

In conclusion, Mr. Speaker, I support S. 1198 because it sheds light on the adequacy and usefulness of the agencies' analyses. Yet, it ensures that the GAO has adequate time and resources to fulfill its new responsibilities, and it preserves GAO's traditional role as auditor.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. KELLY), the champion of small business, the chairman of the Subcommittee on Regulatory Reform and Paperwork Reduction, and the champion of CORA.

Mrs. KELLY. Mr. Speaker, the Truth in Regulating Act represents the culmination of nearly 4 years of hard work and an effort that will provide Congress with a new resource for reviewing new government regulations before they take effect.

I first introduced this legislation during the 105th Congress, Mr. Speaker, with the goal of giving Congress the tools it needs to oversee the steady stream of new and often costly regulations coming from the Federal government.

Government regulations have an impact on every American. We see an average of close to 4,000 new regulations promulgated every year.

In most cases, regulations speak to a noble purpose, and can often be viewed as a measure of the value that we place in protecting such things as human health, workplace safety, or the environment. Yet, too often the government oversteps its bounds in its attempt to achieve these goals, and we all pay the price as a consequence.

The price of regulations poses a particularly heavy burden on small businesses and manufacturers. They drive our economy forward. They need our help.

Estimates vary on the annual cost of government regulations from a range of \$300 billion a year to \$700 billion every year. Congress has a special entity, the Congressional Budget Office, or CBO, to help it grapple with our enormous Federal budget. There is growing sentiment that a similar office is needed within the legislative branch to review and analyze the numerous government regulations that are developed and issued every year.

To address this need, in 1997 I first introduced legislation to create the Congressional Office of Regulatory Analysis, or CORA. Today's legislation is the culmination of that effort.

As the vice chairman of the Committee on Small Business and the Chairwoman of the Subcommittee on Regulatory Reform and Paperwork Reduction, and as a small businesswoman myself, I know that small business owners are very familiar with the burdens that Federal regulations place on them.

Some studies have shown that for small employers, the cost of complying

with Federal regulations is more than double what it cost their larger counterparts. Mr. Speaker, we do not need any study to reach that conclusion. Common sense says that if a regulation costs a company with a \$5 billion revenue stream the same as it does a company with a \$5 million revenue stream, the overall impact on the smaller company will be significantly more on a per unit basis.

S. 1198 creates an office within GAO that would focus solely on conducting independent regulatory evaluations of regulations to help determine whether the agencies have complied with the law and executive orders. The fact is, Congress cannot obtain unbiased information from the participants in the rulemaking because each participant, including the Federal agency, has a particular viewpoint and bias.

This legislation will fill the information gap and assist Members in Congress in determining whether action is warranted. The purpose of the bill is to ensure Congress exercises its legislative powers in the most informed manner possible. Ultimately, this will lead to better and more finely tuned legislation, as well as more effective agency regulations.

The office will provide Congress with reliable, non-partisan information, leveling the playing field with the executive branch and improving Congress' ability to understand the burdens that are placed on small businesses and the economy by excessive regulation.

Mr. Speaker, I would like to thank the gentleman from Wisconsin (Mr. RYAN) for his work on this issue, the gentleman from Indiana (Mr. MCINTOSH) for his strong support, as well as the gentleman from Michigan (Mr. BARCIA) and the gentleman from California (Mr. CONDIT) for their long-standing support for this legislation.

I would also like to thank the ranking member of the Committee on Government Reform, the gentleman from California (Mr. WAXMAN), as well as the gentleman from Ohio (Mr. KUCINICH), for their support in moving this legislation forward.

Finally, I would like to thank especially the gentleman from Indiana (Mr. BURTON) for moving this legislation quickly to the floor today, and for his leadership on this issue. I strongly urge my colleagues to join me in supporting this effort.

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

Mr. Speaker, I want to echo the gentlewoman's remarks with respect to the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN).

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also just want to thank everybody who put a lot of hard work into this bill. I think we have a good bipartisan compromise.

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

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the Senate bill, S. 1198.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

TRANSFERRING CERTAIN LANDS IN UTAH TO THE UNITED STATES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4721) to provide for all right, title, and interest in and to certain property in Washington County, Utah, to be vested in the United States, as amended.

The Clerk read as follows:

H.R. 4721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ACQUISITION OF CERTAIN PROPERTY IN WASHINGTON COUNTY, UTAH.

(a) *IN GENERAL.*—Notwithstanding any other provision of law, effective 30 days after the date of the enactment of this Act, all right, title, and interest in and to, and the right to immediate possession of, the 1,516 acres of real property owned by the Environmental Land Technology, Ltd. (ELT) within the Red Cliffs Reserve in Washington County, Utah, and the 34 acres of real property owned by ELT which is adjacent to the land within the Reserve but is landlocked as a result of the creation of the Reserve, is hereby vested in the United States.

(b) *COMPENSATION FOR PROPERTY.*—Subject to section 309(f) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), the United States shall pay just compensation to the owner of any real property taken pursuant to this section, determined as of the date of the enactment of this Act. An initial payment of \$15,000,000 shall be made to the owner of such real property not later than 30 days after the date of taking. The full faith and credit of the United States is hereby pledged to the payment of any judgment entered against the United States with respect to the taking of such property. Payment shall be in the amount of—

(1) the appraised value of such real property as agreed to by the land owner and the United States, plus interest from the date of the enactment of this Act; or

(2) the valuation of such real property awarded by judgment, plus interest from the date of the enactment of this Act, reasonable costs and expenses of holding such property from February 1990 to the date of final payment, including damages, if any, and reasonable costs and attorneys fees, as determined by the court. Payment shall be made from the permanent judgment appropriation established pursuant to section 1304 of title 31, United States Code, or from another appropriate Federal Government fund. Interest under this subsection shall be compounded in the same manner as provided for in section 1(b)(2)(B) of the Act of April 17, 1954, (Chapter 153; 16 U.S.C. 429b(b)(2)(B)) except that the reference in that provision to "the date of the enactment of the Manassas National Battlefield Park Amendments of 1988" shall be deemed to be a reference to the date of the enactment of this Act.

(c) *DETERMINATION BY COURT IN LIEU OF NEGOTIATED SETTLEMENT.*—In the absence of a negotiated settlement, or an action by the owner,

the Secretary of the Interior shall initiate within 90 days after the date of the enactment of this section a proceeding in the United States Federal District Court for the District of Utah, seeking a determination, subject to section 309(f) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), of the value of the real property, reasonable costs and expenses of holding such property from February 1990 to the date of final payment, including damages, if any, and reasonable costs and attorneys fees.

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

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, this bill was brought about by the 1973 Endangered Species Act. When that was passed, they found in southern Utah the desert tortoise. Out of finding the desert tortoise, we then had to find a place for the habitat for the desert tortoise, which basically really is not endangered, but I will not get into that.

Finding it there, they found a situation where 33 different people had to give up ground to get it. We have taken care of all of those people for a critical habitat because they had that ground and they could not put their foot on it, all they could do was pay taxes.

We have one person left, the biggest one. We are trying to get it resolved in this particular bill.

During the hearing on this bill, several concerns were raised by the administration and the minority. At committee, my amendment in the nature of a substitute was adopted which addressed those concerns.

This amendment accomplishes the following four things:

First, the acreage will be vested in the United States 30 days after enactment.

Second, just compensation shall be paid, with an initial payment of \$15 million, which will prevent the property from reverting to creditors during litigation. According to the BLM's lowest estimate, the property is worth at least \$35 million.

Third, the court may consider the damages, costs, and attorneys' fees, as the court determines appropriate.

Lastly, the values as determined by the court, not Congress or the BLM, will be paid out of the permanent judgment fund.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the gentleman from Utah (Mr. HANSEN), the chief sponsor of this legislation.

We have no opposition to this legislation, Mr. Speaker, but there are some

concerns on this side of the aisle concerning the provisions of the bill.

Mr. Speaker, this is an extraordinary procedure taken on this bill. It is an authorization, it is an appropriation, and also an implementation of condemnation of land rolled into one. Only a few times in the past quarter century has a legislative taking been used by the Congress. Furthermore, the language of this legislation is substantially different from that used in other cases.

There is also considerable controversy associated with the land identified by this legislation. Several news articles from the State of Utah have called into question actions by the landowner with regard to this property. Title has been clouded to this land, and it is unclear what interests the landowner has and what interests other parties have to the property in question.

Mr. Speaker, the BLM has attempted to negotiate with the landowner. These negotiations have been hampered by the landowner's insistence on using appraisal assumptions that are not consistent with Federal standards and that were not used in other transactions, including those done previously with the landowner.

The bill also seeks to open the door to payments to the landowner dating back to February, 1990. This raises several issues. First, the Desert Tortoise Reserve was not even established until 1996. It was only after this that attempts were made to acquire the property. Even until 1996, the landowner was involved in litigation on the property and could not present clear title. Settlement of the litigation and other subsequent actions have made other unnamed parties a beneficiary of this legislation.

Like I said, Mr. Speaker, I do not oppose this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4721, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HISTORICALLY WOMEN'S PUBLIC COLLEGES OR UNIVERSITIES HISTORIC BUILDING RESTORATION AND PRESERVATION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4503) to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities, as amended.

The Clerk read as follows:

H.R. 4503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Historically Women's Public Colleges or Universities Historic Building Restoration and Preservation Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) HISTORICALLY WOMEN'S PUBLIC COLLEGE OR UNIVERSITY.—The term "historically women's public college or university" means a public institution of higher education created in the United States between 1836 and 1908 to provide industrial education for women, including the institutions listed in clauses (i) through (viii) of section 3(d)(2)(A).

(2) HISTORIC BUILDING OR STRUCTURE.—The term "historic building or structure" means a building or structure listed (or eligible to be listed) on the National Register of Historic Places, designated as a National Historic Landmark, or located within a designated historic district.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. PRESERVATION AND RESTORATION GRANTS FOR HISTORIC BUILDINGS AND STRUCTURES AT HISTORICALLY WOMEN'S PUBLIC COLLEGES OR UNIVERSITIES.

(a) AUTHORITY TO MAKE GRANTS.—

(1) IN GENERAL.—From amounts made available under paragraph (2), the Secretary shall award grants in accordance with this section to historically women's public colleges or universities for the preservation and restoration of historic buildings and structures on their campuses.

(2) SOURCE OF FUNDING.—Grants under paragraph (1) shall be awarded from amounts appropriated to carry out the National Historic Preservation Act (16 U.S.C. 470 et seq.) for fiscal years 2001 through 2005.

(b) GRANT CONDITIONS.—Grants made under subsection (a) shall be subject to the condition that the grantee agree, for the period of time specified by the Secretary, that—

(1) no alteration will be made in the property with respect to which the grant is made without the concurrence of the Secretary; and

(2) reasonable public access to the property for which the grant is made will be permitted by the grantee for interpretive and educational purposes.

(c) MATCHING REQUIREMENT FOR BUILDINGS AND STRUCTURES LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.—

(1) IN GENERAL.—Except as provided by paragraph (2), the Secretary may obligate funds made available under this section for a grant with respect to a building or structure listed on the National Register of Historic Places, designated as a National Historic Landmark, or located within a designated historic district, only if the grantee agrees to provide for activities under the grant, from funds derived from non-Federal sources, an amount equal to 50 percent of the costs of the program to be funded under the grant with the Secretary providing 50 percent of such costs under the grant.

(2) IN-KIND CONTRIBUTIONS.—In addition to cash outlays and payments, in-kind contributions of property or personnel services by non-Federal interests may be used for the non-Federal share of costs required by paragraph (1).

(d) FUNDING PROVISIONS.—

(1) AMOUNTS TO BE MADE AVAILABLE.—Not more than \$16,000,000 for each of the fiscal years 2001 through 2005 may be made available under this section.