

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4578, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 524 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. 4578.

□ 1707

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. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, 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 on Tuesday, June 13, 2000, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5 minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read. The chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, providing that the time for voting on the first question shall be a minimum of 15 minutes.

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

Mr. Chairman, I want to advise Members about the schedule, at least as we best know it for the time being. We are planning to go forward on the amendments and possibly have some votes prior to 6:30, if we can get some of these out of the way; and then it is my understanding that we will roll votes until about 9:30 because of the Members that are going to the Kennedy Center for an event.

I would hope we can keep going and then finish tonight, because I know if we can get finished with this bill, we will do a great deal to expedite the time of getting out of here tomorrow. I know many Members would like to get on their way at a decent time tomor-

row night. So if everybody will help and cooperate, I think we can get this bill finished tonight.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.R. 4578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT
MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$674,571,000, to remain available until expended, of which \$2,198,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96-487 (16 U.S.C. 3150); and of which not to exceed \$1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)); and of which \$2,500,000 shall be available in fiscal year 2001 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, \$33,366,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$674,571,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$292,197,000, to remain available until expended, of which not to exceed \$9,300,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the "Fire Protection" and "Emergency Department of the Interior Firefighting Fund" may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without

cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$10,000,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$5,300,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$134,385,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

AMENDMENT NO. 30 OFFERED BY MR. SUNUNU

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Mr. SUNUNU: Page 5, line 17, after the first dollar amount insert the following: "(increased by \$10,000,000)".

Page 15, line 15, after the first dollar amount insert the following: "(increased by \$10,000,000)".

Page 17, line 7, after the dollar amount insert the following: "(increased by \$10,000,000)".

Page 17, line 9, after the dollar amount insert the following: "(increased by \$10,000,000)".

Page 17, line 13, after the dollar amount insert the following: "(increased by \$10,000,000)".

Page 54, line 25, after the dollar amount insert the following: "(increased by \$10,000,000)".

Page 67, line 16, after the dollar amount insert the following: "(reduced by \$126,500,000)".

Mr. SUNUNU. Mr. Chairman, I am proud to rise in support of this amendment which I have cosponsored with my colleague the gentleman from New Jersey (Mr. ANDREWS). This amendment strikes \$126 million from the

Partnership for the Next Generation Vehicle and takes the funds and uses it I think in a much more fiscally responsible way.

We put \$86.5 million into debt repayment; and then we take \$40 million, \$10 million to the Forest Service operation and maintenance accounts, \$10 million to the Park Service maintenance account, \$10 million into land and water conservation, and \$10 million into the payment in lieu of tax program. Anyone that has public lands in their district knows how important these programs are. They really make a difference to communities; they really make a difference in preserving public lands throughout the country.

Why are we striking \$126 million from the Partnership for the Next Generation Vehicle? There are a number of important reasons.

First of all, that program provides subsidies, research and development subsidies to profitable firms. I think if you go to any community at the local level in this country and you look at the stress and the burden on the property tax base of that city and town that might be caused by public lands, they would think it is wrong to be subsidizing corporations that are profitable. In this case the automotive manufacturers, the Big Three, they are successful companies. They are great companies. But, let us face it, their profits last year were over \$20 billion in the aggregate, and these are not the kinds of firms that need Federal subsidies from hard-working taxpayers.

Second, a program like this tries to pick winners and losers within an industry. It invests in solar cells, but perhaps at the expense of investments in fuel cell technology, or reinvests in battery technology or in diesel combustion or internal combustion engine technology. But who is the Federal Government to say which one of these technologies really deserves a Federal subsidy? And even within these sub-categories, batteries, do we invest in lithium batteries, do we invest in nicad batteries, do we invest in photovoltaics?

It is wrong for the Federal Government to try to pick winners and losers in these industries. It is bad policy from a technology perspective, and it is fiscally irresponsible as well.

Third, this kind of a corporate welfare subsidy picks winners and losers among different companies. Who qualifies? If the Federal Government is going to subsidize diesel combustion engine research, which of the dozens of companies, firms large and small that might be involved in this kind of technology, is going to get the Federal handout?

□ 1715

The Federal government actually has to choose. There are going to be winners and losers. Who is to say which company really has the technological capability to finance a breakthrough? No Federal bureaucrat knows. We

should not be second-guessing the markets. We should not be manipulating and distorting markets for technology. We should not be playing one company off against another.

Moreover, this program has failed to produce. I have a GAO study here from March of this year. It states clearly that it is unlikely that the technology focused upon in this program is ever likely to come to market.

Supporters will say, well, this program has created some jobs. If I spent \$1 billion over 7 years, as this program has, I would certainly hope we might have a few jobs to show for it. But even if this program created a thousand new jobs, and I doubt that, that would come at a public cost, a taxpayer cost, of over \$1 million per job. It just is not worth the subsidy.

Supporters might also argue that this has resulted in incremental technological improvements. Again, I might agree to that. But if we are spending \$1 billion in our State or district back home over a 7- or 8-year period, giving that money to the brightest minds in our districts, I would hope they would have some kind of incremental innovation to show for it. But it is not going to bring a breakthrough to the marketplace.

We are distorting the marketplace of ideas. We are subsidizing one company at the expense of another. The taxpayers should not stand for it.

Mr. Chairman, this amendment is supported by a wide range of groups, and my cosponsor, the gentleman from New Jersey (Mr. ANDREWS) will speak to that, such as the Sierra Club, Friends of the Earth; but fiscally responsible groups as well: Citizens Against Government Waste, the National Taxpayers Union. They recognize that it is simply a poor use of taxpayer funds.

Supporters of the program I recognize will say it is well-intended, it has fair-minded objectives. I do not deny that. There are a lot of well-intended programs at the Federal level, but it is just not the appropriate use of taxpayer money to distort markets, to subsidize corporate profits.

This is a responsible amendment that sets aside \$85 million for debt reduction, that gives back to the Park Service and the Forest Service that is so important in maintaining our public lands, and it sets the right course for our technology policy, as well.

Fundamental research through the National Science Foundation, through the National Institutes of Health, are critical to the underlying scientific foundation of this country, but we should not be going into product development areas where the markets are mature and where the capital markets know what a good deal is and what a good deal is not. We are distorting those capital markets as well as the technological markets.

Let us do the right thing for the taxpayers and the Partnership for the Next Generation Vehicle: Pay down

some debt and invest in our public lands.

Mr. REGULA. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, the objective of the PNGV program is to produce ultimately an 80-mile-per-gallon five-passenger automobile by the year 2004. This is not something on which the Federal Government is carrying the burden alone. For every dollar we put in, the auto industry is investing, about \$2 of private funding.

Particularly at this point in time we recognize how vitally important it is to improve mileage on our motor vehicles. The American people love their cars. We are not going to get people out of their cars. In fact, I think there will be even more and more automobiles, and it is quite evident that the highway departments recognize this. In Ohio, many two-lane highways are being made three-lane highways. Outer belt-ways are adding to it.

I am just simply saying, there are going to be more automobiles. The only way we can address the fuel consumption issue, recognizing we are now dependent on importation of fuel beyond 50 percent in terms of petroleum, is to lower that profile and to reduce our dependency. Because of the foreign policy and the defense implications, I think it is important that we continue the research to develop these fuel efficient vehicles.

Of course, the reason that we are involved with Federal money is because it is a national policy issue that transcends the question of the private owner of the automobile. It goes to our national security as an essential part of prospective energy policy, and recognizing the fact that we need to decrease the use of petroleum.

The spike that we have experienced in prices lately illustrates how much our pricing is dependent on those who make these decisions, i.e., OPEC, that is totally beyond our control.

We have invested quite a lot of money already, something like 600 million Federal dollars, and probably double that amount of private dollars. I think to stop at this point and not finish this research would be a mistake in terms of the utilization of our research.

For these reasons, I oppose the amendment that has been offered by the gentleman from New Hampshire.

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

Mr. Chairman, I rise in support of the amendment my friend, the gentleman from New Hampshire (Mr. SUNUNU) and I have offered.

Some of my dearest friends for whom I have the greatest respect are on the other side of me on this issue. I would just say that governing is about choosing. On this issue, I respectfully believe that we have made the right choice, and those who oppose this made the wrong choice.

This is about how we should spend \$126.5 million of the taxpayers' money.

We say, those of us who support this amendment, that the right priority for that money is to put \$86.5 of it toward reducing our national debt; to put \$10 million of it toward property tax relief in communities that have federally-owned lands in the Payment in Lieu of Taxes program; to put \$10 million into the State Land and Water Conservation Fund, to help States in their effort to preserve green space and promote clean water; to put \$10 million into forest maintenance programs that help us protect the integrity of our Federal forest lands; and finally, \$10 million into the maintenance of our national parks, the disrepair of which, despite the very excellent efforts of the chairman of this committee and the ranking member, has become a major problem, despite their very diligent and excellent efforts.

The opposition would tell us that this money would be better invested in a partnership with corporate America to develop cars that would get 80 miles to a gallon. I fervently hope and believe that we will one day have cars that can get 80 miles to a gallon. We could use them right now, given the spiralling price of gasoline.

But I would argue that the spiralling price of gasoline is precisely the reason why we do not need 126.5 million taxpayer dollars to do this. Someone is going to make an awful lot of money developing and selling automobiles to the American public that can get 80 miles to a gallon. God bless them. I have great faith that they will. But I think the \$1.25 billion that we have already invested between fiscal 1995 and 1999 in this project is really quite enough.

We hear that we would not get these cars without this public investment. My research shows that in fiscal 1999, the industry spent \$21.5 billion of its own money on research and development. I commend the industry for that, but I do not think they need our help to do that.

Then we hear that the money does not really go to the big auto makers, it goes to those who are subcontractors in universities and pass-throughs. With all due respect, that is pass-through money and services that are being performed for the auto makers. That is like saying, if you paid someone to mow my lawn, that I did not benefit from that. I did not pay them to mow my lawn, but I am the one who got my grass cut. It is the auto makers who are benefiting from that.

That is why our amendment is supported by the Sierra Club, because we should not be subsidizing vehicles that would add to our pollution problem. It is supported by U.S. PIRG; by Friends of the Earth. It is supported by the National Association of Counties because of the property tax relief that it provides, and it is supported strongly by the Taxpayers for Common Sense and Citizens Against Government Waste.

Governing is about choosing. The right choice for this \$125.5 million is

debt reduction, property tax relief, environmental protection, and not subsidies of the mightiest and most profitable, powerful corporations in this country.

I urge support of the amendment.

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

Mr. Chairman, there are few people in this House that I have as much respect for as I do for the gentleman from Ohio (Mr. REGULA), one of the truly great Americans here. But I have to support the amendment of the gentleman from New Hampshire (Mr. SUNUNU) on this amendment.

If I may say so, Mr. Chairman, when I look at my friends from New York, they are .04 owned by the Federal government. We almost have to get to the West to see those that are really owned by the Feds. In my State, it is 73 percent. Nevada is about 90 percent. We have authorized \$250 million to be called Payment in Lieu of Taxes.

Let me just mention a little county called Garfield. Garfield County is owned 93 percent by the Federal government. Folks in the East love to come out to Garfield County because it has all kinds of monuments and beautiful things in it. They come out there and play on that area, and sometimes start fires and sometimes put debris and trash all over the place, and sometimes break a leg.

Every time those things happen, Garfield County, that is 7 percent owned by private, is asked to take care of them. They pick them up, haul them in, take care of that kind of thing. Where do these poor little county commissioners get their money? They put every dime in Payment in Lieu of Taxes, but they do not get it all. They get a very small percent, so they are actually losing money.

What the gentleman's amendment does is it tries to bring this up to what was authorized. It will not even come close, but it helps a little bit.

As chairman of the Subcommittee on National Parks and Public Lands, I would like to have some of the Members look at the backlog we have in infrastructure of our parks. We are talking about restrooms, these basic things; we are talking roads, parking places.

Talk to the American public and ask, what do you like in America? What is the best thing the American government does? They will come right back and say, the national parks. Ask them what is the worst thing, and they will say the IRS. But anyway, they love the national parks. This is putting a few more dollars in national parks.

How about our forests? People come from all over to go into the national forests. That is one of the great vacations in America. This will help a little bit toward that.

I agree with the gentleman, talking about better mileage on automobiles. Of course that is important. But I think it is very, very important that

we help out these three entities. I would urge support of the gentleman's amendment.

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

Mr. Chairman, I oppose this amendment. I rise today in opposition to the Sununu-Andrews amendment to eliminate funding for Partnership for a New Generation of Vehicles, PNGV. While I understand that some of the money would go to the States' Land and Water Conservation Fund, as well as funding for PILT, this plan simply does rob Peter to pay Paul, taking money from one important environmental program to give to another.

Furthermore, Mr. Chairman, it appears that the real intention of the amendment is the elimination of funding for basic research for vastly improved fuel efficiency. We should find other ways to fund these other programs.

PNGV is a public-private partnership to develop a family sedan that is affordable and can achieve 80 miles per gallon. This 10-year program recently reached its 6-year goal to release a concept vehicle that can achieve utility and fuel efficiency as desired. The next phase of the program is an effort to make these cars affordable.

To suggest that new progress has not been made is not accurate. We are simply in the middle phase of the partnership. I strongly support this program because it works to achieve an important goal: fuel efficiency and environmental protection without losing utility, safety, or affordability. In other words, we can achieve the results we want and give consumers the vehicles they want.

Some will say this is corporate welfare. However, there is a broad consensus that the Federal government should encourage basic research. PNGV was not created as a new program, it was actually created by channelling existing funding. The result is more focused research and significant advances in vehicle technology. We cannot complain about fuel economy and then offer no resources to develop new science.

This option works toward our goal without artificially manipulating the supply of vehicles on the road. With gas prices of \$2 per gallon and higher in the Midwest and other parts of the country, it seems unwise to eliminate a program designed to reduce our need for fuel.

I support immediate responses to our current fuel crisis, such as releasing the Strategic Petroleum Reserve. But I also support a long-term strategy for our energy program, to decrease our dependence on foreign oil. This program achieves those results. I strongly urge a no vote.

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

Mr. Chairman, I rise today in opposition to the Sununu-Andrews amendment to eliminate the Partnership for

a New Generation Vehicle, or PNGV program. This is a shortsighted cut when residents in my State of Illinois are paying the highest gas prices in the continental U.S.

□ 1730

The PNGV program is one of the true success stories of the Department of Energy. It has been reviewed annually by the independent National Research Council and each year it has received high marks for addressing the important national goals of improving vehicle efficiency and reducing emissions. Without this program, how do we achieve these goals? Do we abandon the successful public/private partnership and return to a costly regulatory regime? I do not think so.

I believe Congress should send the right message to agencies that have performed as intended. At the same time, we should signal to industry that the government is a reliable partner in research that has national benefits.

Cleaner, more efficient transportation, is the goal of the PNGV program. It is not a subsidy for the Big Three auto makers. It is an investment in American jobs, our transportation system, our environment and our national security. Let us not jeopardize our program by eliminating the PNGV program. I urge my colleagues to oppose the Sununu-Andrews amendment.

Mr. SUNUNU. Mr. Chairman, will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Chairman, the gentlewoman raises a couple of important points, and I just want to respond briefly. First, the concern of the gentlewoman about gas prices. I think everyone shares that concern. We have had a debate here on the floor about gas prices and what might be done about the situation, but I want to reaffirm that nothing in this program will directly affect the price of gasoline.

The second point the gentlewoman makes is one about fuel efficiency, and there to be sure that was the stated objective of the program, but the GAO, in its March report, has said that at this point it does not appear likely that such a car will be manufactured and sold to consumers.

Even if we can agree that this is a lofty and well-founded goal, it simply looks at this point that the \$1.25 billion that is put into the program has missed the mark.

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

Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, the gentleman from New Hampshire (Mr. SUNUNU) wants to aid some valuable programs, programs I hope will indeed gain additional funding as the appropriations process moves forward, but he wants to fund them by totally eliminating another valuable program, the Partnership for a New Generation of Vehicles, and therefore I must oppose the amendment.

Opponents of the partnership attack the program as corporate welfare, but that betrays a fundamental misunderstanding of the Federal Research Enterprise and its history. The Federal Government funds a wide variety of research at universities, at Federal labs, and sometimes even in corporate labs, that will help American industry over the long term but that market forces would prevent the private sector from investing adequately in the short term.

To take one prominent example, the Federal Government spends billions of dollars on research through the National Institutes of Health, research that helps hugely wealthy, multinational pharmaceutical companies develop new methods and products, but few attack this as corporate welfare. Indeed during yesterday's appropriation debate, Members were tripping over each other trying to claim to be the most ardent supporter of NIH funding and with good reason.

Well, the research being funded through PNGV on cleaner more efficient yet affordable transportation will also have a major impact on our Nation's health, and on our national security and is even less likely to be fully funded by the private sector than drug research is, and yet this program is under attack.

Maybe that is because this is technology and engineering research rather than something that seems more like pure science, but funding such research is nothing new. Back in the 19th century, the Federal Government offered money to promote the development of the railroads and at the beginning of the 20th century the Federal Government set up programs to help develop civilian aviation. The government continues to pump money into aviation research and into space technology, which can be used by the private sector.

In short, the kind of government involvement in technology represented by the PNGV is nothing new and it has always been a good idea. Given the impact of the transportation sector on our economy, on our energy use and on our environment, PNGV is a particularly wise investment.

I hope my colleagues will look past the simplistic slogan of corporate welfare and will instead consider the government's historic and necessary role in filling the gaps in R&D left by market failure. PNGV is a well-run program that deserves continued support. I urge opposition to the Sununu amendment.

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

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

Mr. DINGELL. Mr. Chairman, I want to begin by expressing great affection and respect to the authors of this amendment. They are fine Members of this body. They are good friends of mine. They deserve respect. But in this

instance, my two good friends who offer this amendment are entirely in error. First of all, this is not a program that was sought by the auto industry. Second of all, it is not a program which benefits the auto industry directly. This benefits all Americans.

Now, I applaud the fact that somebody should want to put more money into programs which would pay the kind of benefits that this amendment would pay in rural areas, but this is not a place where that money should be sought. Let me point out some facts that are important.

First of all, this proposal was not sought by the auto industry. This is a proposal which was put together by this administration. It was supported, believe it or not, in this Congress enthusiastically. It was also supported by the organizations outside that were just cited as now being opposed to the expenditure of this money, because they recognized that this program, which has been in place now for about 10 years, was going to make a Federal contribution to more fuel-efficient, safer, better and more desirable automobiles for the American public, which would clean the environment, which would reduce the wastage of fuel and gasoline, and which would produce safer and better vehicles for the American people.

Now, the comment has been made how this is benefiting the auto industry. The auto industry does its own research on automobiles and products that are going to be sold to the American people in the immediate future. That is not done under this legislation. In point of fact, let me read some facts that I think need to be known about what this legislation is doing. First of all, over 99 percent, in fact 99.8 percent, of Federal PNGV funds went to the national labs and to the universities; over 1,200 projects at over 600 sites, including 21 Federal labs.

So everyone has a Federal lab or university in their district. This is a piece of legislation which probably benefits my colleagues, their people, their universities and their Federal labs in their districts. Some 51 universities in 47 States have participated in this program and are deriving significant benefits to themselves and contributing significant benefits in terms of the research which they are doing.

It should be noted in 1999, the most recent year, less than .2 percent, that is .002, of Federal funds actually went to the manufacturers. Does that say who is getting the benefits out of this program? The answer is, the colleges, universities, the Federal research institutions are getting the money, but the ultimate benefit is derived by the American public, which is going to drive safer, better, more fuel-efficient vehicles, and vehicles that produce less pollution.

This is a program that works. It was sought by this administration. It has been supported by this Congress time after time as conferring a significant

benefit on the country, upon the environment, and upon the American people. I see no reason why this should change at this particular time or any information that would indicate that this program is less in the national interest. PNGV has helped to align the research direction of the national labs and has contributed to keeping them open, and as the industry moves towards high opportunities to stretch research goals for the benefit of everybody, including people not in the areas where automobiles are produced. The \$980 million which has been spent by the industry is indicative to its commitment towards the goals that are set out in this program, and that money is spent in addition to and to match Federal industry cooperative research programs to better this country, to better the environment, and to save fuel and energy for this.

It is indeed something which moves towards long-range research which goes far beyond that which would normally be committed by American industry in this ordinary course of events. This is research which moves far into the future and which significantly benefits everyone and does not confer a significant benefit on the auto industry.

I would remind my colleagues, the industry did not seek this. It was sought by the administration. It is money which benefits the private research sector, the universities and the research institutions, but it also benefits the Federal lab. I urge my colleagues to reject the amendment. It is well intentioned, but it is mischievous and poorly thought out.

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

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

Mr. DICKS. Mr. Chairman, I want to commend the gentleman from Michigan (Mr. DINGELL) for clearing up some of the myths about this program. This is one of the better programs, I believe, the Department of Energy has. It is a program where we are working on these advanced technologies and anyone can participate. So I think it is a tremendous effort.

Just this year, the year 2000, marks a major milestone in the PNGV program, the unveiling of the proof of concept vehicles that demonstrate up to 80 miles per gallon fuel economy. Earlier this year, the three auto makers presented their PNGV vehicles at several events, including the Northern American International Auto Show in Detroit and the PNGV 2000 Concept Roll-Out on March 30 in Washington, D.C. All three vehicles, the Ford Prodigy, the General Motors Precept, the DaimlerChrysler ESX-3, feature advanced hybrid propulsion systems, high efficiency diesel engines, and extensive use of lightweight materials. Each vehicle is a significant technological achievement and the auto makers each credited the government contribution

to that achievement. It is estimated that industry has spent, on its own, a billion dollars of its own money on these concepts which would not have been invested in the absence of the PNGV program.

So I think this program is working. And at a time when energy prices are on the minds of the American people, where in the midwest gas prices are at \$2.50, finally doing something with innovative technology to bring on these more efficient cars seems exactly the right thing for the Federal Government to be doing in a partnership with the private sector.

I commend this administration for what it has done. And I also want to reiterate, of the \$128 million appropriated by the Department's PNGV efforts in fiscal year 1999, less than 3 percent, \$3 million was sent to General Motors, Ford, and DaimlerChrysler. Most of the funds were passed through to subcontractors. The majority of the appropriation, as mentioned by the gentleman from Michigan (Mr. DINGELL), approximately 63 percent was distributed to the Department of Energy national labs and only a small portion passed through the laboratories to other businesses. About 30 percent of the appropriations supported large automotive suppliers and approximately 7 percent supported small businesses and universities.

By technologies, fuel cells rank first with \$33 million, or 26 percent of the total. Lightweight materials accounted for \$19 million. In comparison, the research efforts aimed solely at compression ignition diesel cycle totalled \$6 million. In fiscal year 2004, General Motors and DaimlerChrysler receive less than 1 percent of the appropriation.

So this is hardly corporate welfare. What this is is a very smart program between the Department of Energy and the auto makers of this country to try and come forward with advanced technologies with these advanced engines, with the hybrid vehicles, with lighter materials which are crucial to this effort. So I think we should keep this program. I think we should reject the amendment and move on.

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

Mr. Chairman, I rise in strong opposition to the amendment. I have a high regard for the gentleman from New Hampshire (Mr. SUNUNU) and the gentleman from New Jersey (Mr. ANDREWS), and the others that I have seen or heard that mentioned something about this issue.

□ 1745

Mr. Chairman, I rise in opposition because, frankly, as much as it is, it is very difficult to take away from one area and give to another, and that is what they are doing here; but they are actually striking a program that does work, as has been pointed out by a number of people.

This amendment would eliminate the funding to continue the partnership, a

public-private sector program or plan that has worked. This is a program that has delivered proven technological results. It engages both the auto industry and the Government to develop the vehicles for the future, vehicles which are less polluting. I would remind everyone that, in the last 25 years, the emissions have been reduced substantially and the economy has more than increased by 100 percent. That is on automobiles. On trucks, it is over 60 percent.

So I think what we should look at is what is happening within the industry and why it is so important right now that we look at delivering that performance and the comfort that the American consumer desires but in a vehicle that is more economical.

Via the PNGV program, there have been great strides that have been reached on the development of these hybrid vehicles, vehicles by the way that combine so-called hybrid vehicles, the internal combustion with the battery concept. That is new stuff. It is beginning to work well. So I would just say the timing, I think, is out of touch with the current events.

We have heard from individuals who talked about the price of gasoline. I do not have to point this out again. It has already been mentioned about the costs have skyrocketed in the Midwest, in particular, well above \$2 a gallon.

We as a country, as has been pointed out, are overly reliant on foreign petroleum supplies. So it is imperative that Congress do something to help the persons most affected by these price increases, and that is the American worker. The PNGV program is exactly one such program that will develop the technology that will stop our reliance on foreign oil and will improve the environment in the process.

So with the funds appropriated in this bill, we can continue the vitally important research and development associated with this program.

I reiterate my strong opposition for the amendment but support for retaining that funding in the bill. I ask my colleagues to defeat this amendment.

Mr. Chairman, I yield to the gentleman from Michigan (Mr. UPTON).

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

Mr. UPTON. Mr. Chairman, I want to underscore what the gentleman indicated that is in my district now in the last 2 weeks, we have seen gasoline go over \$2 a gallon. I would think that now, more than ever before, that we need the research that this provision provides which would allow the PNGV, in essence, to support the technology that will, indeed, improve fuel efficiency.

I commend the gentleman from Ohio (Mr. REGULA), chairman of the Subcommittee on the Interior, for recognizing this important benefit for PNGV.

I urge my colleagues to defeat the Sununu amendment which would

strike the important funding for it in the bill. If not now, when? This is the time that we ought to do it. Our constituents are screaming about the high cost of gasoline.

We need to help the universities and other researchers provide the adequate funding so we have more fuel efficient automobiles. That is what this provision does. Obviously, an amendment to strike it would take away that ability for all consumers across the country. I urge defeat of this amendment.

Mr. Chairman, I rise in strong opposition to the Sununu amendment.

Unfortunately, this amendment shortsightedly overlooks the enormous benefits our wise investment in the Partnership for a New Generation of Vehicles—PNGV—makes to improve technologies to increase fuel economy and improve emissions without sacrificing affordability, utility, safety and comfort in today's family cars.

Investment in PNGV for agency programs most directly relevant to its technical objectives amount to about \$130 million annually—99% of which goes directly to supplier companies, national labs, and universities who engage in research and development in areas including: advanced batteries for electric vehicles, hybrid electric vehicles, lightweight materials, vehicle recycling, fuel economy and further reductions of emissions. Federal partners involved in this research include the Departments of Commerce, Energy, Transportation and Defense, along with the EPA, the National Science Foundation, NASA, and 21 federal labs.

Make no mistake, the benefits which our wise investment in PNGV are enormous. This effort is advancing America's technology base, improving national competitiveness and the productivity of America's factories, preserving U.S. jobs, keeping the U.S. economy growing, minimizing transportation's impact on the global environment and achieving sustainable development by fostering environmentally friendly transportation solutions, and reducing reliance on foreign oil.

Speaking of foreign oil, many of our congressional districts around the nation are experiencing drastic increases in gas prices at the pump. In my district alone, prices are near the \$2 per gallon mark for regular unleaded at the self-service pump, and my constituents are demanding relief. So now, more than ever, we need the research which PNGV supports for technologies which can improve fuel efficiency.

I applaud my colleagues on the Interior Appropriations Subcommittee for recognizing the important benefits of PNGV, and I urge my colleagues to defeat the Sununu amendment, which would strike the important funding for it in the bill.

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

Mr. Chairman, I rise in strong support of the Sununu-Andrews amendment and compliment those gentlemen for offering it. Mr. Chairman, this really is nothing but an unnecessary subsidy of three large and successful auto companies.

I am glad these companies are successful. They are doing well in our free market economy creating a lot of jobs,

doing a lot of good things. The numbers certainly show that: the profits of Ford in 1999, over \$7 billion; General Motors, \$6 billion; Chrysler, almost \$6 billion. They put almost that much money back into research, and I am delighted that the marketplace allows them to do that. Their success in the marketplace allows them to do that.

The amount of money that this program, the Partnership for a New Generation of Vehicles, is providing is a small fraction of what the private sector in these auto companies is already devoting to research for these kinds of vehicles.

The fact of the matter is this is a classic example of corporate welfare. We are subsidizing something that the private sector is already doing. We are subsidizing something with taxpayers' dollars that the private sector wants to do, is doing, has the resources to do, and has the incentive to do. There is no reason in the world for us to be putting \$126 million into a program that is getting billions of dollars of private sector investment directed to it.

Several people have referred to the GAO report that says it is unlikely that such a car will be manufactured and sold to consumers. I do not know whether that is really all that important here today. I hope that this kind of a car is developed. But it is going to be developed whether the Federal Government puts tax dollars into it or not. That is why this is corporate welfare. We are supporting something that the private marketplace is doing on its own. We should let the market decide.

These three big companies are trying to develop hybrid engines that combine gasoline or diesel motors with electric parts. Honda and Toyota are doing the same. We should let the market decide.

The Congressional Budget Office has said, if Honda and Toyota do succeed in the U.S. market, our auto makers will have every incentive in the world to try to meet that competition and continue this research and development. If these Japanese hybrid cars do not succeed in our marketplace, our additional dollars are unlikely to change or revoke that judgment of the market.

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

Mr. HOFFEL. I am happy to yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Chairman, I think that is a very prescient point, because we can look back in time from three particular areas where we either as a Nation did try to second guess the markets or we nearly tried to second guess the markets and look at what the historical results were.

First case in point, synthetic fuels. We put billions of dollars into trying to develop oil from coal in the synthetic fuels program, trying to second guess the technology that is out there in the energy marketplace; and that money was essentially wasted because the technological feasibility of success in that area was so limited.

A second example, back in the 1980s, the silicon industry, the chip industry

was crying for subsidies for static memory. We need Federal subsidies to maintain our static memory markets. It was a question of competitiveness. We heard it from all corners of the country. Today, the static memory business is a terrible business to be in. The margins are razor thin. We put about \$400 million into subsidy for that industry. But in retrospect, it would have been a terrible industry to subsidize.

A third example, high definition television. Thank goodness we did not put tens of billions of dollars into subsidizing that technology as some of our European and Asian counterparts did, because, by allowing markets to determine where the technology went, the American companies have the winning standard. So we have to be careful about distorting these technical markets.

Mr. HOFFEL. Mr. Chairman, reclaiming my time, I thank the gentleman from New Hampshire for offering this amendment. We do not need to subsidize something that the marketplace is already doing. I urge strong support for the Sununu-Andrews amendment.

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

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SUNUNU. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. SUNUNU) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 37 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, for the purpose of offering my amendment No. 37, I ask unanimous consent to return to page 2, line 13. I was in the Chamber at the time we were on that item. I was on my feet, but I was not recognized. The gentleman from New Hampshire (Mr. SUNUNU) was recognized.

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

There was no objection.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 37 offered by Mr. HEFLEY: Page 2, line 13, insert after the dollar amount the following: "(reduced by \$4,000,000)".

Page 54, line 4, insert after the dollar amount the following: "(increased by \$4,000,000)".

Mr. HEFLEY. Mr. Chairman, the amendment before us moves \$4 million from the wild horse and burro management line item of the Bureau of Land Management budget to the wildland

fire management line item of the U.S. Forest Service.

In recent weeks, we have seen just how serious a problem fire is in the Rocky Mountain West. The recent fires in New Mexico resulted in the destruction of 400 residences, damaged two Indian pueblos and the Los Alamos National Laboratory, and loss is estimated in the hundreds of millions of dollars.

The problem is not confined in New Mexico. This week, two wildfires are burning houses and forced hundreds from their homes southwest of Denver and west of Loveland.

I have headlines here from the papers just this week out there: "Two fires destroy homes, force residents to flee. Hundreds flee Larimer County fire. Front Range fires rage," the headlines read.

Three years ago, Dr. Thomas Veblen, a forest historian at the University of Colorado, stated that Rocky Mountain forests were due for a catastrophic fire event 3 years after the onset of a wet season. He was not talking about the kind of fires we see every year. He was talking about wildfires stretching the length of the Rockies from Wyoming to Colorado to New Mexico.

At that time, some of us estimated that these catastrophic fires could occur within 3 to 5 years, and we would have what they call a "millennial fire." Now we may be 1 or 2 years away. As we have seen in this week's newspapers, we might be seeing the start of it.

At risk this time are the towns like Evergreen, Manitou Springs, Woodland Park, Estes Park, and Boulder. These are not isolated hamlets but thriving communities, some located inside of cities like Denver and Colorado Springs.

The Buffalo Creek fire, which struck the Pike-San Isabel National Forest 4 years ago, was one ridge and one rainstorm from hitting the Denver suburbs. The forest fire service map of the Front Range shows a solid block of red from Boulder to Pueblo.

So as we have seen, this is not just a Colorado problem. The New Mexico fire speaks for itself.

Three years ago, the gentleman from California (Mr. ROGAN) introduced legislation to treat the northern forest of that State. At that time, the Forest Service stated that forest treatment and prescribed burns would be needed in the foreseeable future to clear up the build-up on the forest floor.

For the past 2 years, the gentleman from Idaho (Mrs. CHENOWETH-HAGE) has held hearings on the forest health problem. Frankly, until the New Mexico fires, the response from the Forest Service headquarters has been silence.

Mr. Speaker, I do not think we can wait any longer. According to its own report, the appropriation bill is approximately \$5 million under what is needed for a Forest Service to run an optimum wildland fire management program.

I do not think we can stint on this. I would add, I think, the report of March 2001 deadline for a Forest Service plan to deal with this is too far out. We should direct them to implement the plans they have now according to their internal priority lists.

The amendment before us offers a choice of priorities. We could argue about the merits or demerits of the wild horse program, but this does not do away with that program at all. There is still half of that money for that program there, \$4 million, that can continue that program. But even with a budget increase, the burro and horse program is going to be a problem with us for a long time to come. The fire situation is something we can and must start dealing with right now.

With that, I urge support of this amendment.

Mr. UDALL of Colorado. Mr. Chairman, I move to strike the last word and rise in support of the Hefley-Udall amendment.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, as the gentleman from Colorado (Mr. HEFLEY), the dean of our delegation, has explained, the amendment would shift \$4 million into the Forest Service's wildland fire management account.

The purpose of the amendment is to increase the funding for the preparedness and fire operations line items. Those line items pay for a number of important activities aimed at the protection of life, property, and natural resources. The preparedness account is used to enable the Forest Service and cooperating agencies to prevent, detect, and respond to fires on National Forest lands.

The fire operations account pays for actually fighting forest fires; but even more importantly, it pays for work to prevent them in the first place by controlled burning and other steps to reduce the amount of hazardous fuels.

□ 1800

Quite rightly, the Forest Service gives top priority to so-called "urban interface" areas where forest lands adjoin developed areas. As my colleague, the gentleman from Colorado (Mr. HEFLEY), has explained, in Colorado that means particularly the front range area, where the Great Plains meet the Rocky Mountains.

The Front Range is the edge of our State's most populated areas. And the danger of fire is real. In fact, in the last couple of days, fires in Jefferson, Park, and Larimer Counties have burned more than 40 houses and caused hundreds of Coloradans to be evacuated from their homes.

As we know, this year's fire season has just begun. This morning's Colorado newspapers are reporting that yesterday the "Hi Meadow" fire near the town of Bailey has gotten much worse and forced people to evacuate

from Buffalo Creek. As all Coloradans know, Buffalo Creek was the scene of another devastating fire just a few years ago.

Our governor has declared a state of emergency in affected areas, and this morning FEMA told me they are responding to our State's request for aid. It is too late to prevent these fires. Now they must be fought. But it is still true the best time to fight a fire is before it starts, and that is the purpose of the Hefley-Udall amendment.

This is important for all Coloradans. It is especially important for Boulder, which I represent, and the other communities along the Front Range that are at risk for wildland fires. The additional funding provided by the amendment will help make sure the Forest Service will continue to cooperate with its Colorado partners to reduce the risk.

Already those partners are hard at work in places like Winiger Ridge near Boulder, the Upper South Platte watershed, and the Seven-Mile area near Red Feather Lakes. Our amendment would help make sure those efforts can continue.

Mr. Chairman, as a new member of the Committee on Resources, I followed with great interest some of the debates about the health of our forests. I suspect some may want to link this amendment to those debates. But I want to make clear this is not a forest health amendment, it is not an amendment about timber sales. This amendment is about fighting fires and fire prevention. And while prevention often requires reduction of the volume of hazardous fuels, it does not require removal of old growth timber or clearing of large areas.

This is also not a big-spending amendment. All it would do is bring the wildland fire management account back near the level of the current fiscal year. The desirability of this amendment was actually spelled out in the report of the Committee on Appropriations. Speaking of the very fire prevention measures affected by this amendment, the committee report says, "Additional funding in this activity, were it available, would provide much more than a dollar-for-dollar savings in subsequent wildlife and wild-fire suppression operations and loss of valuable resources."

I agree with my colleague that this is a high priority matter, and I urge the adoption of our amendment.

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

Though I am sympathetic to this amendment, I rise in opposition. I believe that we have tried to address the overall problem of fire by adding \$350 million in emergency wildland fire funds. That was a last-minute addition to the bill. And we also have \$907 million in nonemergency wildland fire funds for these agencies.

I would say to both the gentlemen from Colorado that if the circumstances are exacerbated between

now and conference, we would make every effort to provide some additional funding there, because I know that this is a serious problem both in Colorado and in New Mexico.

By the same token, I am reluctant to see \$4 million taken out of the Wild Horse and Burro program, because we are on the threshold of implementing the research program that has been developed by the University of Arizona for reducing herd size on the public lands and this would go a long way, if the research that has been developed is implemented, in reducing the impact on the health of the land in Colorado and all these western States that have a problem with the wild horses and burros.

So I would like to keep that \$4 million in there because this money basically will implement what we now know by way of science as a way to address this, but I will give the gentlemen from Colorado the assurance that if the situation becomes more critical as we get to conference, that we will look with favor on adding some additional money.

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

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

Mr. DICKS. Mr. Chairman, I just want to point out to all of our colleagues, and the chairman worked with us on doing this, that we were very concerned that because we have not passed the supplemental appropriations bill through both bodies down to the President that there was not enough money in these accounts for wildland fire management. So we put in for the Department of Interior, Bureau of Land Management, \$200 million to remain available until expended for emergency rehabilitation and wildfire suppression activities.

The other amendment we had in our bill, and this is on page 109, is \$150 million for wildland fire management for the Forest Service. So there is a total in this bill of \$350 million for what I think the gentlemen from Colorado rightfully want.

I will say here today that if there is additional money needed, as the chairman has just said, in the conference we will put additional money in. I am sure the administration will request it.

There is also \$907 million in the regular bill, in the 01 bill, for this account, and then this \$350 million is for emergency money. So if we add it all up there is \$1.2 billion in total.

So I want to help, but I do not think we should beat up on the other program. And just to give a little information, BLM is required by statute to manage the wild horse and burro populations in a manner that protects herds at appropriate levels. Cumulative appropriate management levels total about 27,000 animals in the entire western United States. Today, the number of wild horses and burros stands at more than 50,000 animals or roughly double the carrying capacity of our rangelands.

What I worry about is if we take money away from this program, that they are going to do terrible damage to the watersheds all over the West. And it is estimated that at current funding levels and adoption demand, populations will increase to 126,000 animals by 2010, or more than four times the land's carrying capacity. And according to the BLM, a reduction of \$4 million here will do serious damage to their program.

So I stand committed to helping the Colorado Members and the New Mexico Members, and whoever else is affected, and I am out from the West myself and realize the terrible conditions that are out there, but I would like to see us, if we could do it, without taking it out of the money for the wild burro program.

Mr. REGULA. Reclaiming my time, Mr. Chairman, I agree with what the gentleman has said.

But I want to give assurance again to the Colorado Members that we are very sensitive to the problem. As has been pointed out, the wild burro program is on the threshold of a breakthrough that we desperately need.

I commend the gentlemen from Colorado for bringing this to our attention. As the ranking member indicated, and as I have, we will be committed to addressing the problem in conference if the conditions continue to warrant that.

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

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

Mr. TANCREDO. Mr. Chairman, I rise in support of the bipartisan amendment, and I commend my colleague, the gentleman from Colorado Springs, Colorado (Mr. HEFLEY), for his work on the amendment, as his district is presently experiencing the most serious forest fire in the country.

I understand that the Hi Meadow fire is now less than two miles south of my congressional district. It has destroyed over 6,640 acres, and our thoughts and prayers go to the families of Pine, Colorado and the surrounding area, as well as the families displaced by the fire to the north of my district in the Roosevelt National Forest.

This year is already one of the worst fire years on record and we are not even halfway through the summer. I saw a statistic the other day saying that there have already been in the United States over 44,000 fires, burning well over 1.5 million acres of land so far this year.

Now, why are we facing a growing problem like this with these forest fires, that are sure to incinerate some of the most beautiful land in the United States? I have heard a few explanations in the media over the past few weeks, but I believe that the forest fires are caused for a simple reason. Wood is flammable, and in Colorado we have more wood in our mountains than ever before in history. These forests

are not healthy. They are overgrown, after years of fire suppression. They are not safe at this of year. Our forests are tinderboxes. They are no longer in their natural state.

I urge my colleagues to acknowledge this fact because it is an extremely important one to remember as we consider the appropriations we provide to the forest managers. Fire prevention efforts, which this amendment would help fund, are a cost-saving strategy. I am told that if it were not for a prescribed burn that occurred last summer along the Buffalo Creek watershed by Jefferson County Open Space, the fire in Hi Meadow would have moved quickly south. If not for that prescribed burn, the fire may have jeopardized the supply of water that is used by thousands of Denver residents.

However, the biggest complaint I have heard this week was from the BLM and Forest Service that they do not have enough resources to combat the fire. Yesterday, the firefighters temporarily ran out of fire-retardant. They need equipment and they need funding for preventive measures. Fire prevention programs can save millions in damages to homes and buildings and water treatment.

Mr. Chairman, I wanted to thank my colleagues, especially my colleague from Colorado Springs, for bringing this amendment to our attention.

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

Mr. TANCREDO. I yield to the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, I thank the gentleman for yielding to me.

I just want to say that we do recognize that both the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Washington (Mr. DICKS), are not unsympathetic about this. They have worked in their bill to try to provide a great deal of assistance in this area, and we appreciate that and understand that. And we understand if the problem intensifies that they will be there to be helpful to us.

The Forest Service tells us that they are \$5 million short of being able to do the kind of program that is needed to meet the need. This would put \$4 million of that \$5 million in it. At the same time, it would not in any way destroy the horse and burro program because that is something too that we need to solve. We have too many horses and burros on the range.

I would advise the gentleman from Ohio that I raise horses. I am sympathetic with the horse problem. I live in the West. I saw My Friend Flicka and Thunderhead. I understand about wild horses and the affection we have in America for wild horses. But we have too many on the range, and we do need to solve it. I would not in any way want to take away all the money from that. That is why half the money is still there.

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

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

Mr. REGULA. Once again, Mr. Chairman, the ranking member and I have discussed this issue. We are going to take care of whatever has to be done out there, but we are reluctant to see the money come out of the Wild Horse and Burro Program because they are ready to move on that. We have been told by BLM that they need this money. To implement the recommendations of the University of Arizona study, that needs to stay there.

So, again, I can only reiterate the fact that we are going to be very sympathetic in conference as the needs emerge.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$19,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

AMENDMENT OFFERED BY MR. REGULA

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

The Clerk read as follows:

Amendment offered by Mr. REGULA:

On page 6, line 1, after "\$19,000,000" insert "(decreased by \$3,000,000 and increased by \$3,000,000)".

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

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

There was no objection.

Mr. REGULA. My colleagues, this amendment eliminates \$3 million in land acquisition funds in BLM for the Upper Missouri National Wild and Scenic River in Montana. I offer the amendment because there is local opposition.

We try to be very sensitive on these acquisition proposals to what the local people want, so we are proposing to take the \$3 million, and put \$2 million for the Lower Snake/South Fork Snake River, in Idaho, which they would like to have, and \$1 million for the West Eugene Wetlands Project in Oregon.

Both projects are high priority acquisitions, and both projects that we pro-

pose to fund involve willing sellers. They are also included in the President's budget. We were not able to do them before tonight because of fiscal limitations, but in view of the fact that we would prefer not to spend the \$3 million in the Upper Missouri, we propose to make that move. I would urge the Members to support this.

□ 1815

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

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

Mr. DICKS. Mr. Chairman, I would tell the chairman that we concur with his amendment.

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

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 30 by the gentleman from New Hampshire (Mr. SUNUNU), and amendment No. 37 by the gentleman from Colorado (Mr. HEFLEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first in this series.

AMENDMENT NO. 30 OFFERED BY MR. SUNUNU

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Hampshire (Mr. SUNUNU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

PARLIAMENTARY INQUIRY

Mr. DICKS. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. DICKS. Mr. Chairman, was there enough people standing for a recorded vote?

The CHAIRMAN. The Chair counted for a recorded vote; and, a sufficient number having risen, a recorded vote was ordered.

Mr. DICKS. Mr. Chairman, did the Chair count?

The CHAIRMAN. The Chair's count is not subject to question.

RECORDED VOTE

The vote was taken by electronic device, and there were—ayes 214, noes 211, not voting 9, as follows:

[Roll No. 274]

AYES—214

Abercrombie	Andrews	Armey
Aderholt	Archer	Baldwin

Ballenger	Green (WI)	Peterson (PA)
Barr	Gutknecht	Petri
Barrett (WI)	Hall (TX)	Pelphs
Bartlett	Hansen	Pickering
Bass	Hastings (WA)	Pitts
Becerra	Hayes	Pombo
Bereuter	Hayworth	Price (NC)
Berkley	Hefley	Radanovich
Bilbray	Herger	Rahall
Blagojevich	Hill (MT)	Ramstad
Blumenauer	Hilleary	Riley
Bono	Hilliard	Rogan
Boyd	Hoeffel	Rohrabacher
Brown (OH)	Holt	Rothman
Bryant	Horn	Roukema
Burr	Hostettler	Royce
Burton	Hulshof	Ryan (WI)
Calvert	Hunter	Ryan (KS)
Canady	Hutchinson	Salmon
Cannon	Istook	Sanders
Capps	Jenkins	Sanford
Chabot	Johnson (CT)	Saxton
Chenoweth-Hage	Johnson, Sam	Scarborough
Clayton	Jones (NC)	Schaffer
Clyburn	Kasich	Sensenbrenner
Coble	Kind (WI)	Serrano
Coburn	Kingston	Sessions
Collins	Kolbe	Shadegg
Combest	Largent	Shaw
Condit	Larson	Shays
Costello	Latham	Shimkus
Cox	Leach	Shows
Crane	Lee	Slaughter
Cubin	Lewis (GA)	Smith (NJ)
Cummings	Lewis (KY)	Smith (TX)
Cunningham	Linder	Souder
Davis (VA)	LoBiondo	Spence
Deal	Lucas (OK)	Stearns
DeLauro	Luther	Stenholm
DeLay	Maloney (CT)	Strickland
DeMint	McCollum	Stump
Deutsch	McCrery	Sununu
Dickey	McGovern	Talent
Doggett	McInnis	Tancredo
Doolittle	McIntosh	Tanner
Duncan	McKinney	Tauzin
Dunn	Meehan	Taylor (MS)
Ehrlich	Menendez	Terry
Emerson	Metcalf	Thompson (CA)
English	Mica	Thornberry
Eshoo	Miller (FL)	Thune
Evans	Miller, Gary	Tiahrt
Everett	Miller, George	Tierney
Farr	Minge	Toomey
Filner	Moakley	Udall (NM)
Fletcher	Moore	Vitter
Foley	Moran (KS)	Walden
Forbes	Myrick	Walsh
Fossella	Neal	Waters
Fowler	Nethercutt	Watkins
Frelinghuysen	Norwood	Watt (NC)
Gallegly	Nussle	Watts (OK)
Ganske	Olver	Weldon (FL)
Gekas	Pallone	Weldon (PA)
Gibbons	Pascrell	Wexler
Gillmor	Paul	Whitfield
Goode	Payne	Wicker
Goodlatte	Pease	Woolsey
Goodling	Pelosi	
Graham	Peterson (MN)	

NOES—211

Allen	Borski	DeFazio
Baca	Boswell	DeGette
Bachus	Boucher	Delahunt
Baird	Brady (PA)	Diaz-Balart
Baker	Brady (TX)	Dicks
Baldacci	Brown (FL)	Dingell
Barcia	Buyer	Dixon
Barrett (NE)	Camp	Dooley
Barton	Capuano	Doyle
Bateman	Cardin	Dreier
Bentsen	Carson	Edwards
Berman	Castle	Ehlers
Berry	Chambliss	Engel
Biggert	Clay	Etheridge
Bilirakis	Clement	Ewing
Bishop	Conyers	Fattah
Bliley	Cooksey	Ford
Blunt	Coyne	Frank (MA)
Boehrlert	Cramer	Franks (NJ)
Boehner	Crowley	Frost
Bonilla	Davis (FL)	Gejdenson
Bonior	Davis (IL)	Gephardt

Gilchrest
 Gilman
 Gonzalez
 Gordon
 Goss
 Granger
 Green (TX)
 Gutierrez
 Hall (OH)
 Hastings (FL)
 Hill (IN)
 Hinchey
 Hinojosa
 Hobson
 Hoekstra
 Holden
 Hooley
 Houghton
 Hoyer
 Hyde
 Insole
 Isakson
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 John
 Johnson, E. B.
 Jones (OH)
 Kanjorski
 Kaptur
 Kelly
 Kennedy
 Kildee
 Kilpatrick
 King (NY)
 Kleczka
 Klink
 Knollenberg
 Kucinich
 Kuykendall
 LaFalce
 LaHood
 Lampson
 Lantos
 LaTourette
 Lazio
 Levin
 Lewis (CA)

NOT VOTING—9

Ackerman
 Callahan
 Campbell

Cook
 Danner
 Greenwood

□ 1842

Messrs. PACKARD, McDERMOTT, BERRY, DAVIS of Illinois, Ms. BROWN of Florida, Messrs. NADLER, KENNEDY of Rhode Island, WAXMAN, Ms. CARSON, Messrs. BERMAN, WEYGAND, GUTIERREZ, SHERMAN, JEFFERSON, DEFAZIO, COOKSEY, MANZULLO, EWING, and Mrs. TAUSCHER changed their vote from "aye" to "no."

Mr. SERRANO, Mr. DICKEY, Mrs. CUBIN, Messrs. MOAKLEY, NEAL of Massachusetts, FARR of California, STUMP, HILLIARD, CLYBURN, HORN, CALVERT, STRICKLAND, DOGGETT, MOORE, ABERCROMBIE, and GARY MILLER of California changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1845

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 524, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 37 OFFERED BY MR. HEFLEY OF COLORADO

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 37 offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 364, noes 55, not voting 15, as follows:

[Roll No. 275]

AYES—364

Abercrombie
 Aderholt
 Allen
 Andrews
 Archer
 Baca
 Bachus
 Knollenberg
 Baird
 Baker
 Baldacci
 Baldwin
 Ballenger
 Barcia
 Barr
 Barrett (WI)
 Bartlett
 Barton
 Bass
 Becerra
 Bentsen
 Bereuter
 Berman
 Bilbray
 Bilirakis
 Bishop
 Blagojevich
 Bilely
 Blumenauer
 Boehlert
 Boehner
 Bonior
 Bono
 Borski
 Boswell
 Boucher
 Brady (PA)
 Brady (TX)
 Brown (FL)
 Brown (OH)
 Bryant
 Burr
 Burton
 Buyer
 Calvert
 Camp
 Capps
 Capuano
 Cardin
 Carson
 Chabot
 Chambliss
 Chenoweth-Hage
 Clay
 Clayton
 Clyburn
 Coble
 Coburn
 Collins
 Condit
 Conyers
 Costello
 Cox
 Coyne
 Cramer
 Crane
 Crowley
 Cubin
 Cummings

Mascara
 Matsui
 McCarthy (MO)
 McCarthy (NY)
 McCollum
 McCrery
 McDermott
 McGovern
 McHugh
 McInnis
 McIntosh
 McIntyre
 McKeon
 McKinney
 McNulty
 Meehan
 Meeks (NY)
 Menendez
 Metcalf
 Mica
 Millender-
 McDonald
 Miller, George
 Minge
 Mink
 Moakley
 Moore
 Moran (KS)
 Morella
 Murtha
 Myrick
 Napolitano
 Neal
 Nethercutt
 Ney
 Northup
 Norwood
 Oberstar
 Obey
 Olver
 Ortiz
 Owens
 Oxley
 Pallone
 Pascrell
 Paul
 Payne
 Pease
 Pelosi
 Peterson (MN)
 Peterson (PA)
 Petri
 Phelps
 Pickering

NOES—55

Armey
 Barrett (NE)
 Bateman
 Berkley
 Berry
 Biggert
 Blunt
 Bonilla
 Canady
 Cannon
 Castle
 Clement
 Combust
 Cooksey
 Davis (VA)
 Dicks
 Everett
 Farr
 Gibbons

NOT VOTING—15

Ackerman
 Boyd
 Callahan
 Campbell
 Cook

□ 1852

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

Stated against:

Mr. RYAN of Wisconsin. Mr. Chairman, on rollcall No. 275 I was inadvertently detained. Had I been present, I would have voted "no."

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and

for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; \$100,467,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY
FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102-381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1 et seq., and Public Law 103-66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

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

Mr. Chairman, I assure Members that I will return that. I just wanted to make a statement. We have another appropriations bill on the floor, and I want to compliment the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Washington (Mr. DICKS). There are no games played in this bill. The American public is going to be able to see exactly what is in there.

There is no sneaking in of advanced funding. There is no sneaking of emergency funding that comes right out of Medicare. This committee should be recognized for setting the example of what the agreement was when we finished the budget in this year. And I wanted to tell Members how much I appreciated it, and I know that there are several other Members in the House that appreciate it. And we would like to see more of it.

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

Mr. Chairman, I want to express my appreciation to the committee for its attention to Florida in this bill, and, more particularly, the Florida manatee. There are many here who probably have never seen a Florida manatee. Come to Florida and see one. It is an extraordinary thing, and there are not many left. Despite being listed as endangered for almost 3 decades, the protection and recovery of the manatee population continues to be a matter of some concern.

I was pleased to see that the Interior bill contains an earmark of a million dollars for manatee protection, dou-

bling the amendment provided last year. I want to thank the gentleman from Ohio (Chairman REGULA), and Members of the Interior subcommittee have always been attentive to the needs and concerns of Florida, which is a vast and wonderful place.

This is always a tough bill, given the many worthy programs competing for a small amount of money. However, I do want to take this opportunity to discuss issues related to manatee protection.

In January of this year, 18 environmental organizations filed suit against the Fish and Wildlife Service, Department of Interior, as well as the Army Corps of Engineers and the State of Florida alleging they were not enforcing their own rules designed to help save the manatee. Specifically, the groups asked for a moratorium on permitting until a plan is in place to prevent increased boat traffic and development from harming manatees.

Although the Federal agencies involved deny it, since the lawsuit was filed, all permitting has ground to a halt. As a result, many landowners are caught in limbo, unable to complete construction projects and facing significant financial losses as a result.

Of serious concern is that these landowners find themselves being referred from one government agency to another, the quintessential government shuffle, catch-22.

These folks deserve an answer; the Government cannot continue to shuffle them back and forth. I have heard some express the concern that the Clinton administration is dragging its feet intentionally on this issue because it does not want to upset a particular constituency in an election year.

I surely hope that is not the case. The Florida manatee deserves better and so do the American people and so do the boat owners and users in Florida.

In the end, the question is how do we protect the manatee? A fair question. Some seem to see boats as the enemy. By banning boats or limiting boat traffic, the thinking goes, we can save the manatee. This is not a practical solution. About one-third of manatee deaths are attributable to boats. Clearly, there is more at play than just that.

On the boating question, it seems to me the solution is very simple, responsible use. I know that is a heretical thought for some, but responsible use should go with boat use. This will likely require more money for enforcement and a crackdown on those who behave irresponsibly, as it should.

I believe we must ask quickly to devise a protection policy for the manatee. It is incumbent on the Fish and Wildlife Service to work with other agencies in the State of Florida to fashion a science-based consensus policy that protects the manatee in a reasonable manner. We are all for that.

The urgency of this situation became clear a few weeks ago with a report from the Florida Fish and Wildlife Con-

servation Commission indicating that 100 manatees died in the first 3 months of this year, up substantially from the 80 deaths in the first 3 months of 1999. Too many manatees dying for an endangered species.

Clearly, the approach of the Fish and Wildlife Service has shortchanged all parties to this debate. There have been no additional steps taken to protect the manatee, and landowners have been lost in this moratorium.

Solving this problem requires real leadership on the part of Fish and Wildlife Service. I hope they will begin to see the urgency of this situation and move quickly, and that is the reason I have made this statement.

Once again, I want to commend the committee for its attention to the manatee issue, and I want to express my thanks and gratitude for the committee's efforts for the State of Florida.

□ 1900

The CHAIRMAN. The Clerk will read.
The Clerk read as follows:

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE
RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, \$731,400,000, to remain available until September 30, 2002, except as otherwise provided herein, of which not less than \$2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: *Provided*, That not less than \$2,000,000 for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended: *Provided further*, That not to exceed \$6,395,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): *Provided further*, That of the amount available for law enforcement, up to \$400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on his certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

Mr. REGULA. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman will the gentleman yield?

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

Mr. GOODLATTE. Mr. Chairman, I would like to engage in a colloquy with the chairman of the Subcommittee on Interior of the Committee on Appropriations on the Wu amendment that will be offered during the consideration of this bill.

The purpose of the Wu amendment, according to its supporters, would be to provide more funding for important wildlife programs by cutting funding for the Federal timber sale program.

The gentleman from Ohio (Chairman REGULA) will recall that last year the gentleman from Oregon (Mr. Wu) offered a similar, if not identical amendment, to the one he will offer this year. The gentleman will recall that at that time we extended our hands to those who were inclined to support the Wu amendment, offering to work together as an alternative to the political and counterproductive approach of offering a controversial floor amendment. At that time our offer was taken in good faith and with good results.

Last year, at the end of the day, wildlife programs received increased funding and the Federal timber sale program maintained adequate funding. That was a win-win result. This year, I proposed that we offer the same hand as an alternative to this controversial amendment. I am confident that, working together, we can achieve the same kind of balance this year that we achieved last year.

We do not need to reduce funding for the timber sale program and thereby reduce our fire risk prevention capabilities in order to fund wildlife programs. As we proceed through the appropriations process, we can, if we work cooperatively together, find a way to adequately fund both.

I ask the gentleman from Ohio (Chairman REGULA), would he be willing to work this year with me as the chairman of the Subcommittee on Agriculture with jurisdiction over forestry and the supporters of the Wu amendment to adequately fund important wildlife programs, just as we did last year?

Mr. REGULA. Mr. Chairman, reclaiming my time, yes, last year I made the commitment to work with Members to adequately fund wildlife programs. I am certainly willing to make that same commitment today.

I agree that working together to meet common objectives is a much better approach than having counterproductive floor fights over controversial amendments.

Mr. GOODLATTE. Mr. Chairman, if the gentleman will yield further, I thank the chairman. I would say to my colleagues, the gentleman from Ohio

(Mr. REGULA) and I are extending our hands again, just like we did last year. We do not need the Wu amendment to help provide more funding for important wildlife programs. I urge Members to put the politics of this debate aside and choose instead to work together to meet our common objectives. That is a far better approach.

I urge Members to accept this offer in good faith. Vote no on the Wu amendment, and work with the gentleman from Ohio (Chairman REGULA) and me to meet our common objectives to deal with wildlife programs, like we did last year, in a collegial and reasonable way.

AMENDMENT NO. 41 OFFERED BY MR. KUCINICH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. KUCINICH:

Page 11, line 21, after the period add the following: "Of the amounts made available under this heading, \$500,000 shall be for preparing a report to the Congress on the scientific impacts of genetically engineered fish, including their impact on wild fish populations. In preparing the report the Secretary shall review all available data regarding such impacts and shall conduct additional research to collect any information that is not available and is necessary to assess the potential impacts. The Secretary shall include in the report a review of regulatory and other mechanisms that the United States Fish and Wildlife Service might use to prevent any problems caused by transgenic fish."

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

Mr. KUCINICH. Mr. Chairman, I am offering this amendment to ensure that the Fish and Wildlife Service pays close attention to the ecological impacts from genetically engineered fish. This amendment asks the Fish and Wildlife Service to conduct a study that would examine the ecological effects of genetically engineered fish and anticipate regulatory actions. Although such fish are not on the market yet, the Food and Drug Administration is currently evaluating a genetically engineered salmon.

There is a scientific explanation that I would like to go over here, starting with chart 1. Genetically engineered fish are engineered to grow faster and bigger. Scientists from the University of Minnesota and Purdue University foresee harmful ecological impacts.

On chart 2, scientists have determined that a larger fish has an advantage in mating. This handsomely big GE fish is more successful than the lonely natural fish, and scientists have also determined that these GE fish may survive for only a limited number of generations in the wild.

Now, in chart 3, mutant fish are created as GE fish escape into the wild and mate with natural fish. The mutant fish's larger size gives an advantage in mating, forcing new genetic traits to be spread into the wild. But

these mutant fish may survive only for a limited number of generations in the wild, because when genetic engineering is performed, the opportunity to disturb or disrupt other genetic traits is possible, including disturbing the trait of longevity. The implications are serious.

Chart 4 speaks of the Trojan Gene Effect. These are serious implications, because many fish populations are under consideration for genetic engineering. After several generations, natural fish may go extinct because larger genetically engineered fish are much more successful than natural fish in mating. Such mutant fish may also go extinct because their mutant genes can decrease the survivability of the species. This is what is called the Trojan Gene Effect.

The end result is the loss of genetic diversity, disruption of ecological systems, possible extinction of important commercial fish species, and, of course, effect on the food supply.

I am certainly expecting to withdraw this amendment, hoping that the chairman and the ranking member will work with me by advocating report language for a study to examine the ecological impacts of genetically engineered fish and anticipate regulatory actions that might be necessary.

I would let the gentleman from Ohio (Mr. REGULA) know that I would appreciate any consideration in conference for any report language.

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

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

Mr. REGULA. Mr. Chairman, we share the gentleman's concern. I think what I would like to do is discuss this with the Biological Research Division of the USGS, and perhaps they could do a study or take a look at it to see how this impacts on the fish population and work with Fish and Wildlife to address these concerns.

If the gentleman would withdraw the amendment, certainly we will work with the gentleman in trying to get Fish and Wildlife and the USGS that has the science responsibility, perhaps we can meet with them and discuss ways in which they can address your concerns.

Mr. KUCINICH. Mr. Chairman, reclaiming my time, I thank the gentleman.

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

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

Mr. DICKS. Mr. Chairman, I want to commend the gentleman for his obvious work here and this presentation that he has made. I want to tell the gentleman that we have the same problem out in the Pacific Northwest with a variety of salmon species, not that we have genetically engineered, but we have hatchery fish that compete with our wild salmon that reproduce naturally in the wild, and these crowding-out effects, a lot of the same issues that the gentleman is raising here.

The importance of preserving the gene pool of these species is critical. There is a lot of good work that is being done by the Fish and Wildlife Service across the country under the Endangered Species Act, but I think this is very important. I look forward to working with the gentleman on this issue and with the Fish and Wildlife Service to see if we cannot collaborate on this.

Mr. KUCINICH. Mr. Chairman, I include the following articles for the RECORD.

BIOSAFETY ASSESSMENT OF AQUATIC GMOS:
THE CASE OF TRANSGENIC FISH

(By Anne R. Kapuscinski)

A growing number of groups around the world are pursuing research and development of transgenic fish, shellfish, and algae. Transgenic Atlantic salmon are poised to be one of the first transgenic animals farmed for human consumption. Ecological risk assessments of transgenic aquatic organisms have been comparatively underfunded and understudied. Comparisons of the few risk assessment studies on transgenic fish confirm the need to conduct case-by-case risk assessment of each line of transgenic organism. Risk assessment should focus on tests for intended and unintended changes in six components of fitness. These include viability, fecundity, fertility, longevity, mating success, and developmental time. Muir and Howard have shown the critical importance of testing for the joint effects of changes in these fitness components because disadvantages in one fitness trait can be offset by advantages in another fitness trait. For instance, the reduced viability of growth-enhanced transgenic fish could be offset by increased mating advantage of larger transgenic adults, possibly driving a wild population towards extinction (the Trojan gene effect). Risk assessments need to actively search for this and other biologically feasible off-setting mechanisms. The state-of-the-art way to do this, called the Net Fitness Approach, is to: (1) Test GMOs for altered fitness components in confined experiment; (2) quantify the net fitness of the GMOs and mathematically predict effects of escapees on wild fish; and, wherever feasible, (3) test mathematical predictions on multiple generations of GMOs and non-GMOs interacting in simplified, confined ecosystems.

Muir's lab recently produced two lines of transgenic medaka bearing a sockeye salmon growth hormone construct (sGH) that promotes dramatically faster growth rates and earlier sexual maturity, as previously shown in coho salmon and tilapia. Both this construct and another salmon GH construct that is in the transgenic Atlantic salmon being reviewed by the FDA yield dramatic increases in growth rates, earlier smoltification (ability to survive in seawater), and growth promotion that overrides the natural environmental cue to slow growth in colder (winter) water temperatures. In one sGH medaka line, the transgenic fish are larger at sexual maturity and have a viability disadvantage (Muir et al., unpublished data). This is precisely the combination of traits predicted to trigger the Trojan gene effect! Empirical experiments are underway to test for this.

In summary, the publicly available data on transgenic fish confirm the need to test for ecological risks of each line of GMOs on a case-by-case basis and in a manner that integrates data on all modified traits, not just the target trait. These same scientific principles were used by the interdisciplinary Sci-

entists' Working Group on Biosafety (1998) in designing the Manual for Assessing Ecological and Human Health Effects of Genetically Engineered Organisms (available at www.edmonds-institute.org). The Manual applies to small- and large-scale uses of any genetically engineered organism, including fish and other aquatic organisms. Users generate a specific trail of questions and responses that makes the scientific claim of risk or safety. The Manual follows the precautionary approach and encourages users to avoid type II statistical errors (i.e., concluding no adverse effect when the effect indeed occurs). Under the current state of inadequate information on fitness components of transgenic fish, application of the Manual leads the user to the conclusion that there is insufficient information to answer a key question and to the recommendation to apply several confinement measures (sterilization, mechanical barriers, physical barriers) to prevent ecological harm.

The take home messages for existing and future proposals to commercialize transgenic fish are: (1) The scientific data indicate that some lines of transgenic fish will pose a real ecological risk; (2) application of the Net Fitness Approach should be a minimum requirement for testing the ecological risk of all transgenic fish intended for aquaculture (or other uses that could affect the environment); (3) any transgenic fish approved for aquaculture (or other uses that could affect the environment) should be made sterile and individually screened to confirm sterility; (4) DNA markers distinguishing each line of transgenic fish should be registered in a publicly accessible central clearinghouse to allow tracing of escapees; and (5) regulatory agencies need to establish the information base and institutional mechanisms required to monitor for and quickly respond to surprising outcomes of transgenic fish escaping into the wild.

POSSIBLE ECOLOGICAL RISKS OF TRANSGENIC ORGANISM RELEASE WHEN TRANSGENES AFFECT MATING SUCCESS: SEXUAL SELECTION AND THE TROJAN GENE HYPOTHESIS

(By William M. Muir and Richard D. Howard)

Widespread interests in producing transgenic organisms is balanced by concern over ecological hazards, such as species extinction if such organisms were to be released into nature. An ecological risk associated with the introduction of a transgenic organism is that the transgene, though rare, can spread in a natural population. An increase in transgene frequency is often assumed to be unlikely because transgenic organisms typically have some viability disadvantage. Reduced viability is assumed to be common because transgenic individuals are best viewed as macromutants that lack any history of selection that could reduce negative fitness effects. However, these arguments ignore the potential advantageous effects of transgenes on some aspect of fitness such as mating success. Here, we examine the risk to a natural population after release of a few transgenic individuals when the transgene trait simultaneously increases transgenic male mating success and lowers the viability of transgenic offspring. We obtained relevant life history data by using the small cyprinodont fish, Japanese medaka (*Oryzias latipes*) as a model. Our deterministic equations predict that a transgene introduced into a natural population by a small number of transgenic fish will spread as a result of enhanced mating advantage, but the reduced viability of offspring will cause eventual local extinction of both populations. Such risks should be evaluated with each new transgenic animal before release.

Although production of transgenic organisms offers great agricultural potential, introduction of genetically modified organisms

into natural populations could result in ecological hazards, such as species extinction (1–3). Such risk has been suggested to pose little environmental threat because transgenic organisms are evolutionary novelties that would have reduced viability (4, 5). However, transgenic organisms may also possess an advantage in some aspect of reproduction that may increase their success in nature. Although a variety of transgene traits have been incorporated into various species (6, 7), a commonly desired characteristic in transgenic fish species (important in aquaculture and sport fishing) is accelerated growth rate and larger adult body size (8). DNA sequences for growth hormone (GH) genes and cDNAs have been well characterized in fish, and transgenic fish of several species have now been produced (9, 10). Growth enhancements of up to several times that of wild type have been obtained, with growth advantages persisting throughout adulthood in some fish species (8, 11). In many animal species, including fish, body size is an important determinant of differential mating success (sexual selection) through advantages in competing for mates against members of the same sex (mate competition) and/or being preferred as a mate by the opposite sex (mate choice) (12). A recent review found that large body size conferred mating advantages in 40% of the 186 animal taxa surveyed (12). The potential for sexual selection to produce a rapid evolution of sexual traits has long been appreciated (12); here we consider its potential to increase transgene frequency and to eliminate populations, specifically when a sexual trait is affected by transgenes.

MATERIALS AND METHODS

Study Organism. As a model organism, we studied Japanese medaka (*Oryzias latipes*) (13) to explore the ecological consequences of transgene release into natural populations. Medaka were convenient study organisms for obtaining data on fitness components. Individuals were readily bred in the lab, were easily cultured, and attained sexual maturity in about two months. We produced a stock of transgenic medaka by inserting the human growth hormone gene (hGH), with a salmon promoter, sGH (14). We then conducted several experiments to document survival and reproductive differences between transgenic and wild-type medaka (15). We categorized these differences into four fitness components: (i) viability (offspring survival to sexual maturity), (ii) developmental (age at sexual maturation), (iii) fecundity (clutch size), and (iv) sexual selection (mating advantages). We modeled the introduction of a small number of transgenic individuals into a large wild-type population using recurrence equations (described below) to predict the consequences of the model, i.e., of increased male mating success but reduced offspring viability. Elsewhere, we examined the results of model predictions in which GH transgenes influenced developmental and fecundity fitness components as well as offspring viability (unpublished data). Different transgene lines are likely to vary in fitness even when the same transgene construct is used, because of differences in copy number and sites of transgene insertion. To take such variation into account as well as to make our model generally applicable to other organisms and transgene constructs, we used a range of parameter values for male mating success and offspring viability in our models. The range of values also encompassed the particular fitness component estimates that we obtained.

We conducted a 2 × 2 factorial experiment to assess the early viability of offspring produced from crosses involving transgenic and

wild-type medaka parents (15). Each pairing combination consisted of 10 males and 10 females; eggs were obtained from each pair for a period of 10 days, producing a total of 1,910 fertile eggs. Viability was estimated as the percentage of 3-day-old fry that emerged. Results shows that early survival of transgenic young was 70% of that of the wild type (15).

Mating experiments using wild-type medaka were performed to measure the mating advantage that large males obtained over small males (16). We found that, regardless of protocol, large males obtained a 4-fold mating advantage (16). Such size-related mating advantages have been demonstrated in a variety of fish species; they can result from mate competition or mate choice or both (12). We do not expect transgenic medaka to have a mating advantage over wild-type males, because the hGH transgene we inserted increased only juvenile growth rate, not final adult body size (14); that is, the size difference between transgenic and wild-type males disappeared by sexual maturity. Nonetheless, we modeled the possible effect of transgene release into wild-type populations when transgenes accelerate growth throughout adulthood, thus increasing transgenic male mating success, because these effects could occur with other transgene constructs in other fish species. For example, continued growth enhancements from GH genes occur in adult salmonids (8), and the mating advantages of large males has been reported in several salmonid species (17–19).

We used a range of mating and viability fitness parameters, including the values we obtained in experiments with a recurrence model that predicts changes in gene frequencies and population sizes when transgenic individuals invade a wild-type population (15).

RESULTS AND DISCUSSION

In the model, the initial population was structured with a stable age distribution giving a constant size (60,000), composed of wild-type fish with an equal sex ratio in each class. Based on experimental data (15), and adjusted by trial and error to achieve a stable age distribution, juvenile and adult mortality rates were set to 9.8% and 0.765% per day, respectively, for both genotypes, which resulted in an expected maximum life span of 150 days. Sixty homozygous transgenic fish of equal sex ratio were then introduced at sexual maturity. We assumed that transgenic and wild-type individuals were similar in age (at sexual maturity), fecundity, fertility, susceptibility to predation, and longevity; the only differential effects caused by the GH transgene were male mating success and offspring viability. We also assumed that the probability of mating was not frequency-dependent. For this model, population size was always assumed to be less than the carrying capacity; i.e., no density-dependent effects occurred. This assumption is known to be incorrect for some species. But for species that are declining in number because of heavy fishing pressure or other sources of mortality, the assumption is likely to be true. The above parameters were specified in the model, and genotype frequency, gene frequency, and population size were assessed each day. We expressed time to extinction in terms of the generation interval, the average age when all offspring were produced, which, in our laboratory experiments on medaka, equaled 96.9 days.

Predictions of the model were straightforward when transgenes affected only one fitness component. If transgenes reduced only juvenile survival, transgenic individuals would be quickly eliminated from any wild-type population. Our model predicted that if transgenic medaka suffered a 30% re-

duction in viability relative to the wild type, the transgene would be eliminated after about 10 generations (15). In contrast, if the GH transgene increased only the mating success of transgenic males relative to wild-type males, the gene would spread quickly. If adult transgenic males were 24% larger than adult wild-type males and thereby achieved the 4-fold mating advantage that we had observed in our mating experiments (16), the frequency of the transgene would exceed 50% in about five generations, and become fixed in the population in about 20 generations. In both of these situations, population size would remain essentially unchanged across generations, and the transgene would either be eliminated or go to fixation.

In contrast, combining the effects of the transgene on mating success and offspring viability is predicted to result in the local extinction of any wild-type population invaded by transgenic organisms. The male mating advantage would act to increase the frequency of the transgene in the population; however, the viability disadvantage suffered by all offspring carrying the transgene would reduce the population size by 50% in less than six generations and completely eliminate the population in about 40 generations. These population projections result because the males that produce the least fit offspring obtain a disproportionate share of the matings. We refer to this type of extinction as the “Trojan gene effect,” because the mating advantage provides a mechanism for the transgene to enter and spread in a population, and the viability reduction eventually results in population extinction. Such a conflict between offspring viability and male mating advantage based on large body size has been theorized to be one of the processes that can cause species extinction (20, 21).

Both the advantageous and disadvantageous effects of such sexual traits are usually considered to be sex-limited; however, the transgene we considered has a sex-limited advantage (male mating success), but no sex limitation on viability reduction. As a result, population extinction should occur even more rapidly. In theory, counterselection against the transgene and thereby rescuing a population from extinction is possible. Such counterselection could take two forms. Modifying genes might be selected that mitigate the degree of viability reduction of the transgene. Alternatively, if the transgenic male mating advantage results mostly from female preference for large males, females with alternative mating preferences could be favored by selection, halting or reversing the spread of the transgene. If the mating advantage of transgenic males resulted mostly from success in mate competition, we would expect no such selection against the transgene. Our prediction of population extinction must, however, be interpreted cautiously. A critical assumption of our deterministic model is that the viability reduction of transgenic organisms remains constant, even with a lowering of population density.

The predicted time course for extinction of a wild-type population after the release of transgenic individuals varies as a function of the rate of transgene spread, which is influenced by the relative mating advantage of transgenic males and by the severity of viability reduction in transgenic young (Fig. 1). For example, our model predicted that if the viability of transgenic young were 70% of that of wild-type young, as was the case with the hGH-sGH transgenic medaka we produced, population extinction would result only when transgenic males obtained a 2-fold or greater mating advantage over wild-type males.

Increasing the viability of transgenic offspring in the simulations produced a

counter-intuitive results, however. If the viability of transgenic young was increased to 85% of that of wild-type offspring, population extinction was predicted to occur over a wider range of male mating advantages, even though the time to extinction was greater. Thus, as the viability of transgenic offspring approaches that of wild type, risk of extinction may actually increase. Two situations resulted in the highest risk; a huge mating advantage and a moderate viability reduction (Fig. 1). A mating advantage of at least 4-fold produced a risk over a range of viabilities from about 0.45 to 0.9; a viability reduction in the range of 0.7 to 0.9 resulted in the risk of extinction over the widest range of mating advantages. These trends were predicted because, at one extreme, a transgene that greatly reduced offspring viability would be quickly eliminated unless it were counterbalanced by a very high male mating advantage. At the other extreme, in the case of a transgene that produced high viability of transgenic young, a lower male mating advantage could drive the gene to high frequency in the population, resulting in a lower genetic load and requiring more generations for population extinction.

Local extinction of a wild-type population from a release of transgenic individuals could also have cascading negative effects on the community. In contrast, if transgenic males were created intentionally to drive to extinction a wild-type population of, for example, a species of pests, it could serve as a mechanism for biological control.

We thank J. Lucas, P. Waser, Anne Kapuscinski, and an anonymous reviewer for helpful comments. This research was supported by U.S. Department of Agriculture National Biological Impact Assessment Program grants (93-33120-9468 and 97-39210-4997).

REFERENCES

- Tiedje, J. M., Colwell, R. K., Grossman, Y. L., Hodson, R. E., Lenski, R. E., Mack, R. N. & Regal, P. J. (1989) *Ecology* 70, 298-315.
- Kapuscinski, A.R. & Hallerman, E. M. (1991) *Can. J. Fish. Aquat. Sci.* 48, 99-107.
- Devlin, R. H. & Donaldson, E. M. (1992) in *Transgenic Fish*, eds. Hew, C. L., & Fletcher, G. L. (World Scientific, Singapore), pp. 229-265.
- Knibb, W. (1997) *Transgenic Res.* 6, 59-67.
- Regal, P. J. (1987) *Recomb. DNA Tech. Bull.* 10, 67-85.
- Levin, M. A. & Israeli, E. (1996) *Engineered Organisms in Environmental Settings: Biotechnological and Agricultural Applications* (CRC, Boca Raton, FL), pp. 13-17.
- Houdebine, L. M., ed. (1996) *Transgenic Animals: Generation and Use* (Harwood Academic, Amsterdam).
- Devlin, R. H. (1996) in *Transgenic Animals: Generation and Use*, ed. Houdebine, L. M. (Harwood Academic, Amsterdam), pp. 105-117.
- Devlin, R. H., Yesaki, T. Y., Blagl, C. A. & Donaldson, E. M. (1994) *Nature (London)* 371, 209-210.
- Du, S., Gong, Z., Fletcher, G., Shears, M., King, M., Idler, D. & Hew, C. L. (1992) *Bio-Technology* 10, 176-181.
- Devlin, R. H., Yesaki, T. Y., Donaldson, E. M., Du, S. J. & Hew, C. L. (1995) *Can. J. Fish. Aquat. Sci.* 52, 1376-1384.
- Andersson, M. (1994) *Sexual Selection* (Princeton Univ. Press, Princeton, NJ).
- Muir, W. M., Howard, R. D. & Bidwell, C. A. (1994) in *Proceedings of the Biotechnology Risk Assessment Symposium*, eds. Levin, M., Grim, C. & Angle, J. S. (Univ. Maryland Biotechnology Institute, College Park, MD), pp. 170-197.
- Muir, W. M., Martens, R. S., Howard, R. D. & Bidwell, C. A. (1995) in *Proceedings of the Biotechnology Risk Assessment Symposium*, eds. Levin, M., Grim, C. & Angle, J. S. (Univ.

Maryland Biotechnology Institute, College Park, MD), pp. 140-149.

15. Muir, W. M., Howard, R. D., Martens, R. S., Schulte, S. & Bidwell, C. A. (1996) in *Proceedings of the Biotechnology Risk Assessment Symposium*, eds. Levin, M., Grim, C. & Angle, J. S. (Univ. Maryland Biotechnology Institute, College Park, MD), pp. 354-356.

16. Howard, R. D., Martens, R. S., Innes, S. A., Drnevich, J. M. & Hale, J. (1998) *Anim. Behav.* 55, 1151-1163.

17. Quinn, T. P. & Foote, C. J. (1988) *Anim. Behav.* 48, 751-761.

18. Fleming, I. A. (1996) *Rev. Fish Biol. Fish.* 6, 379-416.

19. Mjølnerod, I. B., Fleming, I. A., Refseth, U. H. & Hindar, K. (1998) *Can. J. Zool.* 76, 70-76.

20. Lande, R. (1980) *Evolution* 34, 292-305.

21. Maynard Smith, J. & Brown, R. L. W. (1986) *Theor. Popul. Biol.* 30, 166-179.

Mr. KUCINICH. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with the chairman of the Subcommittee on Interior of the Committee on Appropriations, the gentleman from Ohio (Chairman REGULA).

Mr. Chairman, I know that the gentleman from Ohio (Mr. Regula) shares my interest in ensuring that the Kyoto Protocol is not implemented without ratification and that unauthorized activities to implement the protocol are not funded. Likewise, I know that the gentleman shares my interest in developing fuel cells for building applications and specifically in proton membrane exchange technology for supplying residential electric power and hot water.

I am asking that the gentleman work with me to address appropriately the first issue in conference and to identify any additional funding there might be for the fuel cell program in the event that additional funds are made available in conference.

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

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

Mr. REGULA. Mr. Chairman, I would commend the gentleman. I think that there has been a lot of progress on fuel cell development. We know it is something that offers a lot of promise.

The gentleman is correct, I share his concerns on both issues, and I look forward to working with the gentleman as the bill moves forward in conference on trying to support fuel cell research.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, I thank the chairman.

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

Mr. Chairman, I would like to ask the gentleman from Ohio (Chairman REGULA) to engage in a brief colloquy with me.

Mr. Chairman, as the gentleman from Ohio (Mr. REGULA) knows, there is lan-

guage in the committee's report on this bill dealing with what is described as BLM wilderness reinventory activities. I just have some questions about the meaning and effect of that part of the report.

To begin with, the report says that BLM has completed all of its wilderness reinventory activities begun in prior years, but I understand that part of the language is inaccurate because there is an ongoing process in Colorado that has not yet ended.

I would respectfully ask the chairman, am I right in understanding that there is no intention to interfere with the ongoing reinventory process in Colorado?

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

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

Mr. REGULA. Mr. Chairman, yes, the gentleman is correct. We do not intend to interfere with that ongoing process in Colorado.

Mr. HINCHEY. Mr. Chairman, I thank the chairman.

Am I also right in understanding that nothing in the committee report is intended to interfere with BLM's normal process in revising its management plans or keeping its resource inventory current?

Mr. REGULA. If the gentleman will continue to yield, he is correct. We are not intending to interfere with or change that process of revising management plans or keeping the resource inventory current.

Mr. HINCHEY. Mr. Chairman, I thank the gentleman very much for those answers.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$48,395,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$30,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as amended, \$23,000,000, to be derived from the Cooperative Endangered Species Conservation Fund, to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$10,439,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands

Conservation Act, Public Law 101-233, as amended, \$15,499,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

For necessary expenses of the Wildlife Conservation and Appreciation Fund, \$797,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), and the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), \$2,391,000, to remain available until expended: *Provided*, That funds made available under this Act, Public Law 105-277, and hereafter in annual appropriations acts for rhinoceros, tiger, and Asian elephant conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2799aa-1).

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 79 passenger motor vehicles, of which 72 are for replacement only (including 41 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105-56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than \$2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, \$1,425,617,000, of which \$8,727,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall re-

main available until expended, and of which not to exceed \$7,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100-203.

AMENDMENT OFFERED BY MR. REGULA

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

The Clerk read as follows:

Amendment Offered by Mr. REGULA:

On page 15, line 15 after the first dollar amount insert "(increased by \$66,500,000)".

Mr. REGULA. Mr. Chairman, my amendment adds \$66.5 million to address critical operational backlog needs in the National Parks.

Mr. Chairman, backlog maintenance is a critical problem in our National Parks, and, as we all recognize from testimony by the Director of the National Parks, this is something where we should, wherever possible, provide funding to overcome the serious deficit that exists.

□ 1915

What this amendment does is add \$66,500,000 to, in a continuing way, address the critical problem of backlogged maintenance.

Mr. DICKS. Mr. Chairman, I rise in support of the amendment and urge that it be adopted.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$49,956,000, of which \$2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$41,347,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2002, of which \$7,177,000 pursuant to section 507 of Public Law 104-333 shall remain available until expended.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$150,004,000, to remain available until expended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2001 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority

applicable to the National Park Service, \$65,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$21,000,000 is for the State assistance program including \$1,000,000 to administer the program, and of which \$10,000,000 may be for State grants for land acquisition in the State of Florida: *Provided*, That the \$20,000,000 provided for grants in the State assistance program shall be used solely to acquire land for State and local parks for the benefit of outdoor recreation: *Provided further*, That the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, and excluding the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That notwithstanding any other provision of law, hereafter, the Secretary of the Interior must concur in developing, implementing, and revising regulations to allocate water made available from Central and Southern Florida Project features: *Provided further*, That the Secretary's concurrence will address the temporal and spatial needs of the natural system as defined in terms of quality, quantity, timing, and distribution of water, and ensuring the restoration, preservation and protection of the South Florida ecosystem, including, but not limited to, the remaining natural system areas of the Everglades, Everglades National Park, Biscayne and Florida Bays, and the Florida Keys.

POINT OF ORDER

Mr. HANSEN. I raise a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Utah (Mr. HANSEN) is recognized.

Mr. HANSEN. Mr. Chairman, I make a point of order against the language found on page 18, beginning on line 6 and continuing on line 19, which begins "Provided further, that notwithstanding any other law."

The language clearly imposes a new duty on the Secretary of the Interior in concurring in these actions regarding water allocations in Florida.

Currently, the Army Corps of Engineers oversees water development projects in and near the Everglades area, and there is no requirement that these projects need concurrence by the Secretary of the Interior.

In addition, the language modifies or affects the application of many existing laws, such as the Endangered Species Act, the National Park Service Organic Act, the Miccosukee Reserved Area Act, the Act of May 30, 1934, relating to the Everglades National Park, and the National Marine Sanctuaries Act.

It also appears to require the Secretary to apply Bureau of Reclamation statutes affecting water projects to a non-Bureau of Reclamation State,

Florida, in violation of Chapter 1093, 32 Stat. 388, section 1, Bureau of Reclamation Act of 1902.

Finally, the language federalizes water allocation issues which are a matter now determined under Florida's State law.

This language clearly constitutes legislation on an appropriation bill, in violation of clause 2(b) of rule XXI of the rules of the House of Representatives, and the Governor of Florida supports this.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. REGULA. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) is recognized.

Mr. REGULA. Mr. Chairman, we understand the problem here, and recognize that what the gentleman from Utah is raising as a point of order is correct. I would like to just discuss the implications of this situation, because I think it is important for our colleagues to understand what is happening.

The Everglades restoration is a major project. It is probably going to involve an expenditure of \$10 to \$15 billion in the years ahead. I think it is vitally important that the United States government, through the Department of the Interior, have a voice in this project.

I regret that our attempt to provide assurances for a vital, high-quality water supply to the natural areas of the Everglades, including Everglades National Park, several national wildlife refuges, and Florida Bay have been dropped.

Restoration of the Everglades began 7 years ago as a true partnership among various interests. These interests, Federal, State, and local governments, Indian tribes, agricultural, urban, and environmental organizations, and the public at large, came together as the South Florida Ecosystem Task Force.

This entity meets to set priorities and make collaborative decisions on this massive restoration effort. Since the restoration effort began, the Interior Appropriations Subcommittee has provided nearly \$1 billion in Federal funding with the understanding that critical scientific research, land acquisition, and water planning funding to achieve environmental restoration would be one of the end results of the enormous sums the American taxpayers are being called upon to commit.

The committee has provided this funding during a time of declining budgets and at the expense of numerous meritorious projects—projects that our Members here would like to have. Because we were committed to spending what has already been a total of over \$700 million to this program, we were not able to do some of the others that we should have done.

Mr. Chairman, the language being stripped from this bill ensured that the

natural areas would receive equal treatment with other interests as important decisions about water flow and quantity are made.

Let us be honest. Without assurances that the Secretary of the Interior, together with the Chief of the Army Corps of Engineers and the South Florida Water Management District, has a voice in water decisions, we can no longer call this project environmental restoration. The Federal part of the money in this bill is the environmental restoration of the Everglades. Now, with the result of this point of order, we will not have that voice of the Federal government.

Mr. Chairman, I want to be clear, I bear no ill will toward the other goals of this effort: continued sugar and agricultural production, adequate potable water availability for the people of Florida, and sustainable growth for the region.

However, with the balanced, fair language now being stripped from this bill, the effort is no longer an environmental restoration project. It is no longer a partnership. The project is solely a water development project between the Army Corps of Engineers and the local water management district in "Anywhere U.S.A.," and should receive no further funding through the bill of the Subcommittee on the Interior of the Committee on Appropriations.

I want to point out something else. We will hear that this water is owned by the State of Florida, but in 1970, under the River Basin Monetary Authorization and Miscellaneous Civil Works Amendments, the following language was incorporated in that bill and is now the law of the United States:

That as soon as practicable, and in any event upon completion of the work specified in the preceding provision, delivery of water from the Central and Southern Florida project to the Everglades National Park shall be not less than 315,000 acre feet annually.

In other words, the water belongs to the Everglades as part of the 1970 law. Our concern is that unless there is some way in which the Federal government has a voice in the distribution of the water that is going to be gained by all of the activities that have been funded from the money we have spent thus far, the possibility of the Everglades not receiving adequate water supply is very real.

I hope we can work out some language, in view of the fact that this is being stripped by the point of order, that will continue to ensure the protection of the United States' investment.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. HINCHEY. Mr. Chairman, I would like to be heard briefly on the point of order.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. HINCHEY. Mr. Chairman, I think it is important for us to recognize what is happening here and to gauge the im-

plications of it, to understand them and all of their ramifications, because they are broad and deep.

First of all, by striking this language, \$9 million, which is appropriated in this bill to the Department of the Interior, will now be spent by the Army Corps of Engineers. The Department of the Interior will simply be a pass-through. The Department of the Interior will have no say whatsoever in how that money is spent. It will be spent only by the Army Corps of Engineers for their purposes.

Mr. Chairman, that is contrary to everything that this Congress has done up to this point with regard to this project. Our chairman has just outlined very carefully and accurately some of the profound difficulties that will ensue as a result of the striking of this language.

We have here a national resource. The Everglades are half owned by the United States government for all the people of the country. They are—that half of the Everglades is administered by the Department of the Interior. By striking this language, the Department of the Interior will have no say whatsoever in how this \$9 million appropriated in this bill is to be spent.

The foundation which has been laid very, very carefully over a long period of time, and which has involved the appropriation and expenditure of several billion dollars so far, is undermined by the striking of this language.

What we have had up to now is a cooperative working relationship between the State of Florida, the South Florida Water Management District, the Army Corps of Engineers, and the United States Department of the Interior. The United States Department of the Interior is involved here because of the fact that we have a number of ecosystems in those Everglades which are administered by the Department of the Interior, and appropriately so.

Striking this language is going to do extreme damage to the foundation that has been laid, the confidence that has been had by these relating agencies in working together. That confidence will no longer exist. The people around the country who have watched this enterprise go forward, and they, too, have watched it with confidence because of the cooperation that has been had between the various agencies, many people around the country are going to now withdraw that confidence. They are going to be very skeptical about what is going to happen with regard to the Everglades.

All of the environmental protection that is important in the Everglades restoration is now placed in jeopardy. The 68 threatened and endangered species that are in the Everglades now will be increasingly endangered because their manager, their overseer, the Department of the Interior, will no longer be active.

I think it is important, Mr. Chairman, finally, that the Members here understand what is being done. This is

technically accurate but it is wholly mischievous. It is going to result in substantial damage. We will have to immediately find ways to correct the damage which has been done by the striking of this language.

The CHAIRMAN. The gentleman from Utah (Mr. HANSEN) makes a point of order that the provision beginning with "Provided further" on page 18, line 6, through line 19 proposes to change existing law in violation of clause 2(b) of rule XXI.

The provision directly waives any other provision of law and assigns new duties to the Secretary of the Interior with respect to water allocation in Florida. As stated on page 799 of the House Rules and Manual, a proposition to establish an affirmative duty on an executive officer is legislation. By establishing new duties on the Secretary of the Interior, the provision constitutes legislation on an appropriation bill in violation of clause 2(b) of rule XXI.

Accordingly, the point of order is sustained and the provision is stricken.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 21, line 13, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill from page 18, line 20, through page 21, line 13, is as follows:

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 340 passenger motor vehicles, of which 273 shall be for replacement only, including not to exceed 319 for police-type use, 12 buses, and 9 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; \$816,676,000, of which \$60,553,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which \$16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which \$32,763,000 shall be available until September 30, 2002 for the operation and maintenance of facilities and deferred maintenance; and of which \$140,416,000 shall be available until September 30, 2002 for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; reimbursement to the United States Fish and Wildlife Service (FWS) for Refuge Revenue Sharing payments made by FWS to local entities for the FWS real property transferred to the Geological Survey; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.

MINERALS MANAGEMENT SERVICE ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royal-

ties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; \$127,200,000, of which \$84,362,000, shall be available for royalty management activities; and an amount not to exceed \$107,000,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$107,000,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$107,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2002: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That MMS may under the royalty-in-kind pilot program use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation and gathering expenses, processing, and any contractor costs required to aggregate and market royalty production taken in kind at wholesale market centers: *Provided further*, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

AMENDMENT NO. 44 OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 44 offered by Mrs. MALONEY of New York:

Page 24, beginning line 6, strike "transportation and gathering expenses, processing, and any contractor costs required to aggregate and market royalty production taken in kind at wholesale market centers" and insert "transportation to wholesale market centers and processing of royalty production taken in kind".

Mrs. MALONEY of New York. Mr. Chairman, I rise today to offer this amendment, which will enable the Minerals Management Services to operate the royalty-in-kind pilot program more efficiently.

I first want to thank both the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) for their efforts to resolve this issue in a positive way. This amendment will strike language that would have given the royalties-in-kind program the ability to finance the gathering and marketing of oil and natural gas products.

It will continue to allow the Department of the Interior to finance the cost of transportation and processing of oil and natural gas.

Currently the Minerals Management Service is conducting three royalty-in-kind pilot programs located in Wyoming, Texas, and the Gulf of Mexico. We have worked in a bipartisan manner closely with the Department of the Interior to develop language that achieves their goals without affecting broader oil valuation policy or costing additional funds.

□ 1930

My amendment will accomplish this purpose. So, again, I would like to thank the chairman and ranking member for their support, and I would urge all of my colleagues to support this common sense amendment.

Mrs. CUBIN. Mr. Chairman, I move to strike the last word.

(Mrs. CUBIN asked and was given permission to revise and extend her remarks.)

Mrs. CUBIN. Mr. Chairman, I am the chairman of the authorizing subcommittee with jurisdiction over the Minerals Management Service. MMS is the agency charged with collecting royalties from mineral lessees of the federal government. Usually, the producer pays one-eighth of the value of the oil and natural gas from the wells on the lease to MMS to satisfy their royalty obligation, but the Secretary of the Interior is able to take royalty production in kind rather than in value, if he so chooses.

MMS has been conducting "R-I-K pilot programs" over the last several years, first for oil from leases in Wyoming and later for natural gas off the coast of Texas. Indeed, Mr. Chairman, the MMS has reported to me that royalty natural gas taken in-kind from the Gulf of Mexico has been sold to the General Services Administration for heating federal buildings, including this very Capitol building last winter.

MMS is seeking to expand the scope of its natural gas R-I-K program to learn how best to add value for the taxpayer by aggregating significant volumes of gas from many leases throughout the Gulf and marketing those volumes to the highest bidders. This is known as "market uplift" and it is a source of added value for the government. Why? Because when lessees pay their royalty in value it is based upon the wellhead value of the oil or gas, not the greater value one can receive from transporting product and aggressively marketing one's crude oil or natural gas downstream of the lease. Just two months ago a federal court ruled that there is no duty for oil and gas lessees to market their production without cost to the government. To my knowledge the federal government has not appealed this summary judgment.

Mr. Chairman, this simply means the producer of oil and gas owes royalty on the value

of production at the lease. If the oil or gas is first sold downstream of the lease, then transportation, processing (if necessary) and marketing costs are deducted from the proceeds when calculating the royalty owed. Likewise, if and when the MMS takes its royalty in kind at a point downstream of the lease, a similar deduction is owed the producer. This bill, as reported by the Committee on Appropriations, recognized this requirement, as does Mrs. MALONEY' amendment. Thus, I shall not object to the gentelady's amendment even though it will hinder the MMS in its efforts to explore adding value for the taxpayer. This is because the Maloney amendment strikes language allowing the MMS to contract with outside marketers who are skilled in aggregating volumes of natural gas and finding the best price for it. Yes, MMS will be able to do this work "in house" with its own personnel, but MMS itself recognizes that its employees lack the trading skills learned in the competitive marketplace. We cannot expect them to match the "uplift" private marketers would bring to the government's natural gas supply.

Mr. Chairman, the provision which follows the Maloney amendment in the text of this bill insures the taxpayers will not lose money in the conduct of the R-I-K pilots, but the shame here is that the opportunity to add further value for the taxpayer is unduly constrained by this amendment.

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

Mr. Chairman, we are prepared to accept the amendment.

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

Mr. Chairman, we accept the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I offer an amendment, and I ask unanimous consent to return to page 17, line 7, and that this amendment be made in order.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. REGULA: On page 17, line 7 after the dollar amount insert "(increased by \$20,000,000)".

Mr. REGULA. Mr. Chairman, what this amendment does is increases the Park Service's land acquisition by \$20 million, and the funding is directed to the high priority inholdings. I think it is very important, as they acquire land, that wherever possible we should purchase inholdings and thereby complete the parks. This funding, of course, is for purchases from willing sellers.

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

Mr. Chairman, we will accept the amendment.

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

The amendment was agreed to.

Mr. STUPAK. Mr. Chairman, I move to strike the last word and enter into a colloquy with the gentleman from Washington (Mr. DICKS).

Mr. Chairman, I was going to offer an amendment today on snowmobile use in certain national parks. Mr. Chairman, the national parks has more than 375 units. These units run from the historic homes here in Washington, D.C., the beauty of the Great Lakes, all the way up to Alaska. For all these units, their popularity is directly related to their access to the parks. As one generation immerses itself in the beauty and history of our national parks, so will the next.

This appreciation is often heightened by providing year-round access to parks. In some units, snowmobiles are necessary for traversing the isolated park lands of our northern States. In other units, like the Pictured Rocks in my district, snowmobiles are used for recreational purposes on restricted routes.

Unfortunately, on April 27, 2000, Interior Department Assistant Secretary Don Barry issued an announcement that many regarded as a ban of snowmobile use in the national park. The announcement said that the National Park Service must enforce existing regulations regarding snowmobile use. While I understand the need to balance the preservation of our park units with the public's desire for recreation, this issue is about much more. Foremost, the issues of public input must be addressed.

Most of these parks have general management plans that permit snowmobiling in designated areas. These plans, promulgated in law as special regulations, were agreed to by the local park officials and neighboring communities. How then can park officials in Washington, D.C. chastise local communities for not enforcing a snowmobile ban? In many cases, the local communities wanted snowmobile use, not restricted use. Snowmobilers wanted controlled and sensible use. That is why the designated snowmobile routes were promulgated as special regulations in Pictured Rocks National Park and other parks. Snowmobilers want to be held to a high standard.

To overturn these regulations, the National Park Service will require a new regulation or rule under the Administrative Procedures Act. The National Park Service cannot simply make an announcement and expect it to carry the weight of law. There is a process to be followed here. The process includes publishing a proposed rule or regulation in the Federal Register, taking comments from the public and issuing a final rule.

The method used by the Park Service announcement, however, attempts to circumvent the Administrative Procedures Act.

Mr. Chairman, I implore the National Park Service, before it proposes such a rule, to go to my community and determine if snowmobiles are damaging

the park; ask local residents if they want to continue with some controls on snowmobile use; but please do not make a national announcement that undermines local involvement, ignores local concerns and bans snowmobile use when such an announcement is not enforceable and does not carry the weight of law.

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

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

Mr. DICKS. The gentleman is correct that a new regulation must be promulgated by the Park Service before a ban on snowmobile use can be enforced at Pictured Rocks. If the Park Service proposes such a regulation, the constituents of the gentleman from Michigan (Mr. STUPAK) will be provided with ample opportunity to express their concern and interest.

I agree with the gentlemen that before proposing such a regulation that the Park Service should solicit the input of the park superintendent and the local community and follow the Administrative Procedures Act.

Mr. STUPAK. Mr. Chairman, reclaiming my time, I thank the gentleman from Washington (Mr. DICKS) for his support and for his understanding of what we are trying to do. I would also like to thank the gentleman from Ohio (Mr. REGULA).

Mr. Chairman, I will not offer my amendment. It will not be offered at this time or later tonight. I would withdraw that proposed amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$6,118,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$97,478,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2001 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$197,873,000, to be derived from re-

ceipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$8,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2000: *Provided further*, That of the funds herein provided up to \$18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed \$11,000,000: *Provided further*, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That from the funds provided herein, in addition to the amount granted to the Commonwealth of Pennsylvania under Sections 402(g)(1) and 402(g)(5) of the Surface Mining Control and Reclamation Act, an additional \$2,000,000 shall be made available to the Commonwealth of Pennsylvania to reclaim abandoned coal mine sites and for acid mine drainage remediation caused by past coal mining practices: *Provided further*, That the additional funds are to be used to address such problems in the anthracite region of Pennsylvania.

BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,657,446,000, to remain available until September 30, 2002 except as otherwise provided herein, of which not to exceed \$93,225,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$125,229,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2001, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed \$406,010,000 for school operations costs of Bureau-funded

schools and other education programs shall become available on July 1, 2001, and shall remain available until September 30, 2002; and of which not to exceed \$39,722,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$42,160,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2002, may be transferred during fiscal year 2003 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2003.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$184,404,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2001, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$34,026,000, to remain

available until expended; of which \$25,149,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101-618, and 102-575, and for implementation of other enacted water rights settlements; of which \$8,000,000 shall be available for Tribal compact administration, economic development and future water supplies facilities under Public Law 106-163; and of which \$877,000 shall be available pursuant to Public Laws 99-264 and 100-580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, \$4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$59,682,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, \$485,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations, pooled overhead general administration (except facilities operations and maintenance), or provided to implement the recommendations of the National Academy of Public Administration's August 1999 report shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated

at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro-rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"). Not later than June 15, 2001, the Secretary of the Interior shall evaluate the effectiveness of Bureau-funded schools sharing facilities with charter schools in the manner described in the preceding sentence and prepare and submit a report on the finding of that evaluation to the Committees on Appropriations of the Senate and of the House.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$69,471,000, of which: (1) \$65,076,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$4,395,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That of the amounts provided for technical assistance, not to exceed \$300,000 may be made available for transfer to the Disaster Assistance Direct Loan Program Account of the Federal Emergency Management Agency for the purpose of covering the cost of forgiving a portion of the obligation of the Government of the Virgin Islands to pay interest which has accrued on Community Disaster Loan 841 during fiscal year 2000, as required by section 504 of the Congressional Budget Act of 1974, as amended (2 U.S.C. 661c): *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That of the amounts provided for technical assistance, the amount of \$700,000 shall be made available to the Prior Service

Benefits Trust Fund for its program of benefit payments to individuals: *Provided further*, That none of this amount shall be used for administrative expenses of the Prior Service Benefits Trust Fund: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, \$20,745,000, to remain available until expended, as authorized by Public Law 99-239 and Public Law 99-658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$62,406,000, of which not to exceed \$8,500 may be for official reception and representation expenses and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$40,196,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$26,086,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$82,428,000, to remain available until expended: *Provided*, That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs "Operation of Indian Programs" account and to the Departmental Management "Salaries and Expenses" account: *Provided further*, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 2001, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or

grantee: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$1.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION

For implementation of a program for consolidation of fractional interests in Indian Lands and expenses associated with redetermining and redistributing escalated interests in allotted lands by direct expenditure or cooperative agreement, \$5,000,000 to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management, of which not to exceed \$500,000 shall be available for administrative expenses: *Provided*, That the Secretary may enter into a cooperative agreement, which shall not be subject to Public law 93-638, as amended, with a tribe having jurisdiction over the reservation to implement the program to acquire fractional interests on behalf of such tribe: *Provided further*, That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: *Provided further*, That acquisitions shall be limited to one or more reservations as determined by the Secretary: *Provided further*, That funds shall be available for acquisition of fractional interests in trust or restricted lands with the consent of its owners and at fair market value, and the Secretary shall hold in trust for such tribe all interests acquired pursuant to this program: *Provided further*, That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interests shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Secretary under this appropriation has been recovered from such proceeds: *Provided further*, That once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 1911 et seq.), \$5,374,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working

Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within thirty days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and

Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the

purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 113. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs, hereafter may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

SEC. 114. Appropriations made in this title under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 115. Notwithstanding any provision of law, hereafter the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

SEC. 116. A grazing permit or lease that expires (or is transferred) during fiscal year 2001 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, sections 306 and 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

AMENDMENT OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I ask unanimous consent to return to page 5, line 12, to offer an amendment.

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

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. REGULA: On page 5, line 12 after the dollar amount insert "(decreased by \$1,000,000 and increased by \$1,000,000)".

Mr. REGULA. Mr. Chairman, this amendment decreases construction funding for the Escalante Science Center by \$1 million. It is not quite ready to go forward. It increases funding for the National Trail Center in Casper, Wyoming, which we had an oversight on and had previously committed to do.

The Members involved in this switch are both in agreement with it, and I urge the adoption of the amendment.

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

Mr. Chairman, we support the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. INSLEE.

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

The Clerk read as follows:

Amendment offered by Mr. INSLEE: Page 49, beginning at line 23, strike section 116.

Mr. INSLEE. Mr. Chairman, this amendment will strike section 116, which has a considerable anti-environmental impact both because of the way it was drawn and because of existing law, because basically the existing section of the bill, if allowed to stand, would essentially lock in the livestock levels and practices, on various areas that are leased, for grazing after the permit expires, after the lease has expired and after BLM and other agencies have made good faith attempts to improve the environmental activities in the grazing.

For instance, when a lease expires now, our Federal Government is charged with the responsibility of making sure that before there is a renewal that there is not overgrazing that occurs in the land or there is not erosion that occurs on the land.

Under existing law and for the last probably 100 years, they had the right to do that, not subject to the unilateral decision-making by the permittee.

Unfortunately, the way this language is drafted in the existing proposed bill, it would allow the permittee to unilaterally, in a sense, insist on the continuation of the number of animals on the unit, of the uses and the practices on the unit, even to the extent one can have environmental damage. The way that that is drafted, it essentially would turn the lease on its head, because for decades in this country, when the permit expired, the permit expired. Essentially, in a Supreme Court deci-

sion that took place very recently, just in May of this year, called Public Lands Council versus Babbitt, the Supreme Court reaffirmed the proposition again that permittees do not have a right title in interest of land that is constitutionally protected after the expiration of the lease or permit.

□ 1945

Unfortunately, the way that this action is drafted, it would allow, and I want to repeat that not all folks who are grazing are bad stewards in the land. Many of them are doing a tremendous job as stewards of the land. But there are some that, frankly, have loads of grazing that are causing damage to the land in the environmental aspect that we want to protect. It would allow those permittees to essentially unilaterally tell the BLM or the Forest Service that, No, no, I do not agree. Your process is not completed. I do not believe your process was adequate; therefore, I am going to appeal your process to another level or to a Federal court or to the Court of Appeals or to the Supreme Court.

While that was going on, Uncle Sam and the taxpayers would be required to be submitted to whatever the permittee had going on in the land in the first 10 years of the lease. I think that really is not consistent with our idea that, when the permit expires, Uncle Sam ought to have the ability to negotiate in good faith with the permittee about what provisions occur.

Now, I am not alone in being concerned about the environmental aspects of this. Our amendment is supported by the League of Conservation Voters and Trout Unlimited, U.S. PIRG, the National Wildlife Federation, the Sierra Club, and the Wilderness Society. The reason, Mr. Chairman, that those groups are concerned about this is that they believe it could be a fairly significant opening up and restriction of our agency's ability to fulfill their environmental mandate.

I also wanted to point out, and I presume the drafters of the language had some concern, that there would be some wholesale refusal or failure to simply reprocess these permits. But I have done some looking into it; and I found that, under existing loads, the agency ought to be able to handle these permits.

In the next year, about 1,600 permits will expire. They will have to do about 170 for previous years for under 2,000 permits. Last year, the agencies processed 3,847 permits.

So basically the agencies are capable of doing this. Our concern is that if we pass this language the way it was written, it will allow some permittees, some, not all, but some to essentially prevent BLM from enforcing environmental laws by essentially saying, even though my permit is expired, I am going to force Uncle Sam to except however many animals I have had, and that we are going to keep those animals on even if my permit is expired as

long as I keep this tied up in the courts.

I believe that is inconsistent with long-term practices and environmental law.

Mr. Chairman, I yield to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman from Washington for yielding to me.

Mr. Chairman, I rise in support of his amendment because I think the language of the bill raises serious questions and goes beyond what is needed. I am told, as is the gentleman from Washington, by the BLM that they do not need this provision and that they are capable of processing all of the grazing permits that will expire in the next fiscal year.

So I think for that simple reason alone, we ought to adopt this amendment and not get in the way of the work that the BLM is doing on its own at this point.

Mr. INSLEE. Mr. Chairman, reclaiming my time, I yield to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, does the gentleman from Washington (Mr. INSLEE) understand that the decision rests with BLM? This is permissive authority for them to deal with the problem in the event, for lack of resources, both monetary and manpower that they would not be able to address all of the permits that have an environmental consideration. We are simply giving them some latitude to make the decision, but they do not have to do this.

I do not think it gives the permittees any standing because they have to negotiate with BLM. This is language similar to what we had negotiated with the President last year and just simply recognizing that the task was so huge they may not be able to effectively renegotiate all of these permits within the time allocated.

The CHAIRMAN. The time of the gentleman from Washington (Mr. INSLEE) has expired.

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

Mr. Chairman, I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I think we have a significant drafting issue that I very much would encourage the Chair to look at because I have looked at it very carefully. There is quite a number of folks that have looked at it.

I am very clear that the way the language is drafted at this time, it would allow the permittee to insist in the continuation of the lease for as long as this process in appeal period is involved. If that was the intention of the gentleman from Ohio (Chairman REGULA) to make this permissive or discretionary with the Bureau rather than mandatory to the permittee, I really believe we need some changes in the drafting. If that is the intention, I would perhaps encourage us to defer this for a few minutes so we could have

that discussion. I really believe we need some drafting changes here.

Mr. REGULA. Mr. Chairman, it is our understanding, and this was negotiated with the President and the BLM last year. We put the identical language in this year. We do not think it would be appropriate next year because it is our hope that the BLM will have the resources to process the expiring grazing permits in conformance with the court's decision. Perhaps rather than remove it, we could change a word or two to give the gentleman from Washington (Mr. INSLEE) some comfort to at least accomplish what we think is being the effect of the language.

Mr. INSLEE. Mr. Chairman, with the Chair's permission, if we can find a parliamentary way to do this, table this for at least a few minutes while we have discussions in that regard, if the Chair would allow in that regard.

Mr. REGULA. Mr. Chairman, with the consent of the parties here, if we could defer this amendment, I would ask unanimous consent to return to this section at some later point, and allow some time to see if we can reach a meeting of the minds on the language that accomplishes the objectives of all the parties.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn without prejudice and may be returned to at a later time in the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 117. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 118. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2001. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 119. None of the funds in this Act may be used to establish a new National Wildlife

Refuge in the Kankakee River basin that is inconsistent with the United States Army Corps of Engineers' efforts to control flooding and siltation in that area. Written certification of consistency shall be submitted to the House and Senate Committees on Appropriations prior to refuge establishment.

SEC. 120. The Great Marsh Trail at the Mason Neck National Wildlife Refuge in Virginia is hereby named for Joseph V. Gartlan, Jr. and shall hereafter be referred to in any law, document, or records of the United States as the "Joseph V. Gartlan, Jr. Great Marsh Trail".

SEC. 121. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2001 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 122. None of the funds in this Act may be expended by the United States Fish and Wildlife Service to establish a National Wildlife Refuge in the Yolo Bypass of California.

AMENDMENT OFFERED BY MR. OSE

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

The Clerk read as follows:

Amendment offered by Mr. OSE:

On page 52, strike lines 12 through 15.

Mr. OSE. Mr. Chairman, I want to preface my remarks this evening by expressing my appreciation to the gentleman from Ohio (Mr. REGULA). In particular, over the last 6 months as he has worked with me to try and address an issue of significant concern to my district.

I will tell my colleagues, coming to Congress recently with the expectation that it was a place of contentiousness and divisiveness, I will tell my colleagues that, having worked with the gentleman from Ohio (Chairman REGULA), he has affirmed my faith in our legislative body. He is a bulwark against inappropriate action and has taught this freshman so much for which I am appreciative.

To the gentleman from Washington (Mr. DICKS), the ranking member, who has taken the time to pull me aside sometimes with resistance from myself, I want to extend my compliments. I know the gentleman has been here far longer than I have.

I will tell my colleagues, working with the gentleman from Washington (Mr. DICKS) and the gentleman from Ohio (Mr. REGULA) is an eye opener. It is truly something that I wish our citizens could see firsthand for themselves. It is far different than perhaps the worst of our examples. It is, in fact, exactly the way that the system works. I want to, in particular, also recognize their assistance in this manner and express my appreciation for it.

Mr. DICKS. Mr. Chairman, will the gentleman yield just for a brief comment?

Mr. OSE. Certainly, I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to say to the gentleman from California (Mr. OSE) that he has been a gentleman to work with and very persistent, but that is a good trait where I come from. We just appreciate his attitude and his approach to this problem.

Mr. OSE. I thank the gentleman from Washington (Mr. DICKS) for those remarks.

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

Mr. OSE. Certainly, I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, this is a good example of our working together in a bipartisan way to meet a problem that affects the people that the gentleman from California represents. He is doing an effective job on behalf of his constituents, and that is what this House is all about.

Mr. OSE. Mr. Chairman, I thank the gentleman from Ohio (Chairman REGULA) and the gentleman from Washington (Mr. DICKS), the ranking member, for their comments.

Mr. Chairman, I want to briefly highlight the problem that these two distinguished gentlemen have helped me solve. This is a map of northern California. I represent basically the center portion of this. Geographically, this area is roughly two-thirds the size of the State of Washington. It is larger than, say, four or five States one may wish to select in New England. It is the size of two-thirds the State of New York. The State of Ohio could potentially fit right here.

The purpose of this map is to highlight how this entire area, rather than draining to the Pacific Ocean, the water that falls within this area works its way south down the Sacramento River and its tributaries for which one can see the vast expansion and number past a particular point opposite downtown Sacramento.

The main channel of the Sacramento River can hold around 150,000 cubic feet a second. The difficulty we have from this region is that, by virtue of the large geographic expansion, the rainfall in this region can generate up to 650,000 cubic feet a second of water flowing past downtown Sacramento.

The area that is the subject of our concern tonight is the Yolo Bypass. The Yolo Bypass, as many of my colleagues may realize, is the relief valve that protects the Sacramento area from an inordinate amount of water being forced down the main channel. The bypass contains up to 500,000 cubic feet a second. That is the subject of our discussion tonight.

At the suggestion of the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS), I have taken the opportunity to visit with the director of the Fish and Wildlife Service, Ms. Clark. We have, contrary to where we were headed earlier today, we have come to an agreement that allows us to work together to solve the competing needs between flood protection in one instance and the creation of an adequate amount of habitat in our State in another. I look forward to that.

I do want to, if I may, enter into a colloquy at this point with the gentleman from Washington (Mr. DICKS) to establish understanding of how we are

going to proceed from here as it relates to this issue.

If I could, I would like to share with the gentleman from Washington my understanding of my discussion with Ms. Clark and have him affirm it, if he will.

When I spoke with Ms. Clark, what we agreed to do as it relates to the Yolo Bypass and any proposed refuge is to complete the existing environmental work that has been under way for quite some time. Ms. Clark has agreed that she will withhold any designation of a refuge in this area until such time as we can resolve any identified outstanding issues to our satisfaction and that I would withdraw my language from the bill as I have in the body of this amendment.

Mr. Chairman, I ask the gentleman from Washington (Mr. DICKS), the ranking member, if that is his understanding.

Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, yes, I had an opportunity to talk to Jamie Clark, our distinguished director of the Fish and Wildlife Service. She certainly indicated to me a willingness to work with the gentleman from California (Mr. OSE) and the other officials from that area.

The CHAIRMAN. The time of the gentleman from California (Mr. OSE) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. OSE was allowed to proceed for 2 additional minutes.)

Mr. OSE. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I promise the gentleman from California, one, that we will work to make sure that all commitments are kept by the administration, and, number two, that I am very interested in this, and I want to work with the gentleman and the other Members in that area in resolving this issue to the gentleman's satisfaction.

The most important point here is that the Fish and Wildlife Service understands the crucial importance of having adequate flood control and reliable flood control even in the context of this new wildlife refuge once it is created. So I think this is a good outcome. And I appreciate the gentleman's interest and will work with him to resolve this problem in a proper way.

□ 2000

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

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

Mr. REGULA. Mr. Chairman, I want to commend the gentleman from Washington (Mr. DICKS) and also Mrs. Clark, Director of the Fish and Wildlife Service, for working with the gentleman in a very bipartisan fashion to solve a problem that affects the people in the gentleman's district.

I think it is a great example of how government officials, executive and

legislative, can work together to do something that is beneficial to the people. We hear so much about the lack of bipartisanship, but this is a great example that it does work.

Mr. OSE. Reclaiming my time, Mr. Chairman, I thank the gentleman from Ohio, the chairman of the subcommittee, and I thank the ranking member, the gentleman from Washington, and I look forward to resolving this appropriately.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HINCHEY

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

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:
Page 52, after line 15, add the following new section:

SEC. ____ The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading "NATIONAL PARK SERVICE—CONSTRUCTION" by \$9,000,000 and by increasing the amount made available under the heading "NATIONAL PARK SERVICE—LAND ACQUISITION AND STATE ASSISTANCE" for acquisition of lands or waters, or interests therein, by \$9,000,000.

Mr. HINCHEY. Mr. Chairman, the purpose of this amendment really is very simple. It is designed to ensure that this \$9 million, which is appropriated in the interior appropriation bill, goes to the State of Florida, as it was intended by the chairman and the members of the committee; and that that \$9 million would be used for land acquisition in a way that would enhance and protect the Everglades in the State of Florida.

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

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

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding to me.

We are in agreement with this amendment. I think it reaches the intent of what we are trying to do in the committee, and that is to provide funding to match what the State of Florida is doing in land acquisition. This does not remove it, but rather ensures that the money that we have appropriated from all the taxpayers in the United States will be used to benefit a resource that is very valuable to the people of this Nation, namely: the Everglades National Park.

This goes to make sure that the money we appropriate goes to the kind of purpose that the constituents, the people of this Nation, would find very desirable. I commend the gentleman for the language, and I am willing to accept the amendment.

Mr. HINCHEY. Reclaiming my time, Mr. Chairman, I thank the gentleman, the chairman of the Subcommittee on Interior of the Committee on Appropriations, and I very much appreciate, as always, having the opportunity to work with him in a constructive way.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DICKS

Mr. DICKS. Mr. Chairman, I offer an amendment, a consolidated amendment at the desk.

The Clerk read as follows:

Amendment offered by Mr. DICKS:

On page 52, after line 15, add the following new section:

SEC. _____. Any limitation imposed under this Act on funds made available by this Act related to planning and management of national monuments, or activities related to the Interior Columbia Basin Ecosystem Management Plan shall not apply to any activity which is otherwise authorized by law.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that debate and votes on the gentleman's amendment and all amendments thereto be temporarily put aside, without prejudice, and that it be the first order of new business after 9:30 this evening.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio that the amendment be withdrawn and be permitted to be reoffered later during the bill?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE II—RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$224,966,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, \$197,337,000, to remain available until expended, as authorized by law: *Provided*, That none of the funds appropriated or otherwise made available by this Act or otherwise available to the Secretary shall be used to carry out any activity related to the urban resources partnership or similar or successor programs.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, \$1,207,545,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(i)): *Provided*, That unobligated balances available at the start of fiscal year 2001 shall be displayed by extended budget line item in the fiscal year 2002 budget justification.

AMENDMENT NO. 35 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Mr. DEFAZIO:

Page 53, line 14, insert after the dollar amount the following: "(increased by \$26,000,000)".

Page 67, line 16, insert after the dollar amount the following: "(reduced by \$53,000,000)".

Mr. DEFAZIO. Mr. Chairman, this is an important amendment.

As the esteemed chair of the subcommittee refers to the Forest Service as the working man's country club, it is an everyday recreation area for tens of millions of Americans across the western United States.

I think everyone in this body would agree, certainly including the members of this subcommittee, that our recreation needs on the Forest Service lands are not being met. There is an extraordinary backlog in trails and facilities maintenance. There is virtually no construction of new trails, with the exception of volunteer activities. Recreation is up phenomenally, and the Forest Service has no capability of dealing with it.

This amendment would take money from the petroleum and natural gas industries, the Department of Energy budget. I believe that those industries are quite capable on their own, particularly given the huge run-up we have seen recently in oil prices, in conducting their own exploration, for instance. I do not think that the Federal Government needs to be providing incentives for exploration and in production for the oil industry.

Reservoir life extension and management? Certainly the industry, with these extraordinarily high oil prices and gas prices, has its own incentive plus huge tax breaks to invest in that area. Likewise, for exploration and production of natural gas.

I just met with my natural gas folks from the Northwest, and they said things are going swimmingly. They are drilling all sorts of new wells up in Canada and in parts of the United States and they did not give me any inkling they felt they needed a taxpayer subsidy to undertake very profitable exploration activities.

But we do know that we do not have enough money to fund everyday recreation needs of tens of millions of Americans in the western United States on Forest Service lands. So I think this would be a really great trade-off. Let us give average Americans a break, a break they are not getting from the oil and gas companies today when they go to the pump. It is costing them a heck of a lot more to get to the forests because of the gas prices that they are being charged.

And when they get to the forests they find the facilities are overcrowded, outmoded, inadequate. They find their trails are blocked by downed trees. They find that the same areas they have been going to for 30 years are no longer maintained by the Forest Service. Sometimes the roads are gated because the Forest Service cannot afford to maintain them and do the work.

This is an amendment for average Americans. Let us give them a break today. Let us take their tax dollars and

spend them on something they want, need and enjoy, and not give it as a subsidy to the petroleum and the gas industry.

I would urge Members to support my amendment.

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment.

I agree with the gentleman that we need and can always use more money in the Forest Service recreation program. However, I do not want to do that at the expense of developing oil and gas technology.

We already know that the price of gasoline has soared to over \$2 a gallon in some parts of the country; that we import more than 50 percent of our oil and it is estimated that this will rise to 64 percent by 2020. The only answer that we have is to improve the technology for producing oil in this country.

It is pretty well accepted in the industry that now we only get about 30 percent of the oil that is in the reservoir with today's technology. If we could double the amount of oil that is produced in a well, it does not take a lot of mathematics to figure out what it could do for the shortages that we are experiencing.

I think it is vitally important that we continue developing better technologies not only to increase production but also to reduce production costs. The more we produce onshore, the less we are subject to OPEC pricing. There is no question that the spike that we have seen on oil prices today results in part by the fact that OPEC can more or less determine what the price per barrel should be simply because we are so dependent on the oil that they produce.

Now, it is not that we have ignored recreation in the bill. I agree with the gentleman. Recreation is extremely important, and we have recognized that by putting a \$25 million increase in funding for the Forest Service recreation program. It is a fast-growing program. It is something that our citizens enjoy. It serves us well. It is quite evident when we look at the numbers that of all the Federal land agencies, the Forest Service has substantially the far greater number of visitors, and we want to continue supporting the recreation program.

This is very much a part of the service that the forests provide to our people, but I just do not want to do it at the expense of risking higher and higher oil prices, gasoline prices, and becoming more and more dependent on other countries to supply our petroleum. And one of the most important ways we can avoid that, the higher prices, avoid that dependency, is to continue to do research on oil and gas technology.

If we have more funding available down the road, I would like to increase the amount we commit to recreation and all of our land programs because that is a very important asset to the

people of this Nation. We have increased it by \$25 million. Perhaps conditions will be such that we can do even more. But let us not do it at the expense, as this amendment would propose, of crippling our oil and gas technology research.

For these reasons, Mr. Chairman, I oppose this amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the last word.

I join to oppose the DeFazio amendment for the following reasons: How dependent do we have to get on unstable parts of the world before it concerns us? In my view, there is no issue facing America more important than energy self-sufficiency.

Just a year and a half ago we had \$10 oil, and we had it for quite a while. We became drunk on cheap oil in this country. We had no energy policy, we had no incentives for production in this country, and our dependency continues to grow.

In a few short months, unstable parts of the world that we cannot trust suddenly engineered price increases that tripled the price of oil will per barrel. There is nothing to prevent them from doubling it again. What would happen to the American economy if oil became \$60 a barrel? It could devastate the economy of this country.

I am not opposed to where the gentleman is putting the money. I am very pro recreation. But I cannot support taking the money away from energy self-sufficiency when we have allowed ourselves to become dependent on parts of the world that we cannot trust, that are unstable, and who care nothing about our future. I believe it is very poor public policy to take money out of energy self-sufficiency, to take money out of improving our own ability to produce oil.

□ 2015

We are looking at sonification, where we would double and triple the amount of money that we would get out of existing old oil wells without drilling new ones. We are looking at sonification programs that have a lot of promise by using soundwaves down the well hole where we would drastically increase the amount of oil we got out of those wells, reviving many old wells in this country.

Now, it needs a little more work. It needs a little more research. Those are the kind of projects we need to be dealing with. Those are the kind of incentives. There has been no incentives in this country.

\$10 oil destroyed this country's oil business. We do not have rigs in this country to drill. We have a fraction of the rigs to drill wells that we used to.

We are on a course and the DeFazio amendment will push us down that road to where we will be dependent on Iraq and Iran and countries like that for our economic future, and it is ludicrous.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. PETERSON) has expired.

(On request of Mr. DEFAZIO and by unanimous consent, Mr. PETERSON of Pennsylvania was allowed to proceed for 2 additional minutes.)

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

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, does the gentleman from Pennsylvania (Mr. PETERSON) really believe it is necessary for the taxpayers of the United States to socialize and/or subsidize our oil industry, which is immensely profitable, is price gouging, involved in supporting OPEC in their price fixing, that we need to give them taxpayer dollars to increase their production to go back to old reservoirs and get more production?

Does the gentleman really believe that? I mean, does he really believe that they do not have an incentive from the marketplace to go and do this, we have to give them a taxpayer subsidy?

This is taxpayer dollars. We are underfunding recreation which millions of Americans enjoy.

Yes, we need to become energy independent. This is not about energy independence. It is about subsidizing a vastly profitable industry.

How much is \$50 million? Is it 1 minute or 2 minutes' profit for that industry?

Mr. PETERSON of Pennsylvania. Mr. Chairman, reclaiming my time, the gentleman absolutely misses the point.

With \$60 oil, people are not going to be able to afford to go on vacation, people will not get out to have recreation, people will not be running motorboats, people will not be having vehicles out there driving.

I want to tell my colleagues, if it does not scare them when oil can go from \$10 a barrel to \$32 a barrel in a few short months because foreign countries like Iran and Iraq can manipulate this country, if that does not scare my colleagues in the future, I do not know what does.

We have the ability in this country in environmental and sound ways to produce a lot more of our oil. If we produce 60 percent of our oil instead of 48 percent of oil, we would be less dependent on these unstable parts of the world.

I think that is a greater threat to our economic future and the defense of this country than any other foreign power. I think the energy crisis that is looming out there and our vulnerability to it, and there is no reason that we cannot have \$40 oil in a month. We can have \$50 oil in 2 months. All they have to do is slow down what they are going to sell us, and we are vulnerable; and there is nothing we can do about it. And until we become more self-sufficient and get people we can purchase oil from that are our friends that we can trust, we better be investing in our own security and our ability to produce energy.

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

Mr. Chairman, I say to the gentleman from Pennsylvania (Mr. PETERSON), if I might, he is, of course, a Republican; and I would imagine that he is familiar with the 1997 Republican budget resolution which touched on this issue. So let me quote it for him. This is from the Republican budget resolution of 1997:

"The Department of Energy has spent billions of dollars on research and development since the oil crisis in 1973 triggered this activity. Returns on this investment have not been cost effective, particularly for applied research and development, which industry has ample incentive to undertake."

I think that is the point that the gentleman from Oregon (Mr. DEFAZIO) is trying to make.

Some of this activity is simply corporate welfare for the oil, gas, and utility industries. Much of it duplicates what industry is already doing. Some has gone to fund technology in which the market has no interest.

That is not me. That is the Republican budget resolution of 1997 regarding the Fossil Fuel Energy Research and Development Program.

I do not often agree with the Republican budgeteers, but I think on this one they are right.

Mr. PETERSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Pennsylvania.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I think it is an indictment of the Clinton-Gore administration with a complete lack of energy policy and an inappropriate management of research dollars. Yes, I think it is an indictment of the last 5 years previous to that of this administration, who had had no energy policy and helped us become dependent on foreign countries.

Mr. SANDERS. Mr. Chairman, reclaiming my time, I really was not trying to be partisan. My colleague can attack Clinton and so forth.

The only point that I was making, and I did not mean to be partisan, I only meant to record for the RECORD what the Republicans in 1997 said. And I think what they said was appropriate.

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

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

Mr. REGULA. Mr. Chairman, just recently this body voted on a bill called CARA, which would spend almost \$4 billion annually on a lot of worthy causes. That money is to be generated from royalties on oil wells on Federal property.

What we are saying here, in part, is that it is incumbent on the Federal Government to support some research to make these wells even more productive to get more of the resource, which will support the CARA bill.

Mr. SANDERS. Mr. Chairman, reclaiming my time, there is no argument with the gentleman from Pennsylvania (Mr. PETERSON) in the sense

that we all want to be energy independent and that we want lower prices. No one is arguing about that.

I think the question is that we have an oil industry which some believe is already rigging the game and artificially raising prices; we have an oil industry today that makes billions and billions of dollars in profits. And some of us would ask, why are they not investing heavily into making more oil efficiently.

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

Mr. SANDERS. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, the gentleman previously spoke a lot about energy independence. I support energy independence with alternative energy, energy conservation, and a whole host of other things.

I did vote against the amendment to strike money from real investigation and real research earlier in energy efficiency on an amendment previously. But this is giving more money to the oil industry which is engaged with its OPEC partners in price fixing.

I wonder if the gentleman is a cosponsor of my legislation to require the President, the Metcalf legislation, of which I am a cosponsor, to require the President to file a WTO complaint against their WTO illegal price-fixing activities.

They are proud of it. The president of Venezuela says, hey, we are restraining production, we are fixing prices, and we are sticking it to the Americans. And our President and this Congress is silent on the issue.

Giving \$53 million to a multihundred-billion-dollar industry, which is price fixing with overseas partners, is not good. Do my colleagues think they are not happy with the high price of oil? Do my colleagues think that this money is being spent to bring down the price of oil, \$53 million would bring down the price of oil?

Mr. SANDERS. Mr. Chairman, reclaiming my time, I would simply say that, while we all want energy efficiency, providing corporate welfare to some of the largest and most profitable corporations in this country is not the way to go.

In a few moments, perhaps, I will be introducing legislation which increases funds for weatherization. Making homes of low-income and working people's homes more energy efficient is a lot better way.

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

Mr. Chairman, I would agree with the two gentlemen on this side. In California, when we asked why in San Diego the prices were so high of gas, the oil industry said, because the market will bear it.

I think the oil companies are ripping us off. It would surprise the gentleman that some of us do believe that when we look at gas prices and what they are across this country.

We had a staged event out here with the truck drivers in this country. They are all going to go bankrupt. They cannot afford the gas prices to haul the products around this country.

So I do not disagree with the gentleman on that. I think we ought to have an investigation through the President on why these oil prices are fixed and are costing us so much.

I would object and I will not support the amendment of the gentleman, however. I will tell my colleagues why.

I also agree with the gentleman that there is a backlog in maintenance and everything else. My whole family used to go to Yosemite in California and the Redwoods. There are gated areas where we cannot get into the roads in San Diego for recreation areas, whether it is even horseback riding; they will not let us into those roads now.

But I would ask of the chairman of the committee, first of all, if there is this big backlog, I understand the President under the Antiquities Act put aside millions of acres in Utah; and our concern, and I see the gentleman from California (Mr. GEORGE MILLER), we had one of the most lengthy debates on this floor on the California desert plan. We lost that issue. The gentleman prevailed. But one of our concerns is, if we put all of these acres into national monuments, into wilderness, where are we going to get the additional funds, especially since we are in backlog?

Now, we asked Secretary Babbitt what areas are they, at least, looking at under the Antiquities Act to nationalize all these millions of acres, most of them in the West, where more than 50 percent of the land is already owned by the Government? Do my colleagues know what the answer was when we asked him would he share where they are, at least, looking? The answer was, no.

So I would ask my colleagues that will support this presidential plan, up to 25 of these, where we are going to get the additional revenue, when we are already short, to nationalize all of these areas. I think it would be a mistake.

The area in Utah that the President nationalized into a park, if we take a look, it was one of the cleanest coal areas in the whole world. Well, the President nationalized that. The next week he gave \$50 million to China to crack coal. Guess who now has the monopoly on clean coal? Mr. James Riady. And guess where he cracks his coal? In China.

So we have a question, first of all, of where we want to take and do a backlog; but, on the other hand, they want to nationalize all these different areas.

I think we do need more money for our forests and our parks and our recreations. I think some of that may be through a study to find out why these oil companies are gouging the American public. I think it is scandalous what they are doing.

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

Mr. Chairman, I rise to speak against this particular amendment. I think it is important for us to understand a little bit about the technology that arises from the research that the gentleman is seeking to take the funding from.

The technology that we are talking about is technology that the purpose of which is to make our oil fields more productive. As oil fields age, the production drops in these oil fields; and, of course, the royalties that accrue to governments drop along with it.

Also, what often happens then is that the ownership of these oil fields migrates from the large companies to small producers. The technologies that are developed as a consequence of this research are really intended to help the small producers as opposed to the large oil companies and to keep these small producers going.

What ends up happening usually is it extends the life of these oil fields. The consequence of that is that it often sustains the economy of those local areas. It protects the environment because instead of developing new oil reserves, they can utilize the oil reserves that are there. It increases the revenues that go to local governments and to State governments and even the revenues that come to the U.S. Treasury. They are the principal beneficiaries.

I happen to have a university in my district that has done some of the research, biofilm research, associated with this technology. The consequence of the research that was done originally to try to get a better understanding of what caused oil fields to sour is a whole new area of biofilm that has had incredible benefits in the area of medicine, benefits in the areas of the environment, and is creating whole new industries and whole new jobs all as a consequence of this kind of research.

And so, I think it is important for us to understand that what we are talking about, what this gentleman is trying to take the dollars away from are not the big oil companies. They do not need this research. It is the small producers. It is the universities that are doing this research. And in the end, the loss of this research will mean that we will not have that scientific knowledge and the new opportunities that go with it.

□ 2030

Mr. PETERSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HILL of Montana. I yield to the gentleman from Pennsylvania.

Mr. PETERSON of Pennsylvania. I thank the gentleman for yielding.

Mr. Chairman, I think it is important to counteract the comment that has been made that this is just a handout to large oil companies. The vast majority of oil and gas produced in America is by small independent producers with less than 20 employees. Eighty percent of these independent companies are

family owned. They are small companies that drill 85 percent of the new wells in this country. Not many wells have been drilled. Of the oil research projects funded in this bill, more than 95 percent of them will be carried out by small independent companies, oil field service companies, universities, and laboratories. They also deal with fuel efficiency. They also deal with cleaner burning of fuels. That is what we are taking money from.

Mr. Chairman, this is a bad amendment. The people who have offered it do not understand who produces energy in this country. I come from the original oil patch where the Quaker States and the Pennzoils began, where all the energy began in this country, in western Pennsylvania. The oil was never produced by them. The vast majority was produced by little mom and pops. It is true across this country, in the Texas and the Oklahomas. Most of it is individuals, small companies. It is not the majors. The majors are the marketers and the sellers. They do not produce the energy in this country out of the ground, the vast majority of it.

We need to be more fuel efficient. We need to be using fuels and burning them cleaner. We need to continue to research. Just like we have realized that in health, research is vital to the health of this country. Research is vital to the economic health and being energy efficient in this country and being energy self-sufficient. If we follow the course of those who want us to stop producing oil energy in this country, this country will have no future. I certainly do not want to depend on the Iraqs and the Iraqs and countries like that for our future. Today we are. They can turn the key. They can make us squirm in a moment. They could double our energy costs in the next 2 months. We must not let that happen.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. This amendment does one of two things. Either this amendment stands between us and energy independence in a globalized energy world or it saves mom and pops. They have used all the arguments. Never do we see people run so fast to mom and pop oil operations than when they talk about the oil industry. All of a sudden Chevron disappears, Shell disappears, Exxon disappears, Mobil disappears, and it is only the mom and pops that we care about. I remember when we got rid of the oil depletion allowance, it was going to be the end of mom and pops, it was going to be the end of the oil companies, it was going to be the end of the industry. If everybody who said they had a mom and pop oil company in their district had one, we would have been independent then. That was 1975.

For the gentleman to argue that this amendment is the difference between energy independence and nonenergy independence, this is the difference be-

tween \$30 barrel oil and \$60 barrel oil just shows a lack of understanding of the world oil market. Oil did not go above \$30 a barrel a few weeks ago, a few months ago when we in California were paying \$2 a gallon because they knew that they would drive down the world economy and they would lose their customers. You do not go to \$60 a barrel because you can. Because if you do, you turn off your customers. That is why they have got a range. They said they would go between 20 and 30 or 22 and 30 or 28 and 22.

There is only one market in the world. There is only one price of oil in the world. We used to have a domestic market. Domestic producers produced at one price and foreign producers produced at another price. That does not happen anymore. The world price of oil is set once a day. That is the world price of oil. It does not matter if it comes from Texas, it does not matter if it comes from Saudi Arabia or if it comes from the former Soviet Union. That is the world price of oil. That world price of oil is managed very carefully. It is managed very carefully by those producing states because they have to have enough because they have high unemployment, terrible economies, they have got to keep showering money on their people, and not too high so that they turn off the rest of the world economies.

So let us not pretend like this amendment is the difference. We take 10 million barrels a day. That is 260 million gallons of gasoline a day. If you just took the 50 cents extra they charged on the people in Chicago and Michigan, they could pay all this research time and again. It is four times that amount.

I have these research facilities in my district for the oil companies. Oil executives will tell you that they do not make any decisions based upon what the United States Government does because they have to make such great commitments of capital that they cannot worry about our tax laws, our depreciation laws or our research laws. They make those commitments because they have to think in 10-year time lines, they have to think in billion dollar drilling rigs and they have to think in multi-billion dollar pipelines and they have to think in multi-billion dollar commitments around the world.

Did the gentleman from Oregon (Mr. DEFAZIO) know that he could affect this whole industry with \$53 million? These are people who are betting billions of dollars on a single rig, drilling in a thousand feet of water in some of the most hostile environments in the world, people who are deciding whether they are going to take a pipeline through Iran or Turkey, a wonderful choice. But they are betting their companies are shareholders in it all. But for the gentleman from Oregon's amendment, it will not come together.

What are we doing? What are we doing using the taxpayer dollars to

subsidize this research? The marketplace takes oil out of the ground. I remember those tight, tight sands up there in Wyoming. They were just a tax break away from busting loose in those sands. Gas would have come flowing out of those sands. Just one more tax break. Money is what takes oil out of the ground. It is funny, those mom and pops, they turn it down at \$15 a barrel and they turn it right back on at \$30 a barrel. It is money. It is the marketplace. It is not this.

At this point in time, this research is simply wasted taxpayer dollars. We are better off putting it into the National Forest System lands, we are better off putting it into the recreational opportunities where we have an incredible backlog of public lands that the people of this country want to use on behalf of their families and to recreate and to enjoy. In that one we are not meeting our needs.

We can take this money and transfer it from this program where according to their own Committee on the Budget there is no discernible evidence that this is in fact working as the gentleman from Vermont (Mr. SANDERS) pointed out. So we ought to put it to a place where it can be deployed immediately and it can be deployed on behalf of the American people. The oil companies I think will take good care of themselves given the price increase.

Mr. PETERSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. PETERSON of Pennsylvania. Mr. Chairman, it was interesting to hear the gentleman's comments about producers turn their wells right back on. That shows the gentleman does not understand the oil industry.

Mr. GEORGE MILLER of California. I understand it perfectly. I understand shut-in wells. I have shut-in wells all over California. We shut in the Bakersfield.

Mr. PETERSON of Pennsylvania. Thirty dollar oil has not turned a lot of them on.

The CHAIRMAN. The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(On request of Mr. DEFAZIO, and by unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. Mr. Chairman, we had oil that you could not give away and at the right price it became one of the most valuable fields in the entire State, in the entire Nation. I understand people shut in their wells. But let us not pretend that it is a lack of this research that shuts in those wells. People make an economic decision and that is the marketplace.

I have been through this cycle. I have been through this with all of the oil companies in my district, with all of this research to inject. We have been through it in Prudhoe Bay. We have

been up there, and we have talked to them about means to make the oil process more efficient. That is what the oil companies are doing, because it is in their interest to do the enhanced recovery, the tertiary recovery, all of those programs. That is what they are doing. It is in their interest, also. It is in their interest also to collect it from the mom and pops.

Mr. BIGGERT. Mr. Chairman, I rise today in strong opposition to the DeFazio amendment. This amendment purports to benefit the National Forest Service by cutting \$53 million from the Department of Energy's fossil energy research activities.

In reality, this amendment will cut energy efficiency research.

Today, 70 percent of the electricity generated in this country comes from fossil fuels. Our nation's demand for electricity will continue to increase with the rapid growth of our high tech economy.

Do we really want to cut funding for research that will allow us to use nonrenewable resources more efficiently? Do we really want to cut funding for research that will further reduce the impact of fossil energy on the environment?

The answer is no.

Funding for fossil energy research supports national laboratory and university efforts to improve the fuel efficiency and reduce the emissions of fossil energy facilities.

Although it does not fall under the budgetary category of "Energy Efficiency," fossil energy research is, in reality, "energy efficiency" research relating to fossil fuels and fossil energy.

The United States is already benefiting from the improved efficiency and environmental protections of fossil energy research. For example, three-quarters of America's coal-fired power plants use lower-pollution boilers developed through private sector collaboration with the Department of Energy.

Future research efforts promise even greater benefits. Let's not halt this kind of progress by cutting important fossil energy research.

I would urge my colleagues to vote against the DeFazio amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. HILL OF MONTANA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I ask unanimous consent for the gentleman from Montana (Mr. HILL) to offer his amendment out of order.

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

Mr. SANDERS. Mr. Chairman, reserving the right to object, just out of

respect here, some of us have been sitting here and have amendments that are coming down the pike.

Mr. HILL of Montana. If the gentleman will yield, I attempted to offer this amendment earlier and there was some confusion at the desk so I was not permitted to offer this amendment. And so I am not offering it early. We are actually going back and reopening.

Mr. SANDERS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HILL of Montana:

Page 53, line 4, after the dollar amount insert "(reduced by \$500,000) (increased by \$500,000)".

Mr. HILL of Montana. Mr. Chairman, before I speak to this amendment, I want to join my colleagues in complimenting the chairman and the ranking member for their hard work on this bill. This is obviously a bill that has been produced from a great deal of bipartisan cooperation. I think the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) deserve recognition for that. It is a very important bill. Our public lands are extraordinarily important. As we just witnessed, there are some very contentious issues associated with those, but I think that the one point I want to make is that this Congress and I think the country is going to miss the chairman's leadership that he has provided to this subcommittee. As the Members here know, term limits will be imposed in the next Congress and this will be the last time that he will be permitted to offer this. His understanding of the issues and knowledge of the facts about our forests and about our public lands astounds me. The help he has given me has been very much appreciated. I want to let him know that. I compliment the gentleman from Washington (Mr. DICKS) as well.

Mr. Chairman, I rise today in support of this amendment to H.R. 4578. The purpose of this amendment is to make a change within the economic action program of the State and private forestry appropriation. \$500,000 should be moved from the economic recovery base program component and disbursed as a special project in support of the Traveler's Rest site in Montana. These funds are to be issued to the Montana Community Development Corporation in the form of a direct lump sum payment to preserve and enhance the historical, archaeological and cultural values of the Traveler's Rest site at Lolo, Montana. It is a very important project for local and rural development.

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

Mr. HILL of Montana. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we are prepared to accept this amendment.

Mr. DICKS. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana (Mr. HILL).

The amendment was agreed to.

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

Mr. Chairman, I rise to discuss an issue which is of great importance not only to the State of South Dakota but to the entire Northern Great Plains ecosystem and that is the Rocky Mountain Research Station in Rapid City, South Dakota.

Mr. Chairman, the Rocky Mountain Research Station plays a vital role in solving resource problems in the several national grasslands and national forests found in the Northern Great Plains ecosystem. This research station which focuses on managing prairies to sustain livestock and wildlife has been instrumental in decisions affecting wood production, stream flows and fire ecology research in order to provide forage for livestock and wildlife species. Therefore, it is vital that the Rocky Mountain Research Station receives the funding necessary to fulfill its mission in the year 2001.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Ohio (Mr. REGULA), chairman of the Subcommittee on Interior.

It is my understanding that the fiscal year 2001 funding for the United States Forest Service reflects the same level of funding that the Forest Service received in fiscal year 2000 plus inflation. Is that correct?

Mr. REGULA. If the gentleman will yield, yes, that is correct.

Mr. THUNE. That would mean, therefore, that the fiscal year 2001 funding to operate the Forest Service research facility such as the Rocky Mountain Research Station in Rapid City, South Dakota is also at the same level as in fiscal year 2000 plus inflation; is that correct?

Mr. REGULA. Yes, it is correct.

Mr. THUNE. So is it accurate to state that the Committee on Appropriations intends for the Forest Service to fund the Rocky Mountain Research Station in Rapid City, South Dakota at least at the same level in fiscal year 2001 as it did in fiscal year 2000, that is, at at least, very roughly, \$536,000 plus inflation?

□ 2045

Mr. REGULA. Yes, that is the intent of the Committee on Appropriations. We agree that this is important research, which benefits citizens and the Nation at large.

Mr. THUNE. Mr. Chairman, I thank the chairman, the gentleman from Ohio (Mr. REGULA), for clarifying that issue.

AMENDMENT NO. 31 OFFERED BY MR. WU

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 31 offered by Mr. WU:
Page 53, line 14, insert after the dollar amount the following: "(reduced by \$14,727,000) (increased by \$14,727,000)".

Mr. WU. Mr. Chairman, the gentleman from New Jersey (Mr. SMITH), the gentleman from Colorado (Mr. UDALL), and I offer this amendment to increase the Fish and Wildlife Management account of the United States Forest Service by \$14.7 million, which would bring the account to the administration's request.

As an offset, the Wu-Udall-Smith amendment reduces the forest products line item to \$230 million, still \$10 million above the administration's request.

Similar to the amendment that I offered last year with the gentlewoman from Ohio, this amendment is environmentally and fiscally responsible. Investing in forest, fish and wildlife now will help us mitigate for past poor management and balance timber harvest with wildlife conservation.

Briefly, if we believe in sustainable timber harvest and in preserving fish and wildlife, both for aesthetic purposes and to permit harvest, then vote for this amendment. If we want to cut and run and leave my hunting and fishing buddies without either a job or a place to fish and hunt, then oppose this amendment.

Unless we take adequate steps now to protect watersheds, fish and wildlife, the courts will block further timber harvest in the future.

With more and more species listed as endangered or threatened, we jeopardize the future of timber. The Wu-Smith-Udall amendment strikes a balance between timber harvest, fish, and wildlife.

By redirecting funds to programs that improve the health of our Nation's forests, we protect the future of our Nation's resources. We need a fiscally responsible and environmentally sound approach to managing our Federal forests. The Wu-Udall-Smith amendment is just that, a bipartisan and common sense approach.

Our amendment is both environmentally and fiscally responsible.

As a hunter and fisherman, I care deeply about the future of our forests, as well as the health of our forest products industry. The administration requested \$220 million for timber sales management and the subcommittee funded it at \$245 million. Meanwhile, the fish and wildlife account was underfunded by \$14.7 million.

Our amendment restores fish and wildlife habitat funding to the administration requests and leaves \$10 million above the administration's requests for timber harvest purposes.

Mr. Chairman, I urge all of my colleagues to vote for fiscal responsibility, vote for a commitment to fish and wildlife, vote for the Wu-Udall-Smith amendment.

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

Mr. Chairman, I understand the concern of the gentleman from Oregon (Mr. WU) about increasing wildlife and watershed funding. But I would point out that the reduction of the amount available for timber sales has a couple pretty serious impacts.

First of all, surprisingly the gentleman may not agree with this, but it as an antienvironment amendment. I say that because much of this funding goes into thinning overstocked stands, enhancing habitat values, reducing dangers of wildfires and tree mortality caused by insects or disease.

One of the things we tried to do in the committee is ensure that there is good management of the forest. We must thin them, take care of insects, generally due for stewardship. I think one of the reasons we have had these severe fires is that we have not had adequate management of the forests, and the result is we get an enormous fuel buildup on the floor of the forest. When there is a fire, it is much hotter and much more destructive than if we were able to do thinning, if we were able to do removal of dead and insect-ridden trees.

We have reduced the sales, as the gentleman knows. When the Republicans took over the House, we were at about 12 billion board feet of authorized sales. Now we are at 3.6—70 percent reduction. I think we reflect the American public who puts great value on the forests. But on the other hand, we have to have adequate funding to manage these forests.

Of course, if we reduce the funding, it results in a decrease of something like \$30 million in receipts to local government. Something that is overlooked is that local governments get a lot of benefit out of the forests, from the production of wood fiber. And for all of these reasons, I do not think given the fact that we in the committee have tried to be responsible in providing an adequate amount of money on the advice of the forestry division to manage the sales of 3.6 billion board feet, as a practical matter, we probably will not get over about 2.5.

I think it is a mistake to reduce the amount, and we have tried to be conservative to begin with in the amount that is available. While we can always provide more for wildlife and watershed funding, keep in mind that good forest management is really important to wildlife habitat, really important to watershed protection. We have tried to put that funding in an adequate level to do that.

I would hope that the gentleman would consider withdrawing the amendment. I think the gentleman has made his point. But I would simply say that working with the minority, with the ranking member, the gentleman from Washington (Mr. DICKS), who has a good understanding of the forest needs. We have tried to have a responsible number here in what we have allocated for forest management.

Mr. UDALL of Colorado. Mr. Chairman, I move to strike the requisite

number of words and rise in support of this amendment.

I do want to acknowledge the good work of the gentleman from Oregon (Mr. WU). I think his points are very well made. The gentleman from Oregon (Mr. WU) pointed out that this is really a balanced and moderate amendment. What it does is, it moves \$14.7 million from the forest products line, and it adds it to the fish and wildlife habitat management line.

The effect of the amendment is to add additional funds to maintain this critical fish and wildlife habitat that we all support. It is additionally important to note that the forest products line item remains at \$10 million over the administration's request if this amendment passes; and then at the same time, concurrently, the wildlife fish and habitat management account will be at the requested level.

This is a balanced and moderate amendment. By restoring \$14 million to fish and wildlife, we ensure timber harvest for the long term. We also provide more jobs by investing in the wildlife of our forests today. So I think this is a responsible way to go. It is balanced and it is moderate.

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

Mr. UDALL of Colorado. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, as the gentleman knows, his State has a lot of forests, and I think the gentleman would agree that management of these forests is probably a very vital responsibility of the Forest Service. It does take adequate funding to do that and, perhaps, we should have more. But this is the best we can do, given the allocation that was available to us.

Mr. UDALL of Colorado. Reclaiming my time, again, when I look at the numbers, Mr. Chairman, it seems to be that we leave that ability to the Forest Service. We have increased the amount available to them in this upcoming fiscal year; and yet we are also doing more directed at our wildlife in making sure that the forest is preserved in such a way that the wildlife also have an opportunity to thrive.

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

Mr. Chairman, the amendment of the gentleman from Oregon (Mr. WU) is certainly well-intentioned, but in the wrong direction. Earlier this year, I asked for \$9 million in the supplemental, because I felt the Forest Service had insufficient funding to deal with storm recovery problems all across this Nation, including the disastrous storm that struck the Boundaries Waters canoe area in northern Minnesota in my district, blowing down 450,000 acres of trees, 6 million cords of wood, 26 million trees. And we have a calamity on our hands. We do not have enough money in the Forest Service budget to deal with this problem.

But beyond the eighth district of Minnesota is 65 million acres of national forest land in a severe health

crisis, high risk of wildfire disease and insect infestation. In the first 6 months of this year, 1.2 million acres of public lands had been consumed by wildfire.

In the previous 10-year average, that was 719,000 acres by this time. We are more than 50 percent above 10-year average in wildfires principally because of these problems of forest health. To cut these funds would cut the ability of professional foresters to manage the renewable resource of this Nation, our forestry, to manage the ability of our forests to continue to absorb carbon dioxide and return oxygen to the atmosphere, to keep our air clean, but also to provide jobs and economic stability for communities that are dependent upon those national forests.

And these forests pay for themselves in revenues returned to the Federal Government. The timber program generates over \$300 million a year in tax revenue. The net contribution to the national economy is over \$25 billion a year from these public lands that professional foresters manage in the public interests; and in our State of Minnesota, that is a \$1.3 billion industry, forestry and allied products. 38,000 jobs in Minnesota, value of the products shipped, \$7½ billion.

Now, it is not all dependent on U.S. forest lands, but those forest lands are the cornerstone of our whole forestry program. The more those forest lands are cut back, and we have already had the road lists program that was announced last year, which we fought out on this floor and opposed, we already had cutbacks. We have already had rare 1, rare 2, rare 3. We have already had more lands added to wilderness, and I am for wilderness; but when we take it out of living forests and deny people job opportunities and livelihoods of community, we are squeezing us too hard.

And when we put that pressure on the public lands, it shifts over to the less well-managed and less available private forestry lands. I would say well, this is \$15 million, but this will take us below the President's budget, which is below what we need.

I commend the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Washington (Mr. DICKS) of our subcommittee, for adding the resources that we need to manage these public resources in the best public interest. Do not take a short-sighted view. A forest is forever.

Trees that were blown down in the boundary waters a year ago this summer, a year ago this July, were saplings at the time of the Civil War; managed well, they can last for another 150 years. I urge this body to oppose this amendment.

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

Mr. OBERSTAR. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, I would like to point out to the gentleman that the account for timber sales management

remains at \$10 million above the administration request; and that with respect to blowdown and other nongreen trees, there is a separate account for salvage purposes.

Mr. OBERSTAR. Reclaiming my time, I would just say to these gentleman, I know how these budgets work. We cut \$15 million here, then we have to shift that money someplace. So it is going to come out of the hide of the resources that I have just addressed, and so I really cannot agree. We must oppose this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of passage of the Wu-Smith-Udall amendment which shifts \$14.7 million to the fish and wildlife habitat conservation line item from the forest products line item within the budget of the U.S. Forest Service.

Let me just say that I do believe that the chairman, the gentleman from Ohio (Mr. REGULA), has tried very hard within the budget constraints to allocate sufficient monies for programs within the jurisdiction of his subcommittee. It is a very tough balancing act—as chairman of the Subcommittee on International Operations I found how hard it was to write our bill. Last year the Congress passed my State authorization bill which is now law and it too was a balancing act—287 pages of desperate provisions and allocations. So I emphasize.

But in response to my good friend, the gentleman from Minnesota (Mr. OBERSTAR), there is more money not less, but more federal dollars, as my friend, the gentleman from Oregon (Mr. WU), just pointed out. The pending legislation includes an additional \$10 million more than the President's request for the Forest Service line item, the timber sales management program. Our amendment retains that plus up but shifts another \$14.7 over to the fish and wildlife programs. It is a reasonable and environmentally sound redirection of scarce resources. It is fiscally prudent. And it deserves support.

□ 2100

Mr. Chairman, the Forest Service through their fish and wildlife conservation program manages 192 acres of public lands, ensuring that animals such as elk, bighorn sheep, mountain goat, waterfowl, and song bird enjoy the habitat they need to remain viable and productive. Over 360 threatened and endangered species live in National Forests and the Forest Service works in this program to provide ecological conditions that provide for the plant and animal community diversity which will allow these species to survive and to thrive.

Mr. Chairman, yes, this a difficult choice, but, again, we are talking about redirecting a modest amount of resources from this account that has already been plussed up, and we are looking to take some of that and put it in the area where we think it will do the greatest good. I urge support for this amendment.

Mr. DICKS. Mr. Chairman, I rise in opposition to the Wu amendment.

Mr. Chairman, I think our side has worked with the chairman to try to come up with a balanced package. I would point out to my colleagues that in the Pacific Northwest we have reduced timber harvests because of endangered species issues by 85 percent, maybe 90 percent.

The administration, when it came to office, held a summit in Portland, Oregon, and said we are going to try to get out of court. We appreciated that. We were enjoying no timber harvest at all, zero, under the previous administration. We worked out a plan, the Northwest Forest Plan, to deal with it. Unfortunately, because the Forest Service has not done all of its work on some of the species they were supposed to monitor, instead of getting to the one billion board feet, down from four billion to one billion, we are now down at about 300 million to 400 million board feet a year in harvest. So what this amendment would do would mean that we would not be able to try to build back up to the one billion board feet that was in the President's plan.

We are spending money, a substantial amount of money, on ecosystem management, on watershed restoration. I have made sure that the President's program to help the Northwest was funded over the last 7 years, and we are putting a lot of money into wildlife protection, into the Endangered Species Act, et cetera, et cetera. What we have got to do though is to keep the commitment we made to all of those rural communities that we would stay at about one billion board feet. Last year we were down at about 300 million board feet because of the court decisions.

Now, I would be delighted to work with the gentleman from Oregon in trying to do something on the wildlife account, to move it up a little bit as we go to the conference committee. The gentleman from Oregon I think always tries to be constructive, and the gentleman is correct that the forest products account is up a little, and, therefore, we have some room to make some adjustments. But I think, frankly, that this effort to try to build back up is going to take a couple more years, frankly, so, again, we are going to have the people out there from our areas who we told that we were going to get up to one billion board feet, we still have not lived up to that commitment. That is why I think the committee felt that adding a little money here was appropriate.

Number two, we have a crisis in the West, and it has been pointed out here. We have seen the fire at Los Alamos, we see the fires every night. Because of what? Because, as the chairman said, we have not properly managed these forests. We have understorage, undergrowth, that is there, that is explosive at this point because we have not done the thinning, we have not done the pruning and the other things you do to properly manage a forest.

There was a professor at Berkeley who was denounced by everyone who

said you have to use control fires; and now, 30 years later, people are saying he was the guru, the genius, who really understood that these forests have to be managed.

Mr. Chairman, I have always been a believer in balance and fairness. I think, because we are so far behind, especially in the Northwest, not to add this small amount of money to try to get timber sale preparation done, to do the pre-commercial thinning and the other things, which will have a good effect on forest health, but also will help us build back up to that one billion board feet, would be a very serious mistake in judgment. That is why I support the chairman and oppose the Wu amendment, though I remain open to deal with the gentleman and try to work out something in conference if the amendment is not successful.

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

Mr. Chairman, the issue of fish and wildlife management is what we are talking about. I ask all Members, how much time do you spend in the forest? I am not a golfer, I am a gardener, and I have spent a lot of time in the forest. I grew up as a youngster, I camped out in the forest more than I did anything else. I have always loved nature and the forest, and a healthy forest is the most important thing to fish and wildlife management. A healthy forest is the most important thing to fish and wildlife management, and we do not have a healthy forest in this country, not what we should have. It was already mentioned, 65 million acres at risk; 39 million for fire, 26 million with disease-insect infestation, and 1,200,000 acres have burned this year.

How much wildlife and what kind of quality of streams do you have in a forest that is burned? A few years ago I was with the Speaker and the leaders of the House, and we were out in Idaho and went over the burned area, 400,000 acres. There was not a blade of grass, there was not a live tree, there was no greenery. The streams were sliding into the rivers, the rivers were ruined, the streams were decimated, and wildlife was not there.

A healthy forest will bring us the fish and wildlife management that we need. Let us look at the record. Our forest is growing by 23 billion board feet a year. We have six billion board feet that blow down and die annually, and we are cutting less than three billion, so we are having a net gain of 14 billion board feet a year on Forest Service land. Over the last 5 years, that is an average. That is 70 billion board feet of additional timber than we had 5 years ago. And the wildlife will be flourishing on the land that is healthy. Wildlife will be extinct, will not be endangered, it will not be there, and the fish will not be there when a forest burns.

Where do you find grouse in the woods? Where do you find deer, wild turkey, and song birds? Where the for-

est has been adequately pruned and the forest is healthy. Somebody else mentioned, you do not hear much about it, a fast growing forest that is growing fast and has been pruned is a carbon dioxide reducer. It is a carbon sink. It takes the CO₂ out of the air, which we are worrying about. An old dying forest adds CO₂ to the air and adds to the air pollution. Not a healthy, well-mature, well-managed growing forest. The Forest Service has 200 million acres. They have the wilderness and the roadless areas which are appropriate.

The GAO study says we should be treating three million acres a year at a minimum, and we are treating about 200,000. We are not managing it, and the gentleman's amendment will prevent us from treating more, and we are treating too little already.

Mr. Chairman, I understand the concept of wildlife habitat, but allow them to manage the forest adequately. Let them make the investment. Let them prune the forest where it is too thick and there is a lot of fire danger. Let them cut out the diseased trees so it does not infest the acres nearby. That is how you manage a forest, that is how you keep it healthy, that is how you have a home for wildlife and creatures.

The gentleman's amendment takes us in the wrong direction. We need to be managing our forest, we need to be treating our forest. It is like a garden, and, when you ignore it, the weeds take over and you do not have much of anything.

Our forest is a valuable resource for this country. It is also a job creator. We have not even talked about the economics. But areas that are basically owned by the Federal Government, there has been no dependency, because the Federal Government, you cannot depend on it to adequately market any amount of timber. Many counties in the West and parts of other States, their economies have been decimated, and for no good reason.

We can manage our forests, we can prune them properly, we can enhance wildlife habitat, and we can do it without the gentleman's amendment.

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

Mr. Chairman, I rise in strong opposition to this amendment. This is an unfortunate and uninformed amendment, especially in view of the importance of the timber sale program to preventing tragedies like we recently saw in Los Alamos, New Mexico.

Contrary to the myth created by some in the environmental community that cutting timber harms the environment, today's Federal timber sale program is a critical and cost-effective tool for reducing fire risk, improving wildlife habitat and protecting communities.

Let me give Members an example. Last summer I visited a timber sale in the fire-prone forests of Northern California. The purpose of the sale was to reduce the risk of fire on 2,000 acres of

forest and return the forest to a more natural state. The strategy was to thin the forest by removing undesirable fir trees while leaving the large majestic Ponderosa pines. The result was a more fire resistant forest and better wildlife habitat.

This result was achieved through a timber sale contract, a contract that simply thinned the forest of the most undesirable trees, a timber sale contract that reduced fire risk and created better wildlife habitat, a timber sale that helped protect the local communities from the devastation of catastrophic wildfire. What added to the benefits of this project was that it actually made money for the Federal Government. A contractor actually paid the Forest Service \$8 million to thin the forest by removing the most undesirable fire-prone trees.

Mr. Chairman, what I am describing is today's Federal timber sale program. The notion that this program is harmful to the environment is a myth, is a political fabrication. Today's timber sale program is designed to reduce fire risk and improve wildlife habitat in a way that is more cost effective than any program that the Wu amendment will fund. Even more importantly, it is our most effective tool for preventing tragedies in communities like Los Alamos, where the single-most important strategy for protecting homes and lives from devastating wildfire is to thin overstocked timber stands.

Mr. Chairman, we should not be cutting funding for this program. If we have learned anything from Los Alamos, we should be increasing the funding for this program.

Make no mistake, a vote in support of this amendment is a vote to cut our ability to reduce the risk of wildfire and thereby protect homes and lives. It is a vote against cost-effective wildlife habitat restoration. A vote for this amendment is a vote for a myth. I urge my colleagues to reject the myth and support cost-effective management of our forests.

Earlier this evening the chairman of the Subcommittee on the Interior of the Committee on Appropriations and I engaged in a colloquy in which we discussed the needs of the wildlife management program. I was pleased just a few minutes ago to hear the ranking Democrat on the subcommittee say that he, too, was interested in working with the gentleman to find increased funding for the wildlife program, without taking it from the modest increase that is taking place in the forestry program.

Therefore, it seems to me far more appropriate to join in and accept, reach across the aisle, accept the chairman's offer, accept the ranking member's offer, to work to find that increase elsewhere, rather than take it away from a program that obviously has far greater need than we are addressing, given the fact that we have more than 40 million acres of our National Forests that are subject to high risk of catastrophic wildfire.

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

Mr. GOODLATTE. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just wanted to make very, very clear that what I am standing up for is not just good fish and wildlife management, but good long-term forestry management. But there is one issue that I want to take off the table.

□ 2115

That is that there is a lot of discussion today about fires on forest land. I understand the concern. I am completely sympathetic to it.

I just want to point out to the gentleman and to the prior speaker that there is more than \$600 million in the Department of Agriculture funds to prevent wildfires and address wildfires if they occur. Separately, there is \$297 million in the Department of the Interior budget to address wildfires and to suppress wildfires.

The CHAIRMAN. The time of the gentleman from Virginia (Mr. GOODLATTE) has expired.

(By unanimous consent, Mr. GOODLATTE was allowed to proceed for 30 additional seconds.)

Mr. GOODLATTE. Reclaiming my time, Mr. Chairman, the gentleman knows those funds are available for the purpose of fighting the fires once they get started, or for other fire prevention methods.

But the best way to long-term prevent that catastrophe and to improve the wildlife habitat and the general condition of the forest is to have a viable timber sale program, geared in the new directions of the Forest Service, to use that program to thin these areas that are exposed to very high risk.

While I join with the gentleman in his interest in making sure that wildlife habitat is promoted, taking this money from one fund that promotes that wildlife habitat and putting it into another does not achieve that, whereas working with the chairman to first preserve this fund and then look for additional help, as the ranking Democrat also proposed, that is a better way to proceed.

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

Mr. Chairman, I rise to speak in opposition to the Wu, Smith, and Udall amendment.

I also believe we should invest wisely in our National Forest resources, but I have a different view on how to accomplish this worthy goal.

Clearly this amendment put thousands of forestry jobs at risk and jeopardized the economic stability of rural communities such as Northern Michigan.

I want to speak about a larger issue. The amendment claims to be concerned with an extensive backlog of fish and wildlife habitat needs. However, this

singular approach is misguided. The real backlog is in the overall forest management, the backlog of improvement projects needed to restore forests to stable ecological conditions.

Fish and wildlife habitat is an important part of forest restoration. Many of us in Congress are aware of the tremendous accumulation of forest fuels on our public lands. Poor forest conditions are a major contributor to larger forest fires, like the recent fire in New Mexico. It is estimated that 65 million acres of our National Forests are currently at risk of catastrophic wildfire, insect infestation, and disease.

While there may be a large backlog of watershed and wildlife habitat restoration needs, there is even a larger national backlog of general forest restoration work.

This amendment is a contradiction. It is misguided to focus solely on fish and wildlife program funding and fail to address the broader forest health crisis that currently exists on our Nation's forest lands. In fact, it is impossible to separate the two goals.

Large-scale watershed and wildlife habitat improvement activities are certainly needed. A lot of work is needed in the removal of massive amounts of wood that currently is a fire hazard on Federal lands.

The rationale that the forest products line item is excessive is simply false. In spite of what others may have us believe, timber sales are not bad. Modern timber sales are a necessary tool and an economic means to an environmentally beneficial end. Professional foresters can develop silvicultural prescriptions and design timber sales to accomplish fish and wildlife restoration objectives.

It certainly would be nice to have more funds for fish and wildlife programs. There certainly is a lot of good work to be done in the woods. But increasing fish and wildlife habitat management funds at the expense of forest products would be a serious mistake. It is unreasonable. Indeed, it would be wrong. It would be wrong to take these funds from Forest Service timber programs. Such a change is misguided and would only serve to hurt both programs in the long run.

These funds are needed to protect the forest product line, to counter inflation, and pay the salaries of people who work in the woods preparing and administering timber sales. Reducing the capacity of the Forest Service to prepare these timber sales would ultimately be detrimental to fish and wildlife habitat.

Timber sales are often of the most effective way to achieve vegetation management objectives. An example of this work is thinning dense forest stands to restore ecological conditions, reduce the risk and intensity of catastrophic fire by removing excessive forest fuels, and create desired wildlife habitat. Removing excess wood from the forest lands improves the long-term health of watersheds and protects fish and wildlife habitat.

A broad forest health strategy and a variety of tools are needed to effectively meet this challenge. Prescribed fire is one tool, but there are many constraints and dangers that limit the use of fire, as we have seen in the catastrophic fire at Los Alamos.

Removing flammable wood requires the use of many tools, including properly planned timber sales. Well designed timber sales are a good way to remove large amounts of dead, dying, or overmature wood from our accessible public lands.

I urge my colleagues to join me in opposing this amendment. I thank the chairman and the ranking member for increasing the account for timber sales. Let us not cut the timber sales. Let us have a holistic approach to our National Forests.

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

Mr. Chairman, I understand the passion that we see on both sides of this issue. I simply want to say that I understand the good intentions of the gentleman who offers the amendment. He is very concerned about a very important cluster of programs.

But I think the problem we face here tonight is that we are seeing efforts to move very small amounts of money around from one program to another. It sort of depends on what kind of district you come from, whether you think that is a good idea or not. If you come from a district like mine, which is heavily dependent upon a broad understanding of multiple use, so that forest lands are used for economic production, so that they are used for recreation, so that they are used for wildlife, we have one view of this amendment. If one comes from a different kind of district, one has quite another.

I would urge Members to oppose the amendment because we are not going to fix the wildlife problems in this country by taking a few million dollars out of the forestry program. The real problem is that we need more money in all of these programs. We had a good excuse not to put that money there when we had huge deficits, but now we do not.

So it seems to me that we need a more aggressive forest management. We need much greater investments in wildlife. We have a huge backlog in maintenance for our parks and our forests.

I do not think that we do any good by playing a beggar thy neighbor game. I am going to vote against this amendment because I think the best way to deal with this is to remember what was said yesterday when the labor-health-education bill was on the floor.

The main reason that we do not have enough money in this bill for all of these programs, whether it is land acquisition or forestry management or anything else, is because the majority has chosen to commit a huge amount of its resources to providing tax cuts, most of which are aimed at very high-

income people, the richest 1 percent or 2 percent, so everything else that this Nation tries to do suffers. That in the end is the problem with this bill.

Mr. Chairman, I would urge Members to remember that, and I would urge Members in the end, after efforts are made to reflect Members' various districts' differences, I would urge Members to vote against this bill because it is inadequate to meet the Nation's needs on a whole host of fronts, and I would urge rejection of this amendment in the process.

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

Mr. Chairman, I rise in opposition to the amendment. I am hopeful that the gentleman from Oregon (Mr. WU) will in the end withdraw this amendment. I know or I believe that he is sincere in offering this amendment because he sincerely believes that wildlife habitat is important, and providing more dollars for that is important. I do not disagree with him about that.

I think it is important for us to remember that this bill increases the wildlife and fish habitat management funds by about \$6 million over last year's funding level. It is about a 5 percent increase over last year's budget. It only increases the timber sales management by \$8 million, which is about 2½ percent increase over the last year budget.

In other words, the amount of increase for the wildlife and fish habitat management fund is twice as much proportionately as the amount of money that is offered for the timber sale.

I think it is important also for us to remember that the dollars in this budget are not going to be enough dollars for us to meet the targeted timber harvest that the bill calls for. It is not even going to come close to enough money. We have not been meeting these targets. These are targets that Congress has determined are necessary for us in order to manage the forest.

The events of the last few weeks that others have talked about, the fires at Los Alamos, in Arizona, in California, in my home State of Montana, demonstrate the increasing risks that we have to fires in our Western National Forests.

What the forest supervisors will tell us if we go talk to them is that the biomass in these forests and the threat of fire is at the highest that they have ever seen, ever in their lives. The kinds of fires that we are going to have are going to be more intense, they are going to be more destructive than the fires that we have experienced in the past. The General Accounting Office points out and says that 40 million acres in the Western forests are at risk of catastrophic fire. This is over 20 percent of the National Forests that we have in this Nation.

When we talk about catastrophic fire, we are talking about an environmental catastrophe. We are talking

about the destruction of soils, we are talking about the destruction of watershed, and we are talking about fires that destroy the habitat that the gentleman claims to seek to protect with his amendment.

We have already cut timber sales in this country by 80 percent. These are having huge impacts on rural communities. I know the gentleman's district has been impacted as well. We have lost 1,500 jobs in Lincoln County, Montana, alone, a county of 10,000 people.

The consequence of this has been the huge loss of revenues to the local governments. At the same time, the people who live in these communities have lost their jobs, the schools in those districts who depend on the timber receipts have lost their revenues, the counties have lost their revenues, and the local hospitals have lost their revenues. Teachers have been laid off, counties have been required to cut back their budgets, at a time when we desperately need to manage this resource and to thin these forests.

The Government Accounting Office says we need to spend \$750 million a year for the next 25 years to restore the health of these forests. This bill is \$500 million short of what it is going to take just to get us on track. So at this level, we are going to lose ground. It means the risk is going to be even worse than the risk is today.

That means the intensity of these fires is going to go up, not down. It means they are going to destroy more habitat, not less. It means it is going to destroy more watershed, not less. It is going to destroy more fisheries, not less.

While I know the gentleman's intention is to preserve wildlife and habitat, and I agree with him, and he has heard the chairman of the subcommittee and he has heard the ranking member say that he is willing to work for more funds for his purpose, and I support him in that, let us not do it by taking it from this necessary and important area.

We need to mechanically manage these forests to get them to the stage that we can reintroduce fire as a management regimen. It is incredibly important that we have the dollars to do that. I urge the gentleman to withdraw his amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, let me say at the outset that the ranking member of the full Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), had it about right. That is that we are arguing over a pot of money here that in and of itself does not cure either problem. If we left it in the account, it would not cure the problems that the gentlemen in opposition to the amendment have spoken about, and if we are

fortunate enough to transfer it into the fish and wildlife account, the fact of the matter is that we still will not deal with that account with the urgency which it is due.

The problem with this amendment is that it is different in different parts of the country, but I would invite colleagues to come to the Sierra and look at the watershed there and see that we are in continued decline in those great mountains from activities that have taken place in the last several years, and many years ago.

We still have not been able to restore habitat. We still have not been able to restore water quality.

□ 2130

In fact, they all continue to be in decline. The very species that have already been listed continue to be in decline so it is not about recovery. That is why this money is so urgently needed in the fish and wildlife account. That is why the gentleman from Oregon (Mr. WU) felt it was necessary to offer this amendment. It is not as though this would leave the forestry account naked because, in fact, it puts the forestry account back to what the administration requested, and several million dollars above last year's level so that they can continue.

It is not like the investment in the forestry account has been the best deal for the American taxpayers. From 1995 to 1997, we spent \$1.2 billion to administer this fund and we got back \$125 million. We lost almost \$900 million administering this forest program.

The suggestion is that one is either for forest health if they want to cut trees or one is against it if they want to do fish and wildlife habitat. The fact of the matter is that both of these are tools of forest management. Habitat restoration is part of forest management, as is forest health. But this leaves the salvage accounts that are used in forest health intact. It leaves the wild lands fires account intact, and it allows us to address some of the most urgent needs where we continue to have these watersheds, habitat, and species in decline.

The bottom line is this, our budget may be in surplus but our society is not. We have argued now appropriation bill after appropriation bill where the needs, the urgent needs, for those who are from States with great forest resources, are telling us we need \$750 million a year, and we are arguing over \$14 million. We are arguing over \$14 million.

So we have a society that is in great deficits. When HHS was out here earlier in the day, we were arguing over the lack of being able to provide a decent education to children, to be able to provide help for handicapped students, all of which are in deficits.

We walk around pulling our suspenders and talking about a surplus. Well, this is a deficit account here, both on the forestry side and on the fish and wildlife side, but the more urgent account in this particular case

happens to be fish and wildlife because the decline is continuing and that threatens the economy; that threatens the ability of commercial fishermen; that threatens the forest health in a grander scale and then comes back and calls for more people to limit the logging. So we should support the Wu-Smith-Udall amendment.

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

Mr. Chairman, I have here some charts that I think really tell a story very graphically. The first one here is the USDA Forest Service, acres harvested, fiscal year 1997 versus 1999 acres burned, and what we see here is the difference of what is going on in our forests in terms of acres harvested versus those that are burned.

The next picture I show, Mr. Chairman, is from my district, the Upper Grand Run. That is not snow we see there. That is ash. That is from a fire in 1996.

This particular part of my district was slated to have a timber management sale. That sale was let and then appealed. No harvest took place.

Mr. Chairman, this area then burned. Do we want to talk about fish habitat; want to talk about fish habitat? After this forest fire occurred in my district, this is riparian area, this was a stream. This washed out in the next major rainfall, and 30 miles of salmon habitat were destroyed.

Now, why does that matter in the course of this debate? It matters because we are not taking good care of our forests. As the General Accounting Office said in their report right here about western national forests, we believe the threats and costs associated with increasing uncontrollable catastrophic fires, together with the urgent need for action to avoid them, make them the most serious immediate problem related to the health of national forests in the interior West.

We also believe the activities planned by the Forest Service may not be sufficient and may not be completed during the estimated 10 to 25 year window of opportunity remaining for effective action before damage from uncontrollable wild fires becomes widespread.

The tinderbox that is now the interior West likely cannot wait that long for a cohesive strategy.

Mr. Chairman, there was another fire in my district this summer, 113 acres near Sun River, Oregon. I quote from the local newspaper there, the fire started in a 75 acre stand of unthinned trees and consumed it, according to the Deschutes National Forest spokesman, but when the flames were blown into a 30 acre area to the northeast that had been thinned fire fighters stopped it. Fire fighters credited the quick control of the fire to the stands that had been thinned as a part of a recent timber sale, thereby reducing its intensity and allowing the crews to get the upper hand.

Both of these programs are important to us, as we manage these forest

lands, Mr. Chairman, and this is not an amendment that should be adopted to shift these funds.

Frankly, my colleague and friend from Oregon should recognize when he has a good deal, and the deal he has is he can have both. He can have this timber management program to stop this kind of catastrophic fire, at least help with the timber sales and prevent that from occurring, and he has gotten a commitment from the ranking member of the subcommittee and the subcommittee chairman to work for the funds we need for fish habitat improvement as well.

I will say, I have not been around this process a long time but that sounds like a pretty good deal that I think my colleague would be wise to accept and withdraw his amendment.

Mr. Chairman, more than half of the timber sales on Forest Service lands are about stewardship purposes. They are to thin, because the biggest problem we have is disease and overstocking. Since 1909 we have done one heck of a job of putting out forest fires and we have reduced, as we heard the ranking Democrat say on the Northwest Forest Plan, an extraordinary level of harvest down to a very, very low level we have reduced.

These fires burn. One cannot tell which way they are going when one is in them.

Mr. Chairman, our forests are choking. Our communities are hurting. I represent people in counties that if they were in an urban setting one would say are oppressed, because 70, 75 percent of the lands around them are Federal lands. They live in these neighborhoods. Their homes abut these forests. These fires are as real in northeastern Oregon as they are in New Mexico.

Let us not move this amount of money around and take money away from the timber sale program. Let us do both. Let us defeat the Wu amendment or hopefully have it withdrawn, which would be the better course of action, Mr. Chairman.

With that, I would urge a no vote on the Wu amendment.

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

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

Mr. HOLT. Mr. Chairman, I rise in support of the environmentally and fiscally wise amendment from my colleague from New Jersey, my colleague, the gentleman from Oregon (Mr. WU), and my colleague, the gentleman from Colorado (Mr. UDALL). The Wu-Smith-Udall amendment adds, as we have heard, \$14.7 million to the fish and wildlife management line of the Forest Service.

Yes, both of the programs that we are talking about here are important, but what we want to do is to establish some balance. How did this come about? The administration requested \$220 million for the forest products ac-

count, what used to be called timber harvest, and the committee gave the Forest Service \$245 million, an increase of \$25 million above what the agency requested.

Meanwhile, the committee funded the valuable wildlife and fish habitat management accounts \$14.7 million below the administration request.

Now, fish and wildlife management sorely needs an increase in funding. Of course, they both do. For years, this fish and wildlife program has been underfunded. At the forest level, biologists are scarce and are involved in planning and NEPA work and are frequently unable to do the on-the-ground work that needs to be done.

Now on the other hand, there is evidence that the Forest Service timber program is not cost effective. According to the GAO, the program costs the American taxpayer over \$2 billion from 1992 to 1997. The Forest Service estimates that this year recreational jobs will account for 77 percent of the national forest employment, whereas timber-related jobs will account for only 2.3 percent.

The Wu-Smith-Udall amendment is not only a statement of fiscal responsibility, it is a commitment to preserving natural resources. Without the Wu-Smith-Udall amendment, the current funding levels for fish and wildlife habitat will result in the loss of hundreds of miles of fish habitat restoration and thousands of acres of wildlife habitat restoration.

The head of the Forest Service, Chief Dombeck, has changed the focus of the Forest Service. He has done a great job in promoting a sustainable supply of timber, while promoting conservation and habitat restoration.

The Wu-Smith-Udall amendment is consistent with Chief Dombeck's leadership in continuing a future and sustainable supply of timber, while maintaining a habitat necessary for healthy fishruns and for healthy stocks of wildlife.

I strongly urge all of my colleagues to support this important amendment.

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

Mr. Chairman, I rise in strong disapproval of this amendment. I think we have heard a great deal tonight. We have heard about the President's budget, and it is obvious that that budget does not understand or does not want to realize the benefits of timber management.

The zero cut philosophy will get us somewhere where we do not want to be. Our timber has been managed for hundred of years by wildfire. We have suppressed those wildfires in this century pretty successfully, so now we have a ladder of trash, we have a very unhealthy forest and it is susceptible to cataclysmic fire. We saw that in New Mexico.

If the forest is not going to be treated with wildfire, and we do not want to do that, it is dangerous, it has to be

treated somehow. The underbrush has to be removed. There has to be harvesting. This resource has to be managed.

Our forests are one of the greatest resources that have been left to this country, and we need to use our best judgment to manage them.

This amendment does not use good judgment. It pulls \$14 million away from these very sound programs to manage our forest resource. As we manage that resource, as has been said earlier this evening, we will provide fish and wildlife habitat. Every time there is a cataclysmic fire, it destroys that fish and wildlife habitat and it destroys it for two or three generations. So by properly using these stewardship cuts to improve our forest stand, we will get the economic benefit of the removed trees. We will have a safer stand. It will not be as susceptible to fire. It will grow more rapidly. It will absorb more carbon dioxide. That is a win/win.

Our chairman has offered to work with the other side on the budget for fish and wildlife. Let us stop trying to take a foolish cut out of the forest management program.

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

Mr. SHERWOOD. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, as the gentleman knows, there is \$297 million already allocated in the Department of Interior for fire suppression and for thinning activities and additionally there is over \$600 million allocated for fire suppression and thinning activities under the Department of Agriculture funds. So every speaker is coming up and talking about fire, and this is just a smokescreen for bad forestry practices of the past. That is something that we were trying to correct with this amendment. We should take the fire issue off the table because that is funded separately in this bill.

Mr. SHERWOOD. I could not disagree more. The \$600 million the gentleman is talking about is for fire suppression. This is fire prevention. \$14 million, if it prevents a fire, we will not have to spend that other money. That is good management. Fire cannot be taken off the table here because fire is a result of a poorly managed forest, and this is money to properly manage our forests.

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

Mr. Chairman, I would note the Pennsylvania delegation is slightly out of order.

We have, almost have the deck chairs on the *Titanic* arranged through this debate, and that is interesting, because as a number of people who have spoken before me have said quite truthfully, there is not an adequate amount of money in the Forest Service budget to perform its many diverse functions.

□ 2145

Mr. Chairman, I offered earlier an amendment to increase the recreation

budget. We earlier had an amendment to take \$4 million out of the wild horse management program of which I am a big supporter. But it was to go to a slightly higher priority, which is fighting fires and fire suppression and fuels management.

Now, these are choices this Congress should not be forced to make. We should not be starving these resource management agencies. We should be investing in the future, the future of our forests, not starving them. That is what we are doing. Do not try and treat them like cash cows.

This amendment, in the past, the gentleman from Oregon (Mr. WU) and before that Ms. Furse and others have offered amendments similar to this; but in those amendments, they actually cut the Forest Service budget. From those amendments, they actually transferred the money to other agencies or transferred money to deficit reduction.

Tonight the amendment before us is trying to divide a pie which is too small. It is trying to decide whether we should undertake crucial activities on the wildlife side. If we do not fulfill those functions and those activities, we will not be harvesting any timber anywhere because we will not be meeting the needs of the forests as a healthy ecosystem.

On the other side, we have the Forest Service struggling to implement in my region the Clinton forest plan, and we are in gridlock again. In fact, I have asked the Clinton administration to begin an early plan update because I believe the plan has failed. It has failed both to protect old growth and to deliver what it said would be predictable supplies of timber.

So the question becomes on this amendment, what can we do. Well, unfortunately, we are slicing up and dicing up the pie into little bits and pieces. The amendment of the gentleman from Oregon (Mr. WU) will leave an increase of \$10 million in the account for timber harvesting. It will transfer some money to another underfunded account.

This is a difficult choice for those of us who live in areas more than half owned by the Federal Government, someone who represents a district like mine that has been formerly the most public timber-dependent district in the United States.

So the question becomes, what should we do here? I am going to recommend that this amendment is not going to break the forest gridlock. It is not going to resolve the controversies. It is not going to be an incredible setback for the Forest Service on the timber management side. There are other monies that have been allocated to the committee by other forms of vegetation management. I am certain in conference they can move some of those funds around. I am certain that they can deliver on the promise they made to the gentleman from Oregon (Mr. WU).

We will both better fund wildlife and better fund reasonable timber management. But I do not think unless a change is made here tonight that necessarily that problem will be fulfilled. I believe, if this amendment passes, we will get more money for both accounts when we come out of the conference committee. So I will support the amendment.

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

Mr. Chairman, I rise today as a member of the Subcommittee on Forests and Forest Health of the Committee on Resources in support of the Wu-Smith-Udall amendment.

Just a few short weeks ago, we all stood on this floor to debate the CARA bill, probably the most importance piece of environmental legislation to pass the House of Representatives this Congress.

I was pleased to support that legislation, as it represented a solid and productive effort by the Congress to ensure the protection of America's delicate forest land, open space, waterways, and park lands.

Today the Congress has another chance to go on the record of supporting our environment. This amendment boosts clean water efforts and improves the health of our national forest recreation and commercial users.

The Wu-Smith-Udall amendment also redirects vital resources towards improvement of our drinking water and our fish and wildlife.

This amendment reduces what is basically a subsidy for timber sales management and directs the Federal funds to desperately needed forest restoration projects throughout this country.

As the Representative of the most urban district on the Committee on Resources, I know the value of green space and the need to protect these lands for future generations of Americans. By keeping ecosystems at a healthy level, clean air and water can be supplied to all communities throughout this land.

Protection of our watersheds is important for making our communities more livable and making sure that we all have the safest and cleanest water available for drinking and for recreation.

There is absolutely no reason to put the interest of the timber industry ahead of the health of our forests and drinking water, especially when both can peacefully co-exist.

I strongly support this environmentally sound and fiscally responsible amendment, and I urge my colleagues to do the same.

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

Mr. Chairman, certainly every Member of this House has a right to weigh in on issues no matter how they fail to affect that particular Member's district. Just as I do not claim any authority over the boroughs of New York

City, so, too, do I think it is important that we understand precisely what it is we are talking about. We are talking about jobs. But more importantly, we are talking about forest health.

I have heard some interesting claims tonight. One of my friends from California again says we need more and more and more and more money; and yet this House, against the better judgment of some of us, enacted CARA, calling for an additional \$900 million a year over the next 15 years to purchase even more land.

I would invite my friends from the east coast metropolises and also those who hail from coastal districts from the West in urban areas to come visit the Sixth Congressional District of Arizona to understand the very clear and present forest fire danger that exists because we fail to employ effective forest management techniques.

Oh, we do have one rallying cry that comes from the inner cities of the East. Over 30 years ago, the cry "burn, baby, burn" has now been inflicted into this debate, because people seem to think let us let the forests go up in smoke; that is the way one controls this renewable resource. That is wrong.

This amendment, though well intentioned, is wrong, because it does not protect the fish and wildlife its sponsors would purport to protect. It, instead, sets up a situation for ecological disaster.

Those of my colleagues who say they embrace the notion of balance and ecological principles, Mr. Chairman, I implore my friends on the left to withdraw this amendment, to work in a constructive way with the ranking member of this subcommittee and the subcommittee chairman, to strike that true balance.

While, again, everyone is entitled to their own opinion, and we certainly rejoice in that fact, I would, Mr. Chairman, ask my colleagues to think of the people who live in the districts whose homes and livelihoods are affected and the very wildlife they purport to want to protect.

Sadly, we see a situation where some in this Chamber and around this Nation cannot see the forest for the trees. No to this amendment.

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

Mr. Chairman, I rise in opposition to the Wu-Smith amendment, and I want to share with my colleagues from a very personal perspective why I think this is a bad idea.

I come from an area of Texas where we have four national forests. Now, when one looks at those national forests on a map, one thinks they are entirely Federal property. But when one looks at a more detailed map, what one sees is that those Federal properties are interspersed with private property tracks.

As a consequence, everyone who is a private land owner who adjoins the national forest is at risk in terms of their

property and the ability of them to be free from forest fires if we, as the Federal Government, fail to properly manage the Federal forests.

If my colleagues or I were living in the midst of the national forest tonight, and we heard that Congress was going to reduce the funding for management of the forest, we would have every reason to be worried about the risk of forest fire and danger to our own properties.

So even though we are debating tonight an issue that calls for the reduction of funding in the amount of \$15 million, and some would argue who have offered this amendment that we ought to increase funding for the protection of wildlife, I say to them that it is equally, if not more important, to protect the lives and safety of those citizens who are all across this country in areas where we have national forests who own private property within and adjoining those national forests.

It is also, I think, important to remember that those who have opposed traditionally logging in our national forests have gotten the better end of the deal in recent years. In fact, we are at an all-time low in terms of the volume of timber harvested from our national forest.

We see today based on the statistics that are available to all of us that we are growing timber six times faster in the national forest than we harvest it. As a consequence, we have an abundant supply of available marketable timber in our national forest.

If we are going to be good stewards of the land and if we are going to protect those who adjoin and live in the midst of our national forest from the threat of forest fires engulfing their own homes, we have got to be willing to spend the necessary funds to be sure that we properly manage the forest.

Now, I have talked to the district forester that manages and overseas the four national forests in east Texas. I can tell my colleagues that, when we talk about reducing funding for forest management, it gets his attention, because he understands that it takes personnel and it takes equipment and it takes time to go out and properly manage a forest.

There are some here tonight who criticize the cost of management of our national forests even to go so far as to suggest that it costs more to manage the forests than we get in harvestable commercial timber. Well, the truth of the matter is we may manage our forest well and it may cost a lot, but I will tell my colleagues, there is a whole lot of regulations that our national forests have to abide by in management of those forests.

I, frankly, as a private forest land owner only wish that I could afford to manage my property the same way that the Federal Government manages our national forest, because the amount of control and regulation and attention to detail that takes place in the management of our national forest

far exceeds anything that I see going on in the private sector.

But the bottom line here for me is that this amendment and any future effort to cut funding for the management of our forest directly affects the school children in my congressional district, because as we all know, 25 percent of the proceeds of the sale of timber goes to the school districts in our respective congressional districts.

I know personally firsthand the hardship that has been placed upon many of our school districts and the disadvantages that it has placed the school children in those districts from the reduction of harvesting from our national forest.

There is a piece of legislation that passed this House that is now pending in the Senate that is designed to try to help that situation. I hope that when that bill comes back, we will all support it. But in the meantime, we do not need to be reducing funding for the management of our national forest.

□ 2200

Mr. REGULA. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. REGULA. Mr. Chairman, I want to advise the membership of what we are doing.

We have an agreement that has been agreed to between the gentleman from Washington (Mr. INSLEE) and myself, and I have a colloquy, and then we have two votes on amendments that have been rolled, and that will complete the activities tonight. Then we will get time agreements to start tomorrow morning, as soon as the Subcommittee on Foreign Operations, Export Financing and Related Programs have completed their markup.

We are going to make every effort to finish this bill tomorrow. We have to finish it tomorrow, but will attempt to do so in order to get people out of here in time to make their airplane connections.

So we have no more debate on this amendment, Mr. Chairman.

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

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

Mr. DICKS. Mr. Chairman, I would ask the gentleman why we do not just go ahead and vote on this amendment.

Mr. REGULA. Reclaiming my time, Mr. Chairman, let us defer that one.

Mr. DICKS. I believe we have to vote on this amendment.

The CHAIRMAN. We have not put the question on the amendment.

The question is on the amendment offered by the gentleman from Oregon (Mr. WU).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WU. Mr. Chairman, I demand a recorded vote, and pending that, I

make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 524, further proceedings on the amendment offered by the gentleman from Oregon (Mr. WU) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I ask unanimous consent to return to page 49 to offer an amendment on behalf of the gentleman from Washington (Mr. INSLEE) and myself.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. REGULA:

On page 49 line 24 strike "shall" and insert in lieu thereof "may" and on page 50 line 5 strike "shall" and insert in lieu thereof "may at the discretion of the Secretary."

Mr. REGULA. Mr. Chairman, this amendment reflects an agreement between the gentleman from Washington (Mr. INSLEE) and myself on an amendment, and I urge the Members to support it.

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

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

Mr. DICKS. Mr. Chairman, we accept the amendment on this side.

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

The amendment was agreed to.

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

Mr. Chairman I would like to enter into a very brief colloquy with the chairman of the subcommittee.

Mr. Chairman, as the gentleman knows, I represent the State of Oklahoma, a State that is home to 23 percent of the Native Americans in this country. Despite the fact that almost one in four Native Americans live in my State, we receive only 13 percent of Indian Health Service dollars. Of the 12 Native American service areas in the country, Oklahoma City receives less than \$900 per capita, while Nashville receives \$1800 per capita, and some tribes receive as much as three times that of Oklahoma City, \$2700 per capita.

Our hospitals in Tahlequah and Claremore receive \$141, while the Phoenix Indian Medical Center receives \$400 per capita.

I believe that the Native Americans in my State should receive more equitable treatment when IHS funds are distributed. Rather than receiving 13 percent, Oklahoma should be receiving close to 20 percent, if not more.

Mr. Chairman, will the gentleman from Ohio commit to working with me to close these gaps in funding?

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

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

Mr. REGULA. Mr. Chairman, I thank the gentleman for raising this impor-

tant issue today. I agree that this disparity is problematic, and that the IHS funding mechanisms are lacking. I agree that the Director of Indian Health Services should develop a plan for ensuring that every Native American is treated in an even-handed manner.

Last year, we provided funding through an Indian Health Care Improvement Fund to bring these tribes funded at very low levels of need up to more reasonable levels. Unfortunately, the Indian Health Service has not decided on a method for distributing these funds. It was the committee's intent that these funds be devoted to the most underfunded tribes rather than spreading the funds across the large number of tribes.

I will be more than happy to work with the gentleman from Oklahoma to see that the IHS functions are distributed in a more equitable way.

Mr. LARGENT. Reclaiming my time, Mr. Chairman, I thank the gentleman and look forward to working with him to ensure Oklahoma's Native Americans receive something closer to their fair share.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word and, Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. Will the gentleman identify the page and line for us?

Ms. KAPTUR. Page 69, line 10.

The CHAIRMAN. We are not at that portion of the bill yet.

Mr. REGULA. Mr. Chairman, would the gentleman want to enter into a colloquy, in lieu of the amendment?

Ms. KAPTUR. Yes, Mr. Chairman. What I wanted to do was to introduce the amendment, withdraw it, and then enter into the colloquy as a part of that whole package.

Mr. REGULA. We are not at the right place in the bill for that. Let us get these votes over, frankly, and if she wants to do the colloquy we can do that, but we need to get on to the votes.

Ms. KAPTUR. Well, that was not my understanding, Mr. Chairman, but I would move to strike the last word and would like to submit for the RECORD articles in The New York Times today and in the Toledo Blade concerning gas prices and enter into a colloquy with the chairman and ranking member of the subcommittee.

Mr. Chairman, I believe there is a critical need for a comprehensive report on how biofuels, including ethanol and biodiesel, can be more fully incorporated into the strategic fuel reserves of our country. Alternatives such as swaps or sales of a portion of current crude reserves for biofuels should be evaluated with estimates of funds realized to be directed toward biofuels purchase and storage costs. Also, options to encourage on-farm storage of biofuel inputs and related biofuel processing and storage capacity as a ready reserve should be evaluated.

Therefore, I would ask the chair and ranking member if they could consider

the need for such a report and possibly include language in the conference report on this bill to request such a report from the Departments of Interior, Agriculture and Energy?

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

Ms. KAPTUR. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I would respond to the gentleman from Ohio that we would be happy to look into this situation. I believe we need an overall national energy strategy that addresses issues such as this in the larger context.

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

Ms. KAPTUR. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to compliment the gentleman for her outstanding leadership on this issue, and I assure her that we will give this request careful consideration and we will work with her in the conference to see if we can get the language that the gentleman would like. We will also work with the administration to try to make sure this commitment is kept.

Ms. KAPTUR. Reclaiming my time, Mr. Chairman, I thank the gentleman very much for his openness and leadership on this, and also the chairman of the subcommittee for his fine work on clean coal and other alternative fuels over the past years.

Mr. Chairman, the articles I referred to above are as follows:

[From the New York Times, June 14, 2000]

IN GAS PRICES, MISERY AND MYSTERY

COSTS IN MIDWEST EXCEED \$2 A GALLON

(By Pam Belluck)

CHICAGO, June 13.—Gasoline is so expensive in the Midwest that a retired railroad worker in Cleveland says he had to cancel his annual summer drive to visit his daughter in San Francisco.

A volunteer agency that delivers meals to shut-ins in Milwaukee cannot afford to pay its drivers enough to fill their tanks.

A florist in Urbana, Ill., is talking about raising what he charges to deliver roses and carnations.

And in suburban Chicago, Kathy Stachnik says she now considers putting gas in her blue 1997 Honda Accord an "evil necessity."

"Whenever I stand at the pumps these days, I'm just furious," said Ms. Stachnik, 38, as she bought 10 gallons of gas at an Amoco in Arlington Heights for \$2.25 a gallon. "I know that something fishy is going on with these prices."

Gasoline prices in the Midwest have risen sharply in recent weeks, jumping as much as 50 cents a gallon and far outstripping increases in the rest of the country. In Chicago and Milwaukee, drivers are paying more than \$2 a gallon, the first time prices have ever soared that high in the United States, analysts says.

In recent days, the federal government has been trying to determine why the prices in the Midwest have risen so steeply. The Environmental Protection Agency and the Energy Department met with oil refiners on Monday in Washington. And the Clinton administration and the House Judiciary Committee have asked the Federal Trade Commission to look into whether the increases involve price gouging or collusion.

"We don't have good explanations," said Robert Perciasepe, the environmental agency's assistant administrator for air and pollution programs. "We're not seeing this anywhere else in the country."

Gas prices increased across the country in the last few weeks as the summer driving season began. Gasoline inventories are being depleted, and new requirements for cleaner burning gasoline became effective on June 1. But the spikes in the Midwest are especially steep.

On Friday, the most recent day for which figures are available, the average prices of self-serve regular gasoline in Chicago was \$2.13 a gallon, up from \$1.37 a gallon in January, according to Trilby Lundberg, an analyst who compiles the Lundberg Survey of gas station prices. By comparison, prices on Long Island averaged \$1.67 a gallon last week, up from \$1.39 in January. And prices in Los Angeles averaged \$1.56 a gallon in June, up from \$1.29 in January.

Industry representatives say the price increases in the Midwest are a result of several factors.

The most significant, they say, is the new federal requirement for cleaner-burning gasoline, known as RFG-2. In the Midwest, unlike in other regions, the additive oil refiners use to make their gasoline comply with the regulations is ethanol. Because ethanol evaporates quickly it requires a special formulation of gasoline, said Edward H. Murphy, general manager for downstream operations at the American Petroleum Institute an industry group.

"It's more difficult to produce that gasoline," Mr. Murphy said, "As a result, production is significantly lower."

Another factor, industry officials say, was the rupture in March of a Texas pipeline that Midwest refineries depended on for their supply. The pipeline was repaired two weeks later, but it is still operating at only 80 percent capacity.

A third factor is a court ruling that the Unocal Corporation can collect royalties on a particular type of cleaner-burning fuel. That has prompted smaller refineries to curtail RFG-2 production to avoid paying royalties to Unocal, industry analysts say.

"In a situation where supplies are tight, and you have relatively inelastic demand for gasoline, the price increase you need that occurs in the market is disproportionately large," said Mr. Murphy, who said some refineries are carting in the fuel they need by barge from Nova Scotia or the Gulf states. "If the price of lemons goes up, you move to limes. If the price of coffee goes up, you move to tea. But with gasoline, consumers don't adjust very quickly in a very short term. Obviously you don't go out and trade in your brand new Ford Excursion for a Toyota Camry."

Officials at the Environmental Protection Agency and the Energy Department acknowledge that all these factors play a role in increasing gas prices somewhat. But they say none is sufficient to account for the precipitous price jumps in cities like Chicago and Milwaukee.

"All of these may have some impact but they don't seem to explain the size of the disparity," Mr. Perciasepe said. For example, he said the cost of producing cleaner gasoline with ethanol should lead to only about a 5 cent to 8 cent increase in gas prices. "Whether people are taking advantage of some of these situations is something that we hope to be able to understand better."

A senior official at the Energy Department said that although the supply of oil was tight in the Midwest, "we weren't persuaded by the arguments of the refiners. Generally speaking, all of the large suppliers say they

have adequate supplies to serve the demand."

The official added, "It has the administration very concerned, obviously."

Sam Stratman, a spokesman for the House Judiciary Committee and its chairman, Representative Henry J. Hyde, Republican of Illinois, said that oil companies had years to prepare for the increased costs of the RFG-2 regulations.

"This is a complicated issue," Mr. Stratman said. "It deals with issues of supply and demand and regulatory changes mandated by E.P.A., and you wonder, have these changes given oil companies a chance to gouge consumers?"

Of course, Americans still have the lowest gas prices in the world. The Organization of Petroleum Exporting Countries, which controls nearly half of the global oil supply, will meet next week to decide on whether to increase production.

Although the prices in Chicago and Milwaukee are the highest on record, they are still lower than gas prices were at their peak in March 1981, when the national average price of a gallon of gasoline was \$2.67, if adjusted for inflation, Ms. Lundberg said.

That is hardly comforting to beleaguered drivers across the Midwest these days.

"It's outrageous," said Colleen Posinger, 44, of Streamwood, Ill. "I'm really upset about the gas prices, because we told our 1-year-old daughter that we'd drive to South Dakota this summer. The vacation was already planned, so I guess we'll just have to take the crunch."

Others, like Adam Matavovszky, the retired railroad worker in Cleveland, decided they could not afford their vacations.

In Milwaukee, Goodwill industries which delivers meals to the elderly and also takes disabled people to workshops and training programs, has been hit by \$23,000 in extra fuel costs this year, said Roger Sherman, vice president for human services. He said the organization had asked for emergency assistance from the Milwaukee County Department of Aging and might have to cut back on transportation.

"We are running 150 percent over budget," Mr. Sherman said, "We have not kept up with the rising gasoline prices."

[From the Toledo Blade, June 13, 2000]

EPA CAN'T FIND REASON FOR HIKES

WASHINGTON.—Federal officials met for two hours with refiners yesterday, and the EPA's top air pollution official said he heard "no good explanation" for soaring gasoline prices in Midwest cities, in which new requirements require cleaner-burning gas.

The Environmental Protection Agency and Energy Department said inspectors were sent to the Milwaukee and Chicago areas to investigate price increases in recent weeks of 30 to 50 cents a gallon. They focused on refining and distribution, one official said.

At the White House, spokesman Joe Lockhart said the Midwest price increases "seem to be out of whack," and any evidence of price gouging that investigators find will be turned over to the Federal Trade Commission for further investigation.

Officials from eight major oil refineries sat in on the EPA and Energy Department meeting, and further sessions were held later with individual companies.

"We see no good explanation for why the [high] prices exist. . . . We think the prices are unfair and inappropriate," Robert Perciasepe, the EPA's assistant administrator for air and pollution programs, said.

He said that while gasoline supplies are lower than normal, "there are adequate supplies" to keep prices in check. The additional cost of the cleaner-burning gasoline,

called reformulated gasoline, costs only 5 to 8 cents a gallon more to produce, Mr. Perciasepe said.

The Energy Department released data that showed prices of reformulated gas were on average 9 cents a gallon higher as of June 5 than conventional gas nationwide, but 23 cents higher in the Midwest. The newly blended gas was required beginning this month in areas with severely polluted air.

Mr. Perciasepe and Melanie Kenderdine, a senior DOE official who attended the meeting, would not characterize explanations given by industry officials except to say the two sides has a general discussion about supply and distribution problems.

"We're suspicious of gouging," Dave Cohen of the EPA said.

Urvan Sternfels, president of the National Petrochemical and Refiners Association, said some of the price increases in the Midwest stem from unexpected problems refiners had with meeting the new, higher vapor-pressure requirements for the cleaner gas. Corn-based ethanol, used widely in the region as a fuel additive, reduces vapor pressure and complicates fuel blending, he said.

The Renewable Fuels Association, which represents the ethanol industry blamed the refiners for not building adequate stocks of reformulated gasoline and the EPA for "failure to make appropriate regulatory changes that would reduce the cost of producing RFG in Chicago and Milwaukee."

Gas prices have increased for five consecutive weeks nationwide with the beginning of the heavy summer driving season, but they soared in some parts of the Midwest—especially Illinois and Wisconsin.

But EPA officials said they are puzzled as to why the price difference between conventional and the cleaner-burning gas is as wide as it has been in the Midwest. "We do not believe that the cleaner-burning gasoline is causing the major price increases," Mr. Perciasepe said.

According to the Energy Department, the average price of regular-grade gas in areas requiring reformulated gas nationwide was \$1.63 a gallon on June 5, or 9 cents a gallon more than the average price of gas sold in other parts of the country that not require reformulated gas.

The average price for the cleaner gas was \$1.84 a gallon in the Midwest, a 23-cent difference from conventional gas; \$1.56 a gallon on the East Coast, a 9-cent difference; \$1.61 on the West Coast, only a 5-cent difference; and \$1.48 a gallon on the Gulf Coast, a difference of 2½ cents, according to the DOE's Energy Information Administration.

Environmental groups have questioned the soaring prices.

"The oil companies have known for five years that they would have to sell the cleaner-burning gasoline by June 1. Why didn't the industry plan for known supply needs," asked Frank O'Donnell of the Clean Air Trust, an environmental advocacy group.

[From Toledo Blade, June 9, 2000]

GASOLINE PRICE SURGE SHOCKS TOLEDO DRIVERS

Alex Alvarado filled up his gas tank just in time yesterday, saving big bucks. Most were not so lucky.

By lunchtime, gasoline prices around Toledo had surged to \$1.86 or more for regular-grade gasoline and more than \$2 for premium gasoline—an unexpected price jump at many stations of more than 30 cents per gallon.

A 30-cent-per-gallon increase costs someone with an 18-gallon tank an extra \$5.40 each fill-up.

"It's ridiculous," Mr. Alvarado said as he topped off his tank with the last of the gasoline that cost \$1.549 for regular grade at the

Clark station on Eleanor Avenue at Lewis Avenue. Several yards away, a gas station clerk was posting the new prices.

The next customer would pay \$1.859 per gallon of regular grade at the same pump.

"It's price-fixing," Mr. Alvarado of Toledo grumbled. "I'm lucky I just made it in here before they changed."

Some drivers took their frustrations out on the clerks working at the stations.

Regina Chiles, assistant manager at the Speedway on Dixie Highway off I-75 said as she tacked up the new numbers on her outside sign. "You'd think they'd be a bit more appreciative that we were still a bit cheaper, but instead they just yell at us because prices are going up."

An informal survey by The Blade found that gas prices around the Toledo area spiked by midday from \$1.549 to \$1.859 for regular-grade gasoline and \$1.729 to \$2.07—for more—for premium gasoline.

Just two weeks ago, the Kroger gas station at Jackman and Laskey roads was selling gas at \$1.419 to \$1.619 per gallon. Yesterday, prices at the same pumps had climbed to \$1.879 to \$2.079 per gallon.

If you think it was bad in northwest Ohio, Michigan has been dealing with similar prices for a week.

Yesterday at the Total stations in Adrian on North and South Main streets, the price of regular was \$1.94 per gallon and premium was \$2.16 at the Speedway on South Main.

There may be several reasons for the increases, industry experts said.

A demand for environmentally-friendlier gasoline in bulk markets such as Chicago and Milwaukee have forced up gas prices because of the more complicated, expensive refining process, Tom Kloza, publisher of Oil News and Prices, in Rockville, Md., said.

And because motorists continue to fuel up in those cities—even with the higher prices—suppliers know they can raise prices at pumps in other areas throughout the Midwest, he said.

"We reached the whining state. We reached it a few weeks ago," Mr. Kloza said. "But we haven't reached the stage when we change our behavior."

Chris Kelley of the Washington-based American Petroleum Institute agreed.

"Everyone loves to drive their gas-guzzling SUVs," he said. Economic prosperity globally means people are consuming more petroleum-based products world-wide, he added.

Add to that the high price of crude oil now—nearly \$30 a barrel compared to \$18 this time last year—and consumers will feel the pinch at the pump, he said.

U.S. Rep. Marcy Kaptur (D., Toledo), said she has tried several times this year to pass amendments that would release some of the strategic petroleum reserves to ease the gas crunch.

She said Republicans have defeated the measures. She said the government should promote efforts to develop nonpetroleum fuel sources.

In West Toledo before lunchtime, Earl Price waited several cars deep to take advantage of some of the lower prices at the Shell station at Secor Road and Monroe Street.

The gas there ranged between \$1.559 and \$1.739 per gallon, while across the intersection, BP's prices were \$1.879 to \$2.119 per gallon.

"I'm driving around here comparing gas prices and the lines at the stations," said Mr. Price, who installs pools and works with a moving company. He said he drives 100 miles daily on his 1978 pickup, which gets eight miles a gallon.

Behind him, Pam Green, a hospital technician, chuckled.

"You have to laugh," she said. "I'm sitting here using up all my gas waiting in line to buy gas."

But with gasoline 30 cents or so cheaper per gallon at some stations, "it adds up," she said. "I'll wait."

It adds up even quicker for those who buy in great quantities, although Julian Highsmith, Toledo's commissioner of facility and fleet operations, said prices are a bit more stable than they are at the pump.

The city buys its fuel in bulk from suppliers and gets a price estimate each week from the Ohio Petroleum Index System. It has fluctuated, Mr. Highsmith said, between 80 cents per gallon and the current \$1.08, the highest so far this year.

"It goes up and down, but our costs have been a little more constant than what you've been seeing at the pump," he said.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 524, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 35 offered by the gentleman from Oregon (Mr. DEFAZIO) and amendment No. 31 offered by the gentleman from Oregon (Mr. Wu).

AMENDMENT NO. 35 OFFERED BY MR. DEFAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 35 offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 15-minute vote followed by a 5-minute vote on the Wu amendment.

The vote was taken by electronic device, and there were—ayes 167, noes 254, not voting 13, as follows:

[Roll No. 276]
AYES—167

Abercrombie Crowley
Allen Cummings
Andrews Davis (FL)
Baird DeFazio
Baldwin DeGette
Barcia Delahunt
Barrett (WI) DeLauro
Bass Deutsch
Becerra Dixon
Berkley Doggett
Berman Ehlers
Bilbray Engel
Bishop Eshoo
Blagojevich Etheridge
Blumenauer Evans
Bonior Farr
Borski Fattah
Boswell Filner
Brown (FL) Foley
Brown (OH) Forbes
Capps Ford
Capuano Frank (MA)
Cardin Gejdenson
Carson Gephardt
Castle Green (WI)
Chabot Gutierrez
Clayton Hastings (FL)
Clyburn Hilliard
Condit Hinchey
Conyers Hoeffel
Costello Holt
Cox Hooley
Coynce Hostettler

McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalfe
Mica
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Paul

Payne
Pelosi
Petri
Phelps
Rahall
Rivers
Rohrabacher
Rothman
Roybal-Allard
Royce
Ryan (WI)
Sabo
Salmon
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Sensenbrenner
Serrano
Shays

NOES—254

Aderholt Gallegly
Archer Ganske
Armey Gekas
Baca Gibbons
Baker Gilchrist
Baldacci Gillmor
Ballenger Gilman
Barr Gonzalez
Bartlett Goode
Barton Goodlatte
Bateman Goodling
Bentsen Gordon
Bereuter Goss
Berry Graham
Biggett Granger
Bilirakis Green (TX)
Bliley Greenwood
Blunt Gutknecht
Boehlert Hall (OH)
Boehner Hall (TX)
Bonilla Hansen
Bono Hastings (WA)
Boucher Hayes
Boyd Hayworth
Brady (PA) Hefley
Brady (TX) Herger
Bryant Hill (IN)
Burr Hill (MT)
Burton Hilleary
Buyer Hinojosa
Callahan Hobson
Calvert Hoekstra
Camp Holden
Canady Horn
Cannon Houghton
Chambliss Hunter
Chenoweth-Hage Hutchinson
Clement Hyde
Coble Isakson
Coburn Istook
Collins Jackson-Lee
Combest (TX)
Cooksey Jefferson
Cramer Jenkins
Crane John
Cubin Johnson (CT)
Cunningham Johnson, E. B.
Davis (IL) Johnson, Sam
Davis (VA) Kanjorski
Deal Kaptur
DeLay King (NY)
DeMint Kingston
Diaz-Balart Klink
Dickey Knollenberg
Dicks Kolbe
Dingell Kuykendall
Dooley LaHood
Doolittle Lampson
Doyle Largent
Dreier Latham
Duncan LaTourette
Dunn Lewis (KY)
Edwards Lucas (KY)
Ehrlich Lucas (OK)
Emerson Manzullo
English Mascara
Everett McCarthy (MO)
Ewing McCarthy (NY)
Fletcher McCollum
Fossella McCrery
Fowler McHugh
Franks (NJ) McInnis
Frelinghuysen McIntosh
Frost McIntyre

McKeon
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Hall (OH)
Pastor
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ranstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Rush
Ryun (KS)
Sandlin
Schaffer
Scott
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney

Talent Toomey Watts (OK)
 Tancredo Towns Weldon (FL)
 Tanner Trafficant Weldon (PA)
 Tauzin Turner Weller
 Taylor (NC) Udall (NM) Whitfield
 Terry Upton Wicker
 Thomas Visclosky Wilson
 Thornberry Vitter Wise
 Thune Walsh Wolf
 Thurman Wamp Young (AK)
 Tiahrt Watkins Young (FL)

NOT VOTING—13

Ackerman Cook Martinez
 Bachus Danner Shuster
 Barrett (NE) Lewis (CA) Vento
 Campbell Linder
 Clay Lofgren

□ 2231

Messrs. THORNBERRY, REYES, TERRY, HINOJOSA, RODRIGUEZ and TOOMEY changed their vote from "aye" to "no."

Messrs. HOFFEL, SALMON, ROHR-ABACHER and HOYER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 524, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 31 OFFERED BY MR. WU

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. WU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 12, as follows:

[Roll No. 277]

AYES—173

Abercrombie	Clyburn	Fossella
Allen	Conyers	Frank (MA)
Andrews	Coyne	Franks (NJ)
Baldwin	Crowley	Frelinghuysen
Barcia	Cummings	Gejdenson
Barrett (WI)	Davis (FL)	Gephardt
Becerra	Davis (IL)	Gilman
Berkley	DeFazio	Gonzalez
Bilbray	DeGette	Goss
Blagojevich	Delahunt	Greenwood
Blumenauer	DeLauro	Gutierrez
Boehler	Deutsch	Hall (OH)
Bonior	Doggett	Hastings (FL)
Borski	Ehlers	Hill (IN)
Boucher	Engel	Hinchev
Brown (FL)	Eshoo	Hoeffel
Brown (OH)	Etheridge	Holt
Capps	Evans	Hooley
Capuano	Farr	Horn
Cardin	Fattah	Hoyer
Carson	Filner	Inslie
Castle	Foley	Jackson (IL)
Chabot	Forbes	Jefferson

Johnson (CT)	Miller (FL)	Sawyer
Jones (OH)	Miller, George	Saxton
Kanjorski	Mink	Scarborough
Kaptur	Moakley	Schakowsky
Kelly	Moore	Scott
Kennedy	Moran (KS)	Sensenbrenner
Kildee	Moran (VA)	Serrano
Kilpatrick	Morella	Shaw
Kind (WI)	Nadler	Shays
Klecza	Napolitano	Slaughter
Kucinich	Neal	Smith (NJ)
LaFalce	Olver	Smith (TX)
Lantos	Owens	Smith (WA)
Larson	Pallone	Spratt
Lazio	Pascarell	Stabenow
Leach	Pastor	Stark
Lee	Paul	Tauscher
Levin	Payne	Tierney
Lewis (GA)	Pease	Towns
LoBiondo	Pelosi	Udall (CO)
Lowey	Porter	Udall (NM)
Luther	Portman	Upton
Maloney (CT)	Price (NC)	Velazquez
Maloney (NY)	Rahall	Walsh
Markey	Ramstad	Walters
Matsui	Rivers	Watt (NC)
McCarthy (MO)	Roemer	Waxman
McCarthy (NY)	Rothman	Weiner
McDermott	Roukema	Weldon (PA)
McGovern	Roybal-Allard	Wexler
McKinney	Rush	Weygand
McNulty	Sabo	Woolsey
Meehan	Sanchez	Wu
Meeks (NY)	Sanders	Wynn
Menendez	Sanford	

NOES—249

Aderholt	Dicks	Jones (NC)
Archer	Dingell	Kasich
Armey	Dixon	King (NY)
Baca	Dooley	Kingston
Bachus	Doolittle	Klink
Baird	Doyle	Knollenberg
Baker	Dreier	Kolbe
Baldacci	Duncan	Kuykendall
Ballenger	Dunn	LaHood
Barr	Edwards	Lampson
Barrett (NE)	Ehrlich	Largent
Bartlett	Emerson	Latham
Barton	English	LaTourette
Bass	Everett	Lewis (CA)
Bateman	Ewing	Lewis (KY)
Bentsen	Fletcher	Lipinski
Bereuter	Ford	Lucas (KY)
Berman	Fowler	Lucas (OK)
Berry	Frost	Manzullo
Biggert	Galleghy	Mascara
Bilirakis	Ganske	McCullum
Bishop	Gekas	McCrery
Bliley	Gibbons	McHugh
Blunt	Gilchrest	McInnis
Boehner	Gillmor	McIntosh
Bonilla	Goode	McIntyre
Bono	Goodlatte	McKeon
Boswell	Goodling	Metcalfe
Boyd	Gordon	Mica
Brady (PA)	Graham	Millender-
Brady (TX)	Granger	McDonald
Bryant	Green (TX)	Miller, Gary
Burr	Green (WI)	Minge
Burton	Gutknecht	Mollohan
Buyer	Hall (TX)	Myrick
Callahan	Hansen	Nethercutt
Calvert	Hastings (WA)	Ney
Camp	Hayes	Northup
Canady	Hayworth	Norwood
Cannon	Hefley	Nussle
Chambliss	Herger	Oberstar
Chenoweth-Hage	Hill (MT)	Obey
Clayton	Hilleary	Ortiz
Clement	Hilliard	Ose
Coble	Hinojosa	Oxley
Coburn	Hobson	Packard
Collins	Hoekstra	Peterson (MN)
Combest	Holden	Peterson (PA)
Condit	Hostettler	Petri
Cooksey	Houghton	Phelps
Costello	Hulshof	Pickering
Cox	Hunter	Pickett
Cramer	Hutchinson	Pitts
Crane	Hyde	Pombo
Cubin	Isakson	Pomeroy
Cunningham	Istook	Pryce (OH)
Davis (VA)	Jackson-Lee	Quinn
Deal	(TX)	Radanovich
DeLay	Jenkins	Rangel
DeMint	John	Regula
Diaz-Balart	Johnson, E. B.	Reyes
Dickey	Johnson, Sam	Reynolds

Riley	Smith (MI)	Thune
Rodriguez	Snyder	Thurman
Rogan	Souder	Tiahrt
Rogers	Spence	Toomey
Rohrabacher	Stearns	Trafficant
Ros-Lehtinen	Stenholm	Turner
Royce	Strickland	Visclosky
Ryan (WI)	Stump	Vitter
Ryun (KS)	Stupak	Walden
Salmon	Sununu	Wamp
Sandlin	Sweeney	Watkins
Schaffer	Talent	Watts (OK)
Sessions	Tancredo	Weldon (FL)
Shadegg	Tanner	Weller
Sherman	Tauzin	Whitfield
Sherwood	Taylor (MS)	Wicker
Shimkus	Taylor (NC)	Wilson
Shows	Terry	Wise
Simpson	Thomas	Wolf
Sisisky	Thompson (CA)	Young (AK)
Skeen	Thompson (MS)	Young (FL)
Skelton	Thornberry	

NOT VOTING—12

Ackerman	Danner	Meek (FL)
Campbell	Linder	Murtha
Clay	Lofgren	Shuster
Cook	Martinez	Vento

□ 2258

Mr. SPRATT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 2300

Mr. REGULA. Mr. Chairman, I ask unanimous consent that consideration in the Committee of the Whole of the amendment by the gentleman from Washington (Mr. DICKS) to H.R. 4578, adding a new section at the end of title I proceed as follows: After the initial five-minute speech by Representative DICKS in support of his amendment, no further debate on that amendment shall be in order; and amendments thereto offered by Representative NETHERCUTT of Washington, or by Representative HANSEN of Utah, each shall be debatable for one hour equally divided and controlled by the proponent and Representative DICKS.

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

There was no objection.

AMENDMENT OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of Mississippi:

On page 56, line 3, after the figure insert "(and in addition \$2,000,000, to be available to the Department of Interior for the acquisition of Cob Island, Mississippi)".

On page 69, line 13, after the figure insert "reduced by \$2,000,000."

Mr. TAYLOR of Mississippi. Mr. Chairman, I believe we have an agreement on the amendment.

The CHAIRMAN. Is there objection to the consideration of the Taylor amendment at this point in the bill?

Mr. REGULA. We have no objection.

Mr. DICKS. We have no objection. We strongly support the gentleman's amendment.

The CHAIRMAN. Without objection, the Taylor amendment will be considered at this point.

There was no objection.

Mr. TAYLOR of Mississippi. Mr. Chairman, again I have already spoken to the Majority and Minority on this. They have been very helpful. It is the reallocation of some funds for wildlife conservation. I appreciate everyone's assistance on it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR).

The amendment was agreed to.

Mr. KIND. Mr. Chairman, I rise today in support of the Wu-Smith-Udall amendment to the Interior Appropriations bill. The purpose of this amendment is to restore adequate funding to an important forest service program designed to protect and manage fish and wildlife habitat within the national forest system. Specifically, this bipartisan and fiscally responsible amendment calls for a transfer of \$14.7 million from the consistently overfunded Forest Service forest products program to the chronically underfunded fish and wildlife habitat management account.

The mission of the U.S. Forest Service is to provide for the multiple uses of our Nation's great forests. Traditionally, timber management and extraction has been the principal goal of the Forest Service. In recent decades, with the rise of recreational uses of our national forests and environmental regulations that require careful assessment of natural resources impacted by timber cutting and road-building activities, the Forest Service has been called upon to survey and monitor fish and wildlife populations and to protect and restore important fish and wildlife habitat.

The problem is that Congress has not appropriated adequate funds to the Forest Service for this important habitat protection work which is demanded by the public and required by law. It makes no sense to boost funding for the Forest Service forest products program by \$25 million over the administration's request at the expense of the fish and wildlife habitat management program. To ensure the future health of our Nation's forests and to make sustainable forestry a reality instead of a mere promise, the Forest Service must be given the resources it needs to fulfill its complex and changing mission.

At this time I would also like to point out that this bill fails to adequately fund crucial habitat protection and restoration activities conducted by the U.S. Fish and Wildlife Service. The pressing needs of region 3, especially of the upper Mississippi River and Mark Twain National Refuge Systems—which serve as the migratory pathway for over 40% of North America's waterfowl and which receive more visitors annually than Yellowstone National Park—continue to go unrecognized in this bill.

As a co-chairman of the bipartisan upper Mississippi River congressional task force, I have worked hard with other members within the region to draw attention to the underfunding of region 3 Fish and Wildlife Service programs relative to other regions in the country. For three years running now, we have requested that approximately \$6 million of additional funds be appropriated for region 3 programs. These funds would be used to address the huge backlog of operations and maintenance work within the refuge system, to address increasingly serious invasive species problems, and to assist in the recovery and restoration of endangered species.

I remain deeply troubled by the shortcomings of the Interior Appropriations bill, especially in relation to Fish and Wildlife Service programs. At the very least, I urge my colleagues to vote in favor of the Wu-Smith-Udall amendment, which deals with the pressing need for fish and wildlife habitat protection and restoration within the National Forest System. Thank you and I yield back the remainder of my time.

Mr. HOLT. Mr. Chairman. I rise today to speak about what seems like an annual ritual. We are now in the thick of the appropriations process and that can mean only one thing. My colleagues on the other side of the aisle have sharpened their pencils and are loading up budget bills with legislative riders that surrender our environment to special interests.

These riders not only threaten important environmental and public health protections, but they subvert the democratic process by trying to force through legislative changes without the benefit of hearings or public scrutiny.

I am calling on my colleagues and the public to demand an end to this yearly assault on our precious natural resources and our open form of government.

I would like to highlight a few of the attacks within the FY 2001 House Interior Appropriations that is before us today.

One rider would prohibit any spending on national monuments developed after 1999. Among the monuments affected are the Grand Canyon-Parashant, Giant Sequoia, Agua Fria and the California Coastal National Monuments. The monuments were created by the Administration to strengthen protection of these unique federal lands.

Apparently, for some, it is not important to protect our land.

Another rider would effectively prevent agencies from implementing the American Heritage Rivers Program. This is a program where the federal government provides help to river communities looking for backing on environmental and economic development projects. This program helps communities improve water quality.

Apparently, for some, it is not important to help communities.

Another rider within the bill would block federal agencies funded within the bill from action on global warming. This rider is not even needed because the Administration does not intend to implement the Protocol prior to congressional ratification. The President is continuing to work on international negotiations on this important treaty.

Apparently, for some the climate is not important.

Finally, besides the various riders, the bill does not adequately fund many programs at the levels needed to carry them out. One such program is the President's Land Legacy Initiative. This appropriation bill places these important conservation programs in jeopardy by rejecting the President's request for a permanent funding source. This program is also drastically underfunded. As a result, federal land conservation efforts to protect national treasures, such as the Everglades, the Lewis and Clark National Historic Trail and various Civil War Battlefields are in jeopardy.

Apparently, for some, our national treasures are not important.

Well, for many, including people in central New Jersey, our national treasures, our constitution, our communities and our land are im-

portant. I urge all of my colleagues to reject these antienvironmental riders that threaten our environment and our democracy.

Mr. STUMP. Mr. Chairman, I rise in opposition to any amendment that strikes language currently in the Interior Appropriations legislation for Fiscal Year 2001 to not allow any federal funds to be used on national monuments created since 1999. I support Mr. HANSEN's effort in the Interior Appropriations bill to bring accountability back to the Administration's use of the 1906 Antiquities Act.

Mr. Chairman, Congress has spent too much time in the last few months reacting to monument designations after unilateral declaration by the Administration.

When Secretary Babbitt first announced his desire to create a higher protective status on lands in the Arizona Strip region, he agreed to work legislatively on a proposal to protect the historic uses of this area. After his announcement, I worked closely with local residents, elected officials, tribal officials, conservationists in the region, as well as the Governor, federal land management agencies and the State Lands, Minerals and Game and Fish departments to develop legislation reflecting the Secretary's publicly stated objectives.

On August 5, 1999, I introduced H.R. 2795, the Shivwits Plateau National Conservation Area Establishment Act. The original intent of the legislation was to initiate a dialogue with the Secretary, particularly considering the Secretary had not outlined his ideas in any form of legislation.

On January 11, 2000, after months of negotiating, the President, with the Secretary's recommendation, walked into Arizona and declared two national monuments, the Grand Canyon-Parashant National Monument in northern Arizona and the Agua Fria National Monument north of Phoenix.

In regard to the Agua Fria National Monument, the Secretary first made public his proposal to create a more restrictive status for the area just four months before the actual monument designation.

The original intent of the 1906 Antiquities Act was to protect small areas of land and specific items of archaeological, scientific, or historic importance in imminent danger of destruction. While the Administration contends that the areas designated as national monuments are threatened by increasing development and recreation, the government controls the development which occurs on those lands and has the authority to address problems if and when they exist.

Frankly, the Administration's decision to preempt any action by Congress is political. No reasonable public process has been used to secure public input on the merits of these designations and no environmental assessments have been done. The designations are occurring without any formal public input as mandated by NEPA, the National Environmental Policy Act.

Finally, Mr. Chairman, by highlighting these lands as national monuments, the President is merely calling more attention to the areas and significantly increasing recreation and visitation and jeopardizing the very resources he is attempting to "protect." I urge my fellow members to vote no on any amendment to remove

language in the Interior Appropriations language to prohibit funds to be used on any national monuments created since 1999. Congress has already spent too much time reacting to the unilateral declaration of such monuments.

Mr. BEREUTER. Mr. Chairman, this Member rises today in support of H.R. 4578, the Interior appropriations bill and wishes to particularly thank the chairman of the Subcommittee, the distinguished gentleman from Ohio (Mr. REGULA) and the ranking member, the distinguished gentleman from Washington (Mr. DICKS) for their hard work on the bill.

This Member understands that the Members of the Subcommittee were extremely limited by the 302(b) allocation received and as a result were forced to make tough spending decisions. However, this Member is pleased that continued funding was made available for the next phase of construction of the replacement facility for the existing Indian Health Service hospital in Winnebago, Nebraska. As the members of the Subcommittee know, this ongoing project has a long and difficult history, and the Subcommittee's support is greatly appreciated.

In closing Mr. Chairman, this Member wishes to acknowledge and express his most sincere appreciation for the extraordinary assistance that Chairman REGULA, the Interior Appropriations Subcommittee, and the Subcommittee staff have provided thus far on this important project and urges his colleagues to support the bill.

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. PEASE), having resumed 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. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

HOOR OF MEETING ON TOMORROW

Mr. REGULA. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2966

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent to withdraw my name as cosponsor of H.R. 2966.

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

There was no objection.

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 New Jersey (Mr. PALLONE) is recognized for 5 minutes.

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

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.)

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

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

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

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

PRESCRIPTION DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

Ms. STABENOW. Mr. Speaker, on April 12, I led an hour of debate on the topic of prescription drug coverage for senior citizens. I read three letters from around the state from seniors who shared their personal stories. On the 12th, I made a commitment to continue to read a different letter every week until the House enacts reform. This is the seventh week in a row that Congress has been in session in which I have returned to the House floor to read another letter from a Michigan senior citizen. This week, I will read a letter from Edith DeYoung of Spring Lake, Michigan.

Before I read Ms. DeYoung's letter, I would like to share some troubling statistics released just yesterday in President Clinton's report entitled, "Prescription Drug Coverage and the Rural Medicare Beneficiaries: A Critical Unmet Need."

Although Ms. DeYoung is fortunate to live next to a larger city in Michigan, Muskegon, there are many rural communities in our state, particularly in the Upper Peninsula that have unique health care needs. As a member of the Rural Health Care Caucus in the House of Representatives, I have been working to ensure that those needs are understood and met.

The President's report documents that seniors living in rural America face real challenges in accessing health services, especially prescription drugs.

Senior citizens who live in rural communities represent almost 25 percent of all Medicare

beneficiaries, tend to have a greater need for prescription drug coverage, but have fewer coverage options. Their incomes are lower, access to pharmacies more limited, and out-of-pocket spending higher.

According to the President's report, rural beneficiaries are over 60 percent more likely to fail to get needed prescription drugs due to cost. A greater proportion of rural elderly spend a large percent of their income on prescription drugs. In fact, rural senior citizens pay over 25 percent more in out-of-pocket expenses for prescription drugs than urban senior citizens. Finally, rural senior citizens on Medicare are 50 percent less likely to have any prescription drug coverage.

I would like to take this opportunity to highlight an important provision in the Democratic prescription drug proposal that does not get as much attention as some of the other important provisions that offer coverage for Medicare seniors. The Democratic plan includes assurance that resident in rural communities will have full access to all prescription drug benefits.

Now, I will read the letter from Edith DeYoung. "I'm writing this letter to you concerning medical prescriptions for people who have reached 65 years of age. I was getting Medicaid but now that I've reached the Golden Years, age 65, I can't get help from Medicaid and Medicare does not cover prescriptions. I get \$915 a month on Social Security. I would like to know how you can pay rent, lights, and, oh yes, groceries, and still have to pay \$437 on a spend-down for medicine that leaves me \$478 a month to pay all the above and live on. I am sending you a copy of the prescriptions I get every year. I sure can't afford any other insurance. So please, help the bill pass and help us that are 65 and need it really bad. As a senior citizen, I would like to hear back from your office. Sincerely, Edith DeYoung."

The time is now to enact real prescription drug legislation that includes a prescription drug benefit in Medicare.

Proposals have been offered by the other party that would essentially offer a subsidy for a private insurance plan—that may or may not be available to all senior citizens. I am especially worried about seniors living in rural communities. And, as Edith DeYoung said, herself, she can't afford additional insurance. The Democratic plan, on the other hand, would provide her with the real help she needs. The Democratic plan would create a Medicare benefit that, because of Ms. DeYoung's income level, would cover all of her prescription drug costs.

INTELLIGENT DESIGN IS NOT A SCIENCE

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

Mr. SOUDER. Mr. Speaker, on June 1, I received a letter that was written by seven members of the biology department and one professor of psychology from Baylor University in response to my co-hosting a recent conference on intelligent design, the theory that an intelligent agency can be