industrial production of the bread, to actually have the bread mix made and have

it delivered, 150 gallons of water for one loaf of bread.

One egg. To produce one egg through the agriculture market, it takes 120 gallons of water. One quart of milk, 223 gallons of water. One pound of tomatoes. One pound of tomatoes takes 125 gallons of water. One pound of oranges, 47 gallons of water. One pound of potatoes, 23 gallons of water. Those are pretty startling statistics.

We go down a little further. Did my colleagues know it takes more than a thousand gallons of water a day to produce three balanced meals for one person? So, in one day, for one person to have three balanced meals, when we total up all the water necessary to provide for that, it is a thousand gallons of water a day.

What happens to 50 glasses of water? On the chart here on my left that I direct my colleagues to, we have 50 glasses of water. Forty-four glasses of water are used for agriculture. Two glasses are used by the cities for domestic water. And a half a glass is used for rural housing. But we can see, out of the 50, 44 glasses of water are used just for agriculture.

Now, there is some very interesting things about water in the world. Keep in mind these statistics. Ninety-seven percent of the water supply in this world is salt water. And today's technology, although we have a very expensive process for desalinization of plants, essentially, we really do not have an economical process to take salt water and convert it to drinking water. Ninety-seven percent of the water in the world today is salt water. Of the remaining three percent, we have three percent left, 75 percent of that remaining three percent is water tied up in the ice caps. Of all the water we have, only .05 percent of that water is in our streams and in our lakes. So it gives us an idea of the challenge that we face.

Now, in the United States, when we take a look at what is the lay of the water, we find that 73 percent of the stream flow in the United States is claimed by States east of the line drawn north to southeast of Kansas.

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So 73 percent of the water in the United States lies in this part of the Nation. Now, when we take a look at the Pacific Northwest, in the Pacific Northwest there is about 12 percent of the water. Over here we have 73 percent of the water essentially in the East. Up in the Pacific Northwest, we have about 12, 13 percent of the water. The balance of the water which is about 14 percent, is water that is shared by 14 States in the West. This is the arid region of the United States, those 14 States. They include States like Colorado, Wyoming, New Mexico, Utah, Arizona, Colorado, Nevada. Those are the dry States in our country.

Now, Colorado is the highest State in the Nation. In fact, the Third Congressional District which I represent in

Colorado is the highest congressional district in the Nation. So as a result of that, we have a lot of variance over, say, a lower elevation. For example, our evaporation. We have about an 85 percent factor of evaporation at that kind of altitude; and we have a lot of water, as Members know. We have a lot of snow that comes down, but we have to deal with evaporation at a very high percentage.

When we talk about Colorado, what I am going to do instead of talking about all of the States of the West, I thought I would focus specifically, obviously, on the area I know the best, and that is Colorado. Let us talk about the characteristics of Colorado and the different problems and issues that we deal with water in Colorado.

On average in Colorado, we get about 16, 16½ inches of water every year. We do not have much rainfall. If Members have been out to the mountains of Colorado, which as I said earlier is the district that I represent, they know that in the springtime and throughout the summer we have rains, but those rains are very brief. Our typical rainstorm comes in, lasts 20 minutes, and it goes away, comes back the next day and generally in the mountains.

Out in the plains we may not see it for a long time. We do not have heavy rains as you do here in the East. But we have a lot of variances. For example, in my particular district, in the region of the mountains, we have 80 percent of the water. Eighty percent of the population in Colorado lives outside those mountains, in cities like Denver and Colorado Springs and Fort Collins and Pueblo. Now, in Colorado because we do not have much rainfall, we depend very heavily on the snows during the wintertime and for a period of about 60 to 90 days called the spring runoff when the snow melts off our highest peaks and comes down, for that period of time we have all the water we can handle. But after that period of time in Colorado, if we do not have the capability to store our water, to dam our water, we lose the opportunity to utilize that water.

Now, the rivers and streams throughout this Nation have a lot of history to them. When we take a look at the frontiersmen that went out into the West, for example, to settle the West, remember the old saying, go West, young man, go West. When we take a look at it through these wilderness areas, and everything was wilderness in the West, really your path, your highway through the wilderness were the rivers and the streams. It is where life really centered around, the communities were built around it, the trappers. The trappers trapped by the rivers and the streams. Even the miners and the minerals when they discovered minerals in the Rocky Mountains of Colorado, for example, it centered around streams. That is why when you go through Colorado, most of your communities are built there near the streams.

But what is unique about Colorado is we are the only State in the union

where all of our free-flowing water goes out of the State. Colorado is the only State in the union that has no free-flowing water coming into the State that we are able to utilize. So as you can guess, as they say, water runs thicker than blood in Colorado and that applies to the other mountain States and the West in general.

Now, Colorado is called the mother of rivers. Why? Because we have four major rivers that have their headwaters in the State of Colorado. We have the Colorado River, and I will come back to the Colorado River in a moment. We have the South Platte River, and the South Platte River drains the most populous section of the State and serves the area with the greatest concentration of irrigated agricultural lands in Colorado. That is the South Platte.

We have the Arkansas River. That begins up near Ledville, Colorado. It flows south and then east through southern Colorado and then down towards the Kansas border. We also have the Rio Grande River. That Rio Grande drainage basin is located in south central Colorado. It is comparatively small compared to the other rivers and has less than 10 percent of the State's land area in it.

Let us talk about the Colorado River. That is a very important river for the entire Nation. Twenty-five million people get their drinking water out of the Colorado River. The Colorado River drains over one-third of the State's area. And although only about 20 percent of the Colorado River basin exists in the State of Colorado, the State of Colorado puts about 75 percent of the water into that basin.

The Colorado River provides a lot of things besides water. It provides clean hydropower, for example. Just out of the Colorado River alone, we irrigate over 2 million acres of agricultural land throughout that river basin. Now, the river is very unique. As Members know as I described earlier in the West, everybody is trying to grab for water. And so as a result of that, there are a lot of what we call "compacts." They are in essence treaties, how do we agree how the water is going to be shared.

And, of course, we also have to remember there are some basic things about water. Remember I said earlier that water is the only natural resource that renews itself. In other words, what logically follows is one person's water waste could be another person's water. For example, some people have said in Colorado, why don't you go and line your ditches, let's put concrete on the bottom of your ditches and therefore you avoid seepage; the water doesn't seep out of the ditch. Well, you have to be careful about that because that water seepage may be the very water that provides water for the spring or the well or the aquifer many, many miles away.

Someday technologically, I hope in our lifetime, we will be able to pull up

on a computer screen the map, the water map as, for example, in the State of Colorado where all of those little fingers of water, where they all begin, where they all move, how they move, at what speed they move, and what kind of cleansing process they go through. It is very interesting if you really want to get into it.

But water on its face is a pretty tough product to sell an interest in. Why? I do not mean property interest. I mean, people do not worry much about water as long as they turn on the faucet and the water is there, number one, and, number two, the water is clean. Therefore, it is an obligation of the leaders of our country, leaders such as you and myself, it is our obligation to assure that we have quantity of water and that we have clean water for the future.

Let us go back to the Colorado River basin for a moment. The Colorado River basin really has compacts on it, and because the Colorado River goes down throughout and actually ends up in the Gulf of Mexico, the Colorado River really goes to Mexico, ends up in the Gulf of Mexico, we have several compacts. The major compact, the Colorado River compact, is between the upper basin States and the lower basin States. The upper basin States, for example, would be Colorado, Utah, New Mexico. Lower basin States would be like Arizona, California, Nevada. And we have an agreement on the Colorado River on this Colorado River compact which says that the upper basin States and the lower basin States are each entitled to 7½ million acre/feet per year. An acre/foot is enough to feed a family of four. It would be about a foot of water over a football field, enough water that should feed a family of four for a year. 7½ million acre/feet per year is how that is divided.

I am going to get into a little more about that, but first of all let us talk a little about Colorado water law. I am just going to summarize and give some very basics to it, Mr. Speaker, because the law here in the East is really based on the riparian doctrine. Our doctrine is based on what is called the Colorado doctrine in the State of Colorado. The history of the doctrine came about in the California gold rush days, when all of a sudden we had a lot of settlers going out to the mountains about 1849. And because the water in Colorado, because of the aridness of the Colorado, we came up with the doctrine that no matter how far away you are from the river, our doctrine is first in use, first in rights. So the first one to go to the river and use the water, no matter how far away they live from the river, if they are first to use it, they get first right. If they are second to use it, they fall in priority to second place; if they are third to use it, they fall in priority to third place. That is basically known as the doctrine of prior appropriation.

Now, as I said, the eastern States primarily follow the riparian doctrine. Now, the Colorado constitution, in ad-

dition to having the doctrine of prior appropriation, also recognizes uses in priority. The highest priority or the preference of water use with the highest priority in Colorado is domestic use for your home, the second use is agricultural use in priority, and the third use is industrial use.

In Colorado, we also have a unique situation. We are pretty proud of this because we are very conscious of the environment out there. Obviously, if you have been out to the district, you have been out to Colorado, you have a deep appreciation of why we are proud of our environment out there, what we have to protect out there. One of the things that we have discovered throughout the years is there is a lot of damage to an environment if you run the creek dry. So what we have done in Colorado is we have appropriated in-stream rights, minimum stream flows over thousands of miles of stream beds so that we guarantee that a minimum amount of water will remain in those streams so that we can mitigate and minimize the environmental impact.

Now, clearly we are always going to have some impact. If you are going to take water out and drink it, you are going to have less water in the stream or in the creek. So you are going to have an impact. We have to have a balance there. We think in Colorado we reach a pretty good balance. Now, clearly we have some people that object to that. We have some people, especially located in the East, things like Ancient Forests and some of the Earth First and some of those type of people, the National Sierra Club, those people that want all of our dams taken down.

In fact, the National Sierra Club, their number one priority is to take down Lake Powell. Lake Powell has more shoreline than the entire Pacific West Coast. Lake Powell is a major power producer, hydropower, clean power. Lake Powell is the major flood control dam we have in the West. Lake Powell is the main family recreational area for many States around it. Now, the only people that would want to take down Lake Powell are people that do not have, in my opinion, a lot of, one, appreciation for the uniqueness of the West and the needs of the West; two, do not have a lot of appreciation for human needs; and, three, frankly maybe they do not care about the needs of the West.

But let us go back to our subject here at hand. We have given a brief outline of the prior appropriation. Now, let us talk about water storage. As I mentioned to you earlier, we just talked a little about Lake Powell, but water storage is critical for us in the West. We have to have these dams. The Federal Government recognized this many years ago. Great governmental leaders like Wayne Aspinall, a Congressman from the State of Colorado, helped authorize these projects. And we had support frankly from Congresspeople, colleagues of ours that preceded us, col-

leagues from the East, colleagues from across the Nation that recognized that out in the West we had to have water storage.

I hope that many of my colleagues, while tonight you may not be particularly interested in Western water problems, I hope that tonight's comments give you an opportunity that when some questions arise, for example, about Lake Powell or water storage projects, you remember the reason that these were put up. In the West, we did not just go out willy-nilly and say, let's put a dam here and let's put a dam there. That did not happen. There are reasons that those dams are there. There are reasons that we have to store that water. And so I urge my colleagues, as the issues of water and storage of water in the West come in front of you, take a deep look at why those projects were built in the first place, why those projects are important for the West.

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We have a project we are going to talk about this year, the Animas La-Plata project, a very interesting project. I am going to spend a couple minutes with you right now talking about that.

Years ago, when the population in the East and our leaders back here in the East wanted to settle the West, they ran into a number of different problems. One of the problems were the Indians. My gosh, there are people on this land that we want.

Well, the response to it was, we will push them off it. What do we do with them? Essentially what they did when they got to Colorado is they took the Indians and said, look, we are going to shove you into the mountains. We want the plains. We want the large herds of buffalo. We want the agricultural lands out there. So sorry, Indians, there is not room for you. We are going to shove you into the mountains. So they shoved them into the mountains.

Then what happened was they began to discover minerals in the mountains. The white men found there were gold in the streams, in the creeks. There were massive mineral deposits in those mountains. Those mountains all of a sudden became valuable.

So, what did they do? Time for the Indians to move again. They took the Indians and they moved them down to the southwestern part of Colorado, down into the desert. And, mercifully, somebody in the administration or in the leadership back then said, look, there is no water down there. There is not water for those people in those desert lands. We need to provide some water for them.

So that is exactly what they did. The government provided water rights, and promised the Native Americans, the Indians, as they were called back then, promised water rights for their lands.

Well, years ago when the water projects for the West were authorized,

the government agreed with the Native Americans to go ahead and help develop those water rights. Those were water rights owned by the Native Americans pursuant to treaty.

So as a part of the development of those water rights so the Native Americans could utilize the water they had been promised, that they had contracted for, in order to help them develop it, they promised certain water storage projects, one of them being the Animas La-Plata.

Then what happened was the government began to stall, so the Native Americans decided to sue the Federal Government in the courts, because, as they said, rightfully so, wait a minute, United States Government, we made a deal in Washington. We made a deal. You gave us these water rights in exchange for our lands. You signed a contract. You made a treaty with us to build our water storage project, yet you continue to delay and delay and delay.

So the best government lawyers came in and advised the government leaders at the time, you are going to lose this case. You need to do what you said you were going to do with the Native Americans. You need to build that project.

So the government went to the Native Americans and said let's settle the case. So they settled it. The Native Americans accepted less than they were entitled to, but they were willing to live with that compromise, because they wanted the wet water. They did not want cash, they did not want trinkets, they wanted wet water, water they could put their hands in and feel the wetness.

Well, lo and behold, pretty soon some environmental organizations started suing, and pretty soon there is an effort to stop the building of the Animas La-Plata water project down in Southwestern Colorado.

Once again, who loses? The Native Americans. So the Native Americans come back again, and once again they make an agreement to get even less than what they got the first time they made the agreement and the second time they made the agreement.

Now what do we see in the last couple of years? Once again the United States is continuing to stall and delay. In fact, there have been proposals by some organizations out there, do not give them any water at all. Let us just pay them with some cash. Give them some trinkets. Give them cash.

They do not want cash, they want their water. Fortunately, I think we have come to agreement with the administration this year to move the Animas La-Plata project into reality. It has taken a lot of effort, and I must compliment my colleague, Senator NIGHTHORSE CAMPBELL. This is a big issue out in the West. A lot of effort has been put into it, and hopefully we can get this storage project in the west put together.

Now, when we speak about water it leads us to another issue that I think is

important to understand about the West, and that is the concept of use. If you were ever in Colorado, and there are still a few signs, or actually out in the mountains, out in the West, you still see some of these signs on national lands, and the sign might say, for example, "Welcome, you are entering the White River National Forest." But underneath that sign is another little sign, and it says "The land of many uses." "The land of many uses."

Let us talk a little history. What does multiple use mean? Multiple use means exactly what it says, that the lands out there are not intended for one singular use, that the survivability of many different things, of humans, of animal species, of the environment, it depends on a balanced approach on how to use those lands, and the balanced approach is what is called multiple use.

Now, how did multiple use come about and how is it that the Federal land ownership is so massive out in the West and almost minimal, and "minimal" would be a pretty generous description, in the East?

In order to have an accurate reflection of what I am talking about, I have got a map for you here which shows the United States, obviously. You will see, I ask my colleagues to divert their attention over to the map for a moment, if you really go down this line, which is down the Colorado border, down the Wyoming border, down to Montana, you go down that line, through eastern Colorado, clear down and go along the border there over to New Mexico and around the border of Texas, you will see that practically from this point to the east, from that point to the Atlantic Ocean, Federal Government ownership of land is minimal.

Now, you have got some blocks of land out here in the Appalachians, the Catskill Mountains, some down in the Everglades and some up here in the northeastern section. But take a look at the eastern United States and land ownership there by the government, and compare it with land ownership in the West. In the West, as you can see, most of the land is owned by the Federal Government. In fact, in 11 states here in the West, in 11 states, 47 percent of that land is owned by the Federal Government.

Now, remember, that is not all the government owns, because you have state government lands, you have municipal land, you have special district lands. So there is a lot besides that 47 percent. But because of the fact that you have such massive ownership of public lands, or they call it public lands, such massive ownership by the Federal Government, it creates by its own consequence a lot of differences between the West land uses and land uses in the East.

Now, how did this come about? Why did our leaders not many many years ago who preceded us many, many generations ago, why did they not spread this land ownership out throughout the country more evenly?

Here is what happened. In the West, when they were settling the rest of the country, and I say the West, really anything West of, you get out here of New York, of South Carolina, Kentucky, out into this country, they decided in those days ownership of land was not simply just a deed. The fact you owned a deed to the land did not mean a lot out here in the wilderness, out in the wild areas of the country. In fact, back then possession really was nine-tenths of the law. You have heard that quote many times. "Well, possession is nine-tenths of the law." That is where it came from.

In the early days of the settlement by the white man out here in the West, possession was nine-tenths of the law. So the leaders in the East decided hey, we have got to provide some kind of incentive, we have got to give an incentive for people to move into the West, to settle this land. We have got to get our citizens in possession of that land, the land they had purchased, for example, through the Louisiana purchase. We have got to get people on the land. How do we do it? Because, frankly, life in the city is fairly comfortable. Life in the West is pretty rough. They have to go on horseback, a wagon. It is pretty rough.

Somebody came up with the idea, well, let us do this. Let us tell these settlers that if they go out there, we will give them land. And the American dream has always been to own your own piece of land. Today, for our constituents, the young people, the old people, the middle age people, we all dream of owning our own little piece of land. Ownership of land is American.

So what they said was hey, what stronger incentive can we give to these people to encourage them to become settlers and move to the West than to offer to give them land?

So they said all right, what kind of land should we give? Let us call it, they said, the Homestead Act or any number of other acts, and let us give them 160 or 320 acres. And if they go out and they possess that land and they work that land for a period of time, say 3 years or 5 years, depending on the act, we will let them have the land free. It is their land. It is their land forever.

Well, that worked okay, until you hit the mountains, until you hit the arid areas of the West. When you got into the states like Kansas and Nebraska and Ohio and the Dakotas, you know, you could take 160 acres in that rich farmland of Ohio or Nebraska and you could raise a family on it. That is very fertile ground.

But what was happening was the settlers were coming out here, and all of a sudden they stopped. They were not going into the mountains. Maybe some would go around the mountains and try to find gold in the California area, out here where you do not see much government land ownership in California. They were going around it.

So the problem came back to Washington. Hey, we are doing okay, again

referring to this map, doing okay in the eastern United States, everything east, let us say of Denver, Colorado. People are settling, were possessing the land. But where the Colorado Rockies start, from north to south, west, the people are not going in there. What do we do?

The problem came up, well, you know, to raise a family in Nebraska, for example, on the rich fertile land out there, it is 160 acres. To do the equivalent in the Colorado Rockies, for example, and I keep referring to Colorado, obviously other states share the Rockies, so I am really referring to the mountain West, but to do the equivalent in the mountains, instead of 160 acres, you may need 1,600 acres, or 2,000 acres, or 3,000 acres. The leaders in Washington said wow, we cannot give away that kind of land. We cannot go out there and tell people we are going to give thousand and thousands of acres to one person if they go out and live on and work that land. What do we do?

That is where the birth of the concept of multiple use came about. The Federal Government decided the answer to this, to encourage settlers to go out, is, look, the Federal Government will retain ownership. The Federal Government will continue to own these lands out here, but you are going to be allowed to go out there and use them. You can go out there and use them for ranching, you can go out there and use them for minerals. As time went on, you can go out there and use them to build your communities and your towns and later on your cities. Now, today we can use these lands to help protect our environment, to help preserve a lot of these lands.

Multiple use means a lot of things. To give you an idea of what the multiple use concept is and why Federal ownership differs here in the West than in the East, in the East, for example, let us think about it. If you wanted to build something in your local community here in, let us say Kentucky or out here in Illinois or some of these states more towards the East, you wanted to build something, what do you do? You have to get a permit. And if you get a permit, where do you go? You go to your local planning and zoning. You go down to the city hall, or maybe the county offices, and you go to your local planning and zoning.

Well, here in the West, where the Federal Government owns so much land, if we want to build, for example, a water canal, we do not go to our local planning and zoning. We have to have our planning and zoning done in Washington, D.C., 1,500 miles away, in an area where it rains. It does not rain very much in the West.

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It does not rain much in the West. In an area where they have very little Federal ownership of lands, in an area where a lot of people do not even know what the term "use" means, yet they

are the ones who dictate, they are the ones who dictate our planning and zoning in the West. That is a big difference. That is why we have sensitivities out there in the West. That is why it is important that we protect the concept of multiple use.

Let me read just a couple of things. The Federal government owns, as I said earlier, 47 percent of the land in the 11 public lands States all located in the western United States. In four States, the Federal government owns more than half of the land: In Idaho, in Nevada, in Oregon, and Utah. In Colorado, more than one-third of the land is owned by the Federal government.

Are we dependent on these lands? We are absolutely dependent on these lands. Humans could not live out in the West without the permission of the Federal government to use those lands.

Some would say, well, is that not kind of an exaggerated statement? The fact is that it is not exaggerated at all. Think about it. Take any community in my district. Glenwood Springs, Colorado. If you have not been there, go visit; a beautiful community, my hometown. In Glenwood Springs, or a town more that my colleagues might be acquainted with, Aspen, Colorado, take Aspen, Colorado, every road into Aspen, Colorado, comes across government lands. Every drop of water in Aspen, Colorado, either comes across, originates, or is stored on Federal lands unless it is a spring, and then it still originates somewhere on Federal lands. All of their cable, all of their power lines, all of their transportation needs, their airport, their air corridors, all of that comes across Federal lands.

If we begin to shut down the access across Federal lands, we lock out these communities. Many, many of the communities, not only in my district but throughout the U.S., throughout the West, are locked in by Federal lands.

Now, "locked in" is not too harsh a word if we are allowed access to utilize these lands. We take a lot of pride in those lands. That is our birthplace. A lot of us have many, many generations of family history out there. We care about that land. We have worked that land. We know that land.

There are some sensitivities when we deal with people, for example, out of Washington, D.C., some think tank, that thinks they ought to be able to or that they know a little more about the dictates of living in the West, about the issues of these lands.

Multiple use is a very, very important concept for us. That is why we are so ardent in our protection of the right to use these lands. I think this map is a good reflection. Again, I would direct my colleagues to take a look at it.

One thing they will notice down here, it is not in proportion, obviously, is the State of Alaska. I think the State of Alaska is somewhere around 96 percent owned by the government. Ninety-six percent of that land is owned by the government. Think of the impact that that has on the everyday lifestyles of

people; of the resources that they use, of the transportation that they use.

So multiple use is a very, very important concept for us, and I hope that my comments tonight have given Members a little idea about this. There are a lots of exciting things that go on in the West in regard to our land use.

Over the last 25 or 30 years, we have recognized the technology that allows us to utilize our lands in such a way that they can become more environmentally friendly. We have figured out how to use water in a more environmentally sensitive form. There is a lot of progressive movement in the West on these lands to help preserve our environment, because many of those communities out there are almost totally dependent on a clean, healthy environment.

If Aspen, Colorado, for example, or Beaver Creek or Telluride or Vail or Glenwood Springs or Durango, if they had a dirty environment, would Members go out to visit it? Of course not. We have lots to lose out there. We have a lot at risk with our environment out there. That is why we take no shame in the positions that we advocate for the protection of our lands out there, for the protection of the water out there.

I hope my colleagues here recognize that. I hope as the different issues come up, whether they relate to Alaska or whether they relate to the western United States, remember, especially if Members are from the East, that the issues are different. The issues will require that we look into the history. They will require that we study the differences of a State without much Federal land and a State with Federal land, that we study how dependent we are on the resources of those Federal lands, and why the doctrine of multiple use is a well-thought-out and now a well-practiced historical use of those lands. Multiple use should be protected.

There are some areas where we have set aside what we call wilderness areas. I am a sponsor of a wilderness called the Spanish Peaks Wilderness. That is my bill passed out of this House. We expect to put a wilderness out there. We have other wilderness. Senator Armstrong, Hank Brown from years ago, they put in the Flat Tops Wilderness bill.

In some of these areas we take away multiple use, but it is a focused, well-thought-out move. It is a move that allows some lands to be set aside as if humans had never touched them. So in some areas we have actually surrendered the doctrine of multiple use for protection, for the maximum possible, with little flexibility, protection.

But before, and I say this to my colleagues, before Members jump on the bandwagon and take a paintbrush and paint in all of this wilderness designation, please understand the impact that it has to the local people, to the people who live off those lands, to the people who depend on those lands. Frankly, anybody that lives in the

West is dependent upon those Federal lands.

#### EDUCATION

Enough for issues about water and lands. Now I want to move to an issue that is very important to me. It is important to my colleagues here. I want to talk for a few minutes about some areas of education.

I do not know anyone who is anti-education. I find with interest in a political season how political layouts are made saying one person is anti-education. Granted, in this room of 435 Congress people, we have 435 different ideas, and many of them are uniform, but we have 435 different ideas about education: How do we improve education? How do we get the biggest bang for our buck out of education? How do we get the best teachers, the most qualified teachers we can into the field of education? How do we make the profession of teaching one of the highest professions in our country?

There is lots of debate about that, but I have not found anybody on the Democratic side and I certainly have not found anybody on the Republican side that is anti-education.

So I urge my colleagues, as this election year gets into a very heated process very rapidly, that they not buy into that argument that their opponent or somebody else out there is anti-education. I do not know one person, I have never met a person in my political career, I have never met one person that is anti-education. In fact, I have met very few people, I could probably count them on one hand, the people, if I were to ask them the five or ten most important things in our society, that they would not list education among the very top.

We all recognize that education is fundamental for the strength of this country. Now that we all can come to the agreement that we all agree that education is important, let us talk about different subjects.

There are lots of areas we could talk about. We could talk about the budget on education, about how much more money is needed, how do we have accountability for the money, how do we test, what kind of testing, and should we track scores and the money spent, whether the money should be local money, whether the money should be State money, whether the money should be Federal money; and if it is Federal or State money for a local school, what kind of flexibility should be given to the Federal government or the State government to determine what programs are offered in the local school?

We can talk about the issues of sex education in schools: What level do we offer sex education, should we have it in the schools? We can talk about the school facilities. We can talk about bonding issues. There are lots of things in education that many in this room have much more expertise than I do. We could have lengthy discussions about it. There is a lot of money, bil-

ions and billions of dollars spent in this country every year to try and figure out how we have a better educational product.

But one of the areas I like to talk about in education is personal responsibility, consequences for behavior that is classified as misbehavior. I think throughout the years, and this is where I got some negative calls, and I would love to have some of those people to debate, Mr. Speaker, who in my opinion seem to think that the discipline, the direction we are going in discipline is the right direction to take.

I do not think it is. I think one of the problems that we have today in turning out a better educational product is responsibility in the classroom. We find responsibility in the classroom not only through accountability of measurement, and whether a student is learning, and the responsibility of a student if they want to participate in the class, they have to do their assignments. But I am talking about classroom discipline.

It is interesting, if we take a look at the discipline problems, and I think there is a book out there called *It All Happened in Kindergarten* or something like that. I will actually have it next week. But in that particular book, as my memory serves me, if it is correct, they did some comparisons about discipline problems 40 years ago in our classrooms and the discipline problems today in our classrooms.

Part of the difference in those discipline problems, back then, for example, chewing gum was a discipline problem, or talking out of turn, interrupting your teacher, being tardy. Today it is drugs, violence. We go down the list and there is a dramatic difference.

Part of it is the shift in society. Part of it, and we can track it to a lot of different things, the lack of two-parent families, a number of different things. But one of those elements that I think we need to look at is we have got to give our teachers the ability and the tools to have discipline in their classroom.

Not too many years ago I think it was 60 Minutes went in and did a secret filming I think in one of the major cities of a classroom and the discipline, and the frustrated teacher who could not control those students.

Can most teachers control most students? The answer is yes. Are most students responsible young people, young adults? The answer is yes. In the past, were teachers able to have much more control for those few students who became discipline problems? The answer was yes.

Has that authority had handcuffs placed on it? Has that authority been kind of cornered or reduced in today's classroom? The answer is yes. We need to take a serious look at allowing discipline back into the classroom.

Think about it. I have a sister who is a counsellor. Her name is Kathleen. She has spent her career in teaching

and she is now a counselor. Several years ago when I was in the State legislature, and in Colorado most of the money provided for schools is provided at the State level, back then about 63 cents out of every dollar of the general fund of the State of Colorado's budget was provided for education, but we consistently heard complaints about, we need more money for education.

We hear it from every department, by the way. The military says it needs more money. In fact, I have never found a department yet throughout my years of public service that says, whoa, we have enough money. We can do the job for what you have given us. We have enough money. So that is a pretty common complaint.

Anyway, back to my sister, Kathy. I asked her one day, I said, Kathy, if I could do one thing politically as a leader, if I could do just one thing to help improve the education product for you as a schoolteacher, what would it be? I expected her to say, we need more money.

She did not say that. She said, if you could do just one thing, allow me to have discipline back in my classroom. Allow me to have discipline back in my classroom.

That is where I really begin. That answer caught me a little off guard. That is where I began to really focus on discipline in the classroom and tolerance in our schools. Clearly, when we speak of tolerance, there are many different applications that that term can have. There are a lot of things that we have taught, good behavior through more tolerance of certain behaviors.

However, we also need to take a look at misbehavior that we are ignoring because it is not politically correct, perhaps, to stand up to it, or you are going to get criticism for drawing a line in the sand and saying, if your behavior crosses that line, you are out of school.

At some point we have to go back and cater to the majority of students, the students that are behaving. I am not talking about ethnic issues and so on, I am talking about the majority of students that behave. We have to meet their needs. Those needs, in my opinion, take a higher priority than a student who on a consistent basis, not a one- or two-time basis where we have correctable attitudes, but on a consistent basis continues to defy the teacher and continues to defy the rules of the classroom.

For example, not too many months ago I saw some film footage, and some of my colleagues may have seen it, where there was a fight in the school and the students were disciplined.

This school board, I wanted to pat each one of them on the back. It is about time somebody stood up to these students and kicked them out of school; good for you. Teach them a lesson. Of course there was a lot of argument and debate about whether this was too harsh a punishment for kicking these students out of school. Then they begin to look into the background

of the students, and it was the first time I had ever heard the term "third year freshman." So I asked my sister Kathy, what is a third year freshman?

Oh, a third year freshman, she says, that is somebody who has been in high school for 3 years and has yet to get enough credits to get out of the freshman class.

In this particular case that I was referring to, they had some students there who did not have any credits and had been in school for 2 or 3 years; no credits. Then they went and they took a look and investigated and revealed how many days they had been absent from school, and the fundamental question that came to me was not whether or not they still are in school; the fundamental question came to me is why did you not kick them out earlier? How much time and how much effort and how many resources have you spent taking care of these students who are not willing to accept responsibility, who have behavioral problems that are not able to be corrected on a short-term basis and you have kowtowed to them, so to speak, been politically correct to them, at the expense of the students who are following the rules, at the expense of the students, and it is clearly, clearly the strong majority of students who want to learn, who want to get something out of their education, what is wrong out there?

Well, I can say this, that I think as government officials we need to pledge to our local teachers, to our school administrators that, look, within the bounds, within legitimate bounds, and I can say I think the legitimate bounds have a historical basis, I think we can find them, that within those bounds you are going to receive support from us. It may be that you are having to discipline the most popular kid in the town. We have to promise support to these people. These teachers have tough jobs. These administrators have tough jobs. But we cannot really expect them to stand up to this discipline problem if we, starting on this House Floor, do not back them up. There are times where discipline cannot be politically correct. There are times where discipline can be absolutely correct. In my opinion, if we can get discipline back to the classroom, Mr. Speaker, if we can do something to help our local districts, give them the support and to watch very carefully any legislation we pass out of the U.S. House of Representatives to make sure that we are not infringing on the right for a school-teacher to have discipline in their classroom, it is worth it. That is how we can get a better product. That is how we can give more opportunities to our students.

As I said earlier, in my opinion education is the most fundamental pillar that we can have that holds this great country together. Now, there are other strong pillars. We have to have a strong military. We have to have a strong economy. We have to have a strong health care delivery system.

There are other pillars that help hold this building up but education is one that gets a lot of attention, deserves a lot of attention and it is going to get a lot more attention.

Now teachers, I think, themselves want accountability. I read an article in USA Today, December 1999, and it was issued by the Albert Shanker Institute. They found that teachers support standards. Teachers support accountability. Even in low income neighborhoods, teachers believe that standards and accountability are important.

I think most teachers believe in personal responsibilities. I think most teachers want us to give them the tools that create consequences for misbehavior in the classroom, that allow the teachers to reward good behavior because there are two ways to take care of misbehavior. One is punish the misbehavior and have consequences for the misbehavior and two is to reward the good behavior, take the positive drive.

The study shows that the longer teachers work with standards the happier they are to have them. Accountability measures can include repeating a grade or having to pass a test to graduate. Accountability measures can include discipline in the classroom. For school officials, accountability could come in the form of removing teachers and principals from schools that do not meet those standards.

Seventy-three percent of the teachers and 92 percent of the principals favor the standards movement.

Mr. Speaker, let me just conclude by saying that we all want better education. Let us bring discipline back to the classroom.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

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#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 9 o'clock and 48 minutes p.m.

#### CONFERENCE REPORT ON HOUSE CONCURRENT RESOLUTION 290, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2001

Mr. KASICH, from the Committee on Rules, submitted a privileged report (Rept. No. 106-577) on the concurrent resolution (H. Con. Res. 290) establishing the congressional budget for the United States Government for fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and

setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT (H. REPT. 106-577)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 290), establishing the congressional budget for the United States Government for fiscal year 2001, revising the congressional budget for the United States Government for fiscal year 2000, and setting forth appropriate budgetary levels for each of fiscal years 2002 through 2005, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

#### SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2001.

(a) DECLARATION.—Congress declares that the concurrent resolution on the budget for fiscal year 2000 is hereby revised and replaced and that this is the concurrent resolution on the budget for fiscal year 2001 and that the appropriate budgetary levels for fiscal years 2002 through 2005 are hereby set forth.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2001.

#### TITLE I—LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Major functional categories.

Sec. 103. Reconciliation in the House of Representatives.

Sec. 104. Reconciliation of revenue reductions in the Senate.

#### TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

##### Subtitle A—Budget Enforcement

Sec. 201. Lock-box for social security surpluses.

Sec. 202. Debt reduction lock-box.

Sec. 203. Enhanced enforcement of budgetary limits.

Sec. 204. Mechanisms for strengthening budgetary integrity.

Sec. 205. Emergency designation point of order in the Senate.

Sec. 206. Mechanism for implementing increase of fiscal year 2001 discretionary spending limits.

Sec. 207. Senate firewall for defense and non-defense spending.

##### Subtitle B—Reserve Funds

Sec. 211. Mechanism for additional debt reduction.

Sec. 212. Reserve fund for additional tax relief and debt reduction.

Sec. 213. Reserve fund for additional surpluses.

Sec. 214. Reserve fund for medicare in the House.

Sec. 215. Reserve fund for medicare in the Senate.

Sec. 216. Reserve fund for agriculture.

Sec. 217. Reserve fund to foster the health of children with disabilities and the employment and independence of their families.

Sec. 218. Reserve fund for military retiree health care.

Sec. 219. Reserve fund for cancer screening and enrollment in SCHIP.

Sec. 220. Reserve fund for stabilization of payments to counties in support of education.

Sec. 221. Tax reduction reserve fund in the Senate.