

Authorizes \$50 million in FY 2001, \$75 million in FY 2002, and \$100 million in FY 2003 for federal microbicide research and development.

Mr. Speaker, thanks to the leadership of Leslie Wolfe and the Center for Women Policy Studies who first brought the need for microbicides research to my attention, I introduced Women and HIV/AIDS research and prevention legislation back in 1990. Congress has confirmed the importance of microbicides research by including report language I submitted during the appropriations process calling for greater NIH attention to this research. Now that the reality of a microbicide is much closer, more resources and greater coordination of federal research is urgently needed. With vigorous attention and sustained investment, a microbicide could be available within five years.

Microbicides represent another potential weapon in the arsenal against HIV/AIDS and STDs. Microbicides would be an important complement to potential HIV vaccines since they are likely to be available sooner, will be easier and cheaper to distribute, and will be effective against a range of sexually transmitted infections. They are particularly important for women, whose risk of infection is high and whose direct control over existing prevention options is low.

Microbicides will give women all over the world one more way of protecting themselves against the ravage of HIV/AIDS and other STDs. I urge all of my colleagues to support the important legislation we are introducing today, and give women and their families a fighting chance against the HIV and STD epidemics. Women in this country and around the world, as well as their partners and children, desperately need and deserve more options to stop the spread of deadly infections.

#### GULF WAR ILLNESSES

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

Mr. METCALF. Mr. Speaker, America has been built by the bravery and sacrifice of patriots. Exactly 135 years ago this week, Abraham Lincoln stood on the east steps of this grand Capitol building and delivered his second inaugural address. Thousands stood in silent attention as he delivered his concluding paragraph:

With malice toward none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

Mr. Speaker, there is nothing more important our country can do than bind up the wounds of those who fight for the freedom of all Americans. We must fulfill the promises we have made to our sons and daughters who have put on the uniform of this country.

In 1991, American troops began coming down with an alarming spectrum of maladies which soon became known as Gulf War illnesses. These valiant sol-

diers offered their lives in service to America. They deserve every effort by their government to answer questions about what might have made them sick. They deserve every effort by their government to try to find treatment for their illnesses.

But what is really happening? Unfortunately, some in government have given the appearance that they will do everything in their power to block the answers to the questions and to block the search for treatments. A recent scientific, peer-reviewed study showed an overwhelmingly large number of tested veterans suffering from Gulf War illnesses are testing positive for antibodies to squalene. This study, "Antibodies to Squalene in Gulf War Syndrome," was recently published in the February 2000 issue of *Experimental and Molecular Pathology*. On January 31, I and nine of my House colleagues sent a letter requesting that the Department of Defense do an objective analysis of this study. We had great hope for that test, that this study might prove to be a breakthrough that would lead to better treatments for suffering Gulf War era veterans.

While waiting for a response to our request, I discovered that the Department of Defense was misrepresenting and attacking the article on its own Anthrax Vaccination Inoculation Program Web site, AVIP. In one section, AVIP even claimed that the conclusions derived from the test results in the study had no scientific basis. The results of a peer-reviewed study published in a scientific journal have no scientific basis? This is an outrageous statement. Our DOD is obviously stonewalling this issue. Therefore, I sent a letter to Secretary Cohen requesting that the inaccurate AVIP statements be removed. DOD needs to do this immediately.

Last week, DOD delivered the response requested by myself and nine colleagues. I had hoped that DOD would seize this opportunity to conduct a legitimate, thorough inquiry of the scientific, peer-reviewed study. Instead, we were provided irrelevant material and an anonymous half-page analysis. It is difficult to imagine that DOD would expect Congress to accept a half-page anonymously written analysis as an appropriate response to our request. The main point of our letter was completely ignored.

Mr. Speaker, we need answers and action from DOD, not a maze of smoke and mirrors. The people's representatives are asking for answers from Secretary Cohen, and all we are getting is stonewalling and bureaucratic delay tactics. How can DOD expect to regain the seriously eroded trust of its military personnel if misrepresentations posted on the official Web site are allowed to go unchallenged and congressional requests for legitimate information are stonewalled?

Mr. Speaker, Secretary Cohen must intervene to halt the misinformation campaign being waged by DOD officials

concerning issues surrounding antibodies to squalene research. He must provide Members of Congress and those suffering from Gulf War illnesses the real answer. The Department of Defense must stop this deadly game of delay and distraction.

#### ISSUES AFFECTING THE WEST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for half the time until midnight as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I appreciate the time that I have been given this evening. The gentleman from Utah (Mr. HANSEN) who is a longtime friend of mine and I intend to spend the next little while with Members talking about issues that are important to the West. As many Members know, my district is the Third Congressional District of the State of Colorado. That district geographically is larger than the State of Florida. I adjoin the fine State of Utah.

As Members know, many of the issues that we share in Utah are very similar to the issues in the State of Colorado. In fact, as we look at the map that I have here to my left, many issues of the West, whether we are talking about Wyoming, Montana, Idaho, Nevada, Arizona, New Mexico, we have many similar issues in the West.

Tonight, to begin our remarks, I thought I would talk a little about what the concept of multiple use really means. What is multiple use? Why is it critical to the West? What is the history of multiple use? We really need to turn our clocks back in time and look at the beginning of this country, when most of the populations, again referring to the map to my left, were on the East Coast.

Back then, possession really was nine-tenths of the law. In other words, you really had to go out and occupy the land. You could not just have a deed. We kind of take that for granted today. If we have a deed for property, we go down and register it at the county courthouse and we do not have to worry about going out and standing on the land in order to continue possession or sometimes even able to initiate possession.

In the frontier days, you had to do that. What our forefathers, the problem they ran into is people really did not want to leave the East. Our new country had just made some purchases. We got land like through the Louisiana Purchase, and we needed to get people out there. Just the fact that we bought the land from other countries as a young country did not mean we really were going to be able to hold on to the land. What we had to do is move people onto the land. We had to give people incentive to move from the East to go to the West.

And so to give that kind of incentive to our citizens of this young country,

our government decided to offer incentives to them. The incentive that they thought would be the most attractive is to say to the young frontiers people, if you go west and we all remember the saying, "Go west, young man, go west," if you go west, you can secure a piece of property; and if you work that land for a long enough period of time, you get to own the land. It is yours.

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All you have to do is possess it. Just go to it, work it and possess it for a period of time and we will give you 160 acres or we will give you 320 acres, and it is through what we all know as the Homestead Act.

Well, that worked fine for many of the States out here where you had rich soils, you did not have the severe kind of weather, where on 160 acres a family, a frontier family, could raise some cows, they could farm that land and feed a family. What happened over a period of time is that as the people begin to get into the deep West, like the Rocky Mountains of Colorado or into the Rocky Mountains in Wyoming or down into New Mexico, the leaders in Washington, D.C. discovered these people were not really staying there; that you could not even feed a cow off of 160 acres in many of these areas in the deep West.

So the people were not staying there, and they were concerned about what do we do on possession. We have to give people incentive to stay in these areas.

First of all, let me say what they decided not to do. They said we cannot possibly give them an equivalent amount of acreage, in other words the same amount of acreage in the mountains that would give you the same kind of living that you would have in, for example, the State of Nebraska or Ohio. Out there you can do it on 160 acres, and the equivalent in these mountains would be about 3,000 acres. They said politically we cannot give away 3,000 acres to these frontiers people, and somebody came up with an idea. We do not have to give away the land. In fact, unlike the East, unlike the East, where we give the land away and where we have a large amount of private ownership, let us as the Federal Government go ahead and keep ownership of the land in the West. The government will continue to own the land but we will allow the people to use the land. We will have multiple use.

We will allow the people to farm on the land. We will allow the people to raise cattle on the land. We will allow the people to extract natural resources on the land. This was many, many years ago.

Throughout time, the uses of multiple use have evolved dramatically. In fact, in my district, almost every road in my district goes across government lands. Every drop of water in my district, if it is not out of a well, either comes across, is stored upon or originates on Federal lands; all of our power lines, all of our radio towers, all of our

cellular telephone towers. We are totally dependent on the West on this concept of multiple use.

What does this map to my left show? I think it is very important. This map that I have tonight, for all here in the chambers, is to demonstrate very clearly where the Federal Government owns land. It is very important to take a look, as we go from the north, the Canadian border, follow my pen, we go down through here, we go right through Colorado, we go right through New Mexico, we come right down here to Texas, go around and we hit Mexico down there.

Look at the amount of Federal land on this side. Very little. In fact, we have some in the Appalachians here; we have some down in the Everglades. We have some areas up here. New York has some but a lot of that is owned by the counties, not by the Federal Government.

Compare this, which could be identified with pencil points on this map, with what has happened in the West. This is the amount of government ownership of land in the West.

Let me give an example of what happens as a consequence of that. First, let me give a statistic. Outside of Alaska, which is 99 percent owned by the government, that is Alaska right there, now that is half the size of its actual proportion for this map, that is 99 percent but if you exclude Alaska, 88 percent of the Federal land in the lower 48 States, 88 percent of the land owned by the Federal Government lies in these 11 western States.

What does that mean for practical, every day living, for the ordinary people out there? Well, in the East, when you have planning and zoning, which is very important, your local communities, your city councils or your local governmental entities, they decide planning and zoning.

If someone wants to build a bike path, if someone wants to have a water project, if they want to do some kind of construction, if they want to do a road, the people in the East, their local municipalities have control of planning and zoning.

You would be deeply offended, you would have strong objections if the Federal Government came into your community in Connecticut or came into your community in Tennessee or Ohio and said, hey, we want to take over planning and zoning of your local community, you would say, bug out. Well, planning and zoning is a local matter, it is a local issue. If it is not the city council that does your planning and zoning, it may be your local county or it is a combination of the two, but it is not the Federal Government. The Federal Government does not do the planning and zoning out here in the East.

Guess what happens in the West. In the West, just by the fact, just under de facto that the West has such massive amounts of Federal land, they in effect do our planning and zoning.

We have so much Federal land in my district alone, 22 million acres; 22 million acres of Federal land in my district alone. When you want to build a road, when you want to deal with water, you have to deal with the Federal planning and zoning commission, which is the government in Washington, D.C.

One of our problems at the very beginning, at the very beginning, is that in the East it rains a little differently than it rains in the West. In fact, in the fine State of Colorado, we are the only State in the Union where all of our water runs out of the State. We have no water that comes into Colorado for our use. It all runs out of the State, the only State in the Union.

We are very dependent on our water resources that are on those Federal lands. We are entirely dependent on the concept of multiple use.

Well, the problem with having planning and zoning at a Federal level is that in Washington, D.C. they seem to think one shoe fits all, one size fits all. So they start applying policies that may work okay for the Appalachians or may work okay for the State parks or Federal parks in New York State, they start putting those applications on the massive Federal land holdings in the West. There is not a lot of recognition to my colleagues here in the East, with due respect, there is not a lot of recognition on their part of our difficulties that we have in the West.

So when we have people out of the administration or the bureaucracy in Washington, D.C. starting to make decisions based on their life experience in the East, when they start making decisions that have impact on the West they need to realize what kind of impact it has and what kind of unintended consequences there are.

For example, in the East your problem back here is getting rid of water. In the West, in the West, our problem is storing water, is keeping the water. In this region right here of which Colorado has the highest elevation, my district, in fact, the Third District of Colorado has the highest elevation of any district in the nation. We do not have much rain. We get some rain but we are an arid state. The West is an arid area, a lot different than the East.

We depend very heavily on our snowfall and then we have to depend on a period of time we get about 60 to 110 days of runoff, the spring runoff. It is going to start here in about another month, maybe another 6 weeks, we have the spring runoff for about 60 to 110 days. After that 110th day, if we do not have the capability to store the water we have real problems. During that 60 days to 110 days, if we do not have the capability to control flooding we have real problems.

Take a look at what some people in the East have done. The bureaucracy, for example, of the national Sierra Club, now the national Sierra Club has done some reasonable things but one of the things, their number one goal, as

dictated by the bureaucracy, their bureaucracy in the East because they have very little understanding of our water issues in the West, their number one goal is to go out here and to drain Lake Powell.

That lake, which is a huge storage facility for water in the West, for power, for flood control, and frankly for a lot of recreation, a lot of family activities on that lake, in fact on that lake, to give you an idea of the size, there is more shoreline on Lake Powell than there is on the entire Pacific West Coast. What is the response for the planning and zoning commission of one of the more active environmental groups in the East? Their number one goal, take down the dam and drain Lake Powell.

Well, this extends into these issues of people in the East dictating the planning and zoning by the fact that the government has these large land holdings in the West. These policies have ramifications. They have ramifications on our national parks. They have ramifications on our national monuments. They have ramifications on our business community, meaning the small ranchers and the small businesses. They have ramifications not only on our water storage but our water accessibility, the ability to transport water.

Every highway we have, it has consequences there. It has consequences on the environment. There are a lot of things that I urge my colleagues here today, if they live east of this red border that I have just shown here, I am urging to take some time and study why the issues in the West are different. In the West, when the frontier people went out there, remember what happened. The government made a deal with them: We are going to keep ownership of the land. In the East we gave the fellow citizens the land. We arranged for private property, which every family in America dreams of owning their own piece of property and in the East we followed that. We followed that dictation, but in the West we gave you a little guarantee. We will let you use the land but because we cannot give away that massive amount of land we are going to keep ownership. That is what they said in Washington, D.C.

So as we progress through a number of different issues dealing with the West, I urge my colleagues, please sit down, take a look at the history; understand that in the West it does not rain like it does in the East. Understand that in the West that concept of multiple use is a way of life. In the West, life is written in water, not in blood. These are very important.

Now as we continue through our special orders this evening, I would like to turn the podium over to my colleague, the gentleman from Utah (Mr. HANSEN), who will take us to the next step. This gave us a little basic history. We now have an idea of where the Federal land ownership is in this country. We have an idea of the concept of multiple

use and what it means. We have an idea that in the West water is something we have to store to use.

In the East, of course, we have always known this but it is something for a large part that has to be gotten rid of. I think it is a good way to kind of transition into the next area of what we want to talk about tonight in the West, and for that I would turn it over to my colleague, the gentleman from Utah (Mr. HANSEN).

We both have generations of family in our respective States. We have deep, deep roots. Beyond that, both the gentleman from Utah (Mr. HANSEN) and myself are very, very dedicated and very loyal to our States. We care about the citizens we represent and we care about the heritage of the West. The West to us is paramount. Oh, we are Americans, do not get that wrong, but it is paramount that we be able to represent the West out here in the East.

Mr. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Speaker, I appreciate my friend, the gentleman from Colorado (Mr. MCINNIS), for the excellent explanation he has given regarding the difference between the East and the West.

It is very common, as chairman of the Subcommittee on National Parks and Public Lands, to get all kinds of letters from folks in the East talking about how some day I want to go out and see that, and I own it as much as you do. I find that very interesting because some of them will never come. Basically, if you want to go back 200 years where did they get their ground? At one time, all of that map was owned by the Federal Government but they got it given to them and now they want to control what we do in the West.

We have no problem with that if they are reasonable but we also feel that the people who occupy the ground, who play on the ground, who make a living on the ground, who are raised on that ground, ought to have some say in it and I do not see why people think it is so totally irresponsible when somebody from the West, who has lived there all their life, gets just a tiny bit upset when someone who has never been there wants to tell them how they can drive their car, how he they can plow their fields, where they can put their cows, where they can have recreation. I think that is really kind of reasonable.

Mr. Speaker, when I read the Constitution, the words that jump out at me are the first words and they say, "we, the people." I have been in this business quite awhile. I have been an elected official for the last 40 years. I started out as a city councilman in a little town in Utah called Farmington. I still remember about that little town that if I ever wanted to do something as a city councilman or mayor pro temp as I served for a year and a half, I would have to advertise it. Even something as small as putting a bid out

to put a piece of water in for the culinary water system or something for the sewer, we had to advertise it.

Later on in the State legislature, when I was speaker of the House, we found the same thing. We had what we call sunshine laws and most of our people have those laws; most of our legislative bodies have those. So we had to do it so the people were there, the people could see it. We did not do things behind closed doors.

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Why do we sit there and have C-SPAN on? So that the people can see their government in action. Most of our committees, when there are very important people testifying, C-SPAN comes in and films it and we open the doors and the public come in. The exception would be the Select Committee on Intelligence where I sat for a number of years, or the Committee on Armed Services which I am a member of, and occasionally things of high security, of course we do not want to have the public look at them. But the vast, vast majority of things, the public should look at.

Therefore, if it is truly we, the people, and we are not going to do things in a closet; I often wonder about this current administration that back in September of 1996, the President stood on the south rim of the Grand Canyon where the Colorado River goes through and proclaimed on his proclamation 1.7 million acres in southern Utah as a national monument. Now, of course he has a right to do that under that bill, but people have to realize that in 1906, Teddy Roosevelt, the great conservationist, found himself in the position of saying, how do we ever protect these Indian ruins and all of these beautiful dwellings that we are finding? People were going in and desecrating those. So they passed this law, and if one wants to look it up, it is only about a paragraph long and it talks about what one can do to protect them.

It says that the President can go in and he can sign a proclamation and his proclamation has to say, what is the historic nature of this issue? An historic national park, a good example would be where the two trains met in Promontory, Utah, and we joined the Nation from California to the East with the railroad, a great understanding of what a national historic area would be. If we look at archeological areas, it also says they can do that. And then in this law it says they will proclaim that as the smallest acreage available to protect that site.

We found in this particular instance that we did not know anything about it. If I may define the word "we," it would be the members of the Utah delegation, the Utah legislature, the Utah governor. So we were hearing about it and hearing rumor; we did not know where this rumor was coming from. So we would call down to places like the White House and they would say we are hearing the same rumor. We do not know anything about it.

In fact, my administrative assistant called up Kathleen McGinty. She was head counsel of environmental quality in the White House working for the Clinton-Gore administration. We said we keep hearing this rumor and she said we hear the same, and the next day they are out proclaiming this.

To find out what really happened, we went to the trouble of subpoenaing all of the papers from the White House and the Department of the Interior. We made a compilation of those and I have it in my hand, and we wrote a book called *Behind Closed Doors*. Remember, Mr. Speaker, this is a government of we, the people. The people are the ones who are supposed to have an understanding of this. In this we found some very interesting things.

When we expressed our concern to the Clinton administration, of course they denied this. As late as September 11, the Secretary of Interior Bruce Babbitt wrote to Utah Senator BENNETT and pretty much told him that. Then, in a letter written to Professor Wilkenson asking him to draw up the proclamation, the solicitor of the Department of the Interior, John Leshy wrote, I cannot emphasize confidentiality too much. If word leaks out, it probably will not happen.

Then, on August 5, 1996, Katie McGinty wrote a memo to Marcia Hale telling her to call some key Democrats to get their reaction. However, conspicuously absent on their list was a Democrat from Utah. In the memo Mrs. McGinty emphasized that this should be kept secret, saying any public release of this information would probably foreclose the President's option to proceed.

Now, we may ask ourselves, why did they want to keep it a secret? Why did they not let the world see it, let people have the scrutiny of a microscope looking at this. Well, let us face it. It was a political election stunt and the type of thing that had to be perfectly planned and perfectly timed to be done just before the presidential election.

Now we may ask ourselves, why did we do this? In another memo we found from Kathleen McGinty she said quote, "I do not think there is a danger of the abuse of the withdrawal of the Antiquities authority, especially, especially because these lands are not really in endangered." There we have it, in their own words. The administration did not think there was any real danger. Okay. Let us ask ourselves, what does this proclamation do? Does it stop coal mining? No. Does it stop mineral development? No. Does it stop petroleum? No, CONOCO is still drilling. Does it stop people from visiting the grounds? No. Does it stop roads from being built? No. In fact, more roads are being built because more people want to see it. I was down there a number of times, standing there and people from New Jersey drove up and they said I see a car, two cars here, one was State and one was Federal, where is the Grand Staircase Escalante? And at this point

we said, you are standing in it. They said, well, what is there to see? We said, look around. If you like sagebrush you will love this area, because that is basically all there was.

Why did the administration not come to us in Congress? And let me make this point. Congress, according to the United States Constitution, is the only entity that has control of the public grounds, period. Anyway, they did not come to us because it was an election stunt and we could all see this.

So I kind of say well, why did he pick a national monument? Why did he not just sit there in his armchair and say to the people, I am going to withdraw this pursuant to 43 U.S.C. 170-1204? Because it would not sell that way. It has to be on the south rim of the Grand Canyon with that beautiful panorama behind you, with the wind blowing through the hair of the President and all of these people standing there cheering. Then they finally found out, well, what did we really get out of it. I noticed even the Southern Utah Wilderness Alliance and the Salt Lake Tribune said that they are really just election-year environmentalists, and that is what we find.

Now, Mr. Speaker, we found ourselves in a situation well, what happens now? Again we see this abuse coming about. This antiquities law. Not a lot of people say these things should be protected. I hope the American public realizes that when that passed, that is all there was, was the 1906 antiquities law. There was not the 1915 park bill that created Yellowstone, and now we are up to 379 units of the park system. There was not the NEPA Act of 1969 that gave us environmental protection. There was not the FLPMA Act of 1976. There was not the 1964 Wilderness bill. There was not the 1973 Endangered Species Act, there was not the Trails Act, there was not the Scenic Rivers Act. There was none of that stuff. So that is all we had.

Now, at this point we have all kinds of laws. So why with all of that protection did we see in January of this year again the President of the United States goes to the south rim of the Grand Canyon and proclaims another national monument on what we call the Arizona strip. While he is standing there he also declares one in Phoenix, he also declares one on the California coast, and now rumor, and before I used to say, oh, that is just rumor, do not pay any attention to it. Now rumor has it that my friend standing in the well might get one, the gentleman from Montana (Mr. HILL) may get one; rumor has it that people down in the district of the gentlewoman from California (Ms. BONO) may get one, and for what reason? Could somebody give us a reason why this is going on?

What do the American people get out of this? It is an election-year stunt; and actually, as many courts have said, someone should push this up across the street to those nine folks that wear black robes and see if the 1906 antiq-

uity law is even constitutional. Because if you have to go up against the idea, it says in the Constitution of the United States of America that the only people who have use of the public ground is this body and the body over on the other side, and they are the ones to take care of it.

Mr. Speaker, I hope people realize, and little by little I am so impressed with the public, because it is starting to dawn on them just what the gentleman from Colorado is talking about: Who uses that ground? Now, the dentist from New York who writes me on a regular basis, the attorney from Florida who writes me on a regular basis and says, Mr. Chairman, we have as much use on that ground as you do, and they keep talking about the people who graze. On March 1, right across the street in the Supreme Court there is a battle raging now: Is that a right that they have, and the court will decide that. That was filed in 1995, and unfortunately it was just heard on the 1st of March.

Other people are filing suits. Grazing was one, timber was one, and mining was one. The big three. Put the big three aside. They do not mean much anymore. The public of the United States wants access to that ground on that west side of that map. That is what they want, and they want it for a lot of reasons.

The gentleman from Colorado (Mr. MCINNIS) talked about Lake Powell, one of the most beautiful areas on earth. Go down there. Mr. Speaker, 400,000 people launched boats on Lake Powell last summer. 400,000. It has far surpassed many of the other areas because it is such a gorgeous area, let alone the power that it provides, let alone the water that it provides, and let alone the whole southwest part of America is there because of the Colorado River drainage. Those people want access.

Talk to the guy who has a four wheel drive outfit, talk to the guy who rides one of these little four wheel ATV things, talk to the people in Utah, and now we are on the map because of something we call trail bikes. Talk to the person who has a wave runner and where he wants to go. The backpacker. Talk to the guy that likes to shoot a deer or an elk or a moose in that area. They want access to that ground. They do not want it tied up like the Sierra Club wants it tied up. They want access. Should it be done in an environmentally-sensitive way? Of course it should be.

On the other side of the coin, it really bothers some of our folks, and they are justified in this when they get hammered and taken out of the use of this ground which is theirs to use. To that dentist from New York, that lawyer from Florida, come on back and use the ground. We would love to have you there, but spend a few bucks while you are there, because we have another problem. It is called payment in lieu of taxes. The gentleman from Colorado

(Mr. MCINNIS) pointed out all of that ground that is owned by the Federal Government and all of our buddies from the East that are saying that is just as much our ground as it is your ground. Well, then pay your share. It is called payment in lieu of taxes. They want to play on it, they want to tell us how to use it, they want to take us off the ground, but when it comes to paying their share, they do not do it. That bothers an awful lot of us.

The little county of Garfield, 93 percent owned by the Federal Government. It has the beautiful Bryce Canyon in it. These people come in and what do they do? They go up and play in that area and they start a fire. Who fights the fire? Garfield County. And they have a minuscule budget. They go up there and they break a leg because they are not accustomed to that area, who goes out and picks them up in an ambulance? Garfield County. They go out and throw their trash all over the place, and who pays for it? Garfield County pays for it. But when we say pay your share, if you want to tell us how to do it, pay your share; and they are not doing it.

Mr. Speaker, if I may say so, this House is responsible, that House is responsible, but no one seems to care. I still remember a man in leadership when I first got here and he said oh, it is just those western guys, who care. Take the money away from them anyway. All of us rednecks out there, I guess. Frankly, we resent it. If you are going to tell us how to run it, do it. I see bill after bill coming out of our colleagues from New York and all of these other areas, but they have never even been out there, but they want to tell us how to do it. My next comment to them, if you are going to tell us how, you pay. If you are going to come out and play, you pay. I think these people should take a stronger attitude.

When I was Speaker of the Utah House, we passed something called the Sagebrush Rebellion Resolution. I remember coming back here as a freshman and going down to the White House, and there was a man by the name of Ronald Reagan. He made this statement to the Secretary of Interior, John Blot, the Secretary of the Interior, Jim Watt. He said, we are now good neighbors, and that is what we wanted to be. Now, we are again finding ourselves with an administration that is running rampant and roughshod over every one of us; and we feel that we should again have good neighbors with the Forest Service and with the BLM and with the Park Service.

With that said, Mr. Speaker, I yield back to the gentleman from Colorado.

Mr. MCINNIS. Mr. Speaker, I appreciate the time from the gentleman from the State of Utah.

Now let us go to the next step of our conversation tonight on our night-side chat with my colleagues about the issues of the West. Remember at the beginning of the comments, I say to my colleagues, that we talked about

the fact of the massive differences between the western United States and the eastern United States. My colleagues will remember that I qualified my remarks. We are the United States of America. We are one country, a country I am very proud of, the superpower of the world. We have a lot to be proud of as Americans.

In fact, today, I say to the gentleman from Utah, I had a number of young people who come back on their visits to the Nation's capital. I am so proud of that generation. It was interesting when I talked to these youngsters. We had Jessica, we had Amber, we had Ben, and we had Mary. Those particular students, one was from Aspen, one was from Steam Boat Springs, Colorado, one was from La Junta, Colorado, and I believe the other one was from Alamosa, Colorado.

But the issues they talked about are issues of the West. We have grown up in the West, and we like our lifestyle in the west. And just as we are proud to be Americans with this country and the attributes of this country, we have a lot of things in the West that we are proud of, and we have a lot of things in the West that we share with everyone. We have a lot of monuments.

The gentleman talked about Bryce Canyon. I was in the gentleman's fine State last week. My parents have a winter home out there in Saint George, Utah.

2300

It is a beautiful State. The gentleman has done a darned good job in Utah, the rest stops, the way they protected and preserved that land. The gentleman's State has done a good job.

I am proud to say that the State of Colorado, my former colleagues in the State House, my colleagues who serve as County Commissioners, our Governor of the State of Colorado, Governor Bill Owens, these people have done a good job in Colorado of preserving our lands.

We care about those lands. Those are our lands. That is where our heritage is. That is where our roots are. If Members have ever skied in Colorado, they have skied in the Third Congressional District. My congressional district has all of the ski areas in the State of Colorado.

The next time Members go and ski in Colorado, and for many, they have skied in Colorado, the next time Members go, take a look to see if they see a sign of all of the terrible abuse that some of the more radical environmental organizations in this country like Earth First or Ancient Forests or some of these people, take a look and see if Members think those ski areas are that bad.

While they are looking at those ski areas, take a look at how many children are on those ski areas, how many families, what kind of family entertainment. They are not out running the streets, out causing trouble, but they as a family unit are enjoying,

under the concept of multiple use, these lands.

We do not just have to go in the wintertime to see how important these lands are for family, for multiple use, for our economy out there. Go in the summertime. Go on the Mesa Verde, down in the Four Corners where we share our borders. Go up here to Dinosaur, the national monument there. Go to the Black Canyon National Monument, which is now a national park, thanks to my colleague, Senator CAMPBELL, and the bill that I sponsored here in the House.

Go down to the National Sand Dunes, which we hope to make a national park. Go to the Rocky Mountain National Park. Go to the Air Force Academy, the district of the gentleman from Colorado (Mr. HEFLEY), over in Colorado Springs.

There are a lot of things in Colorado and Utah and in the West. We could go to Wyoming to Jackson Hole. Go to the museum up in Cody, Wyoming, probably the most fantastic museum representing the West in the entire West. Members can go to any area. There are lots of areas of the West that we have preserved. There are lots that we have protected.

But remember what Teddy Roosevelt's concept was. Teddy Roosevelt never wanted to lock people off the land, but Teddy Roosevelt, on the other hand, did not want people to abuse the land. It is the same concept the gentleman from Utah (Mr. HANSEN) and I agree with. We have a right to use that land, but nobody has a right to abuse that land. No one has a right to abuse that land, contrary to some of the more radical organizations that we see especially here in the east.

These environmental groups, I have yet to meet one person, and I do not think there is a person in this Chamber, that will tell me they are out to destroy land. I do not have anybody that is against wilderness, wilderness as a concept, not under the definition of wilderness that we have seen labeled or put around our collar.

People love the outdoors. I do not know anybody, actually, who is against the small ranches and small businesses throughout all of these areas. There are a lot of good people out there in those mountains. There are a lot of good people in the West.

But for my colleagues here in the East, get a good understanding of what is fundamental to their lifestyle, what is fundamental to their survival before we pass regulations here in Washington, D.C., before they impose back here in the East.

Look at the point, clear out here. And as we come out, it is like this, and it starts right there. At this distance, before Members do that, come out here and look at the issues. Come out here and see why water is so important to us. Next to our people in Colorado, and I am sure it is the same for my colleagues in the State of Utah, I cannot think of anything more important than the water.

There are a lot of people that want this water out of Colorado because, as I said earlier, Colorado is the only State where all of our water goes out. We have to have multiple use on Federal land to preserve some of that water for the people of the State of Colorado, to preserve some of that water for people throughout the West. The Colorado River basin, as the gentleman from Utah mentioned, is absolutely critical for life in the West.

Our whole purpose, Mr. Speaker, in talking this evening, it is not to lecture my colleagues, it is to tell them that things in the West are different geologically, the water situation is different, the lay of the land is different, and the ownership of the land is different.

Mr. Speaker, my colleagues here in the East do not know what it is like to have massive ownership by the government. Most of the Members sitting in this Chamber, most of the Members from the East, outside of highways that are obviously owned by the government, maybe the local Post Office, they have never experienced massive ownership by the government of the lands that will completely surround one. They have never had to rely on access agreements with the government to drive into their town, to turn on their radio, to get electrical power into their community, to protect areas of the environment that they think are important.

Yet here in the West, we are, unfortunately, very subject to the whims of the people in this little city called Washington, D.C. in the East.

What the gentleman from Utah (Mr. HANSEN) and I are asking tonight is that as we consider individually each of these issues in the West, look at it on a customized basis. We need to customize it. We need to figure out what the ramifications are.

I will give an idea. It is very easy for people in the East to condemn grazing on land in the West. We have a particular area that is absolutely beautiful, and in fact, it is one of the areas under the monument. We have the Colorado National Monument, and we are trying to put it into a preservation area and work with the Secretary. We are trying our darnedest.

But up there we have several ranches, four or five big ranches up on the Colorado Monument; it is beautiful, Grand Junction, Colorado. But these ranches, these are true working ranches like the King Ranch, like my friend Doug King and his ranch up there; the Gores, the Gore ranch, they are dependent on the grazing permits. The grazing permits are on Federal lands.

Do Members know what happens if we follow the wishes of some of the more radical groups back here in Washington, D.C. and we eliminate those grazing rights? Do Members know what happens to those ranches? They cannot operate as a ranch anymore. So what is the logical thing for them to do? The

logical thing for them to do is take these beautiful, wide open spaces and to break them into 35-acre ranchettes.

What does that result in? That results in bumper to bumper traffic up to the top of the Colorado National Monument. Instead of being able to look, and in my district, throughout my district we can look for a long, long ways and never see another person. But we have been discovering, we have a lot of growth. I do not think that is necessarily good. In some regards, slow, steady growth is good, but the kind of growth we have had, we have had a sudden surge. We have a lot of people who would like to get their hands on the ranches and divide them. We have a lot of people who would like to make a profit off of them.

Some of the Members here who are supporting doing away with grazing in the West on Federal lands, they should take a look at the unintended consequence. The unintended consequence is we are going to take that land and divide it into ranchettes. Is that really what the Members want to do? Is that what they think is going to help protect those open spaces?

By the way, let us go back to ranching. Ranching families like David and Sue Ann Smith from Meeker, Colorado, they have been on that ranch since the 1870s or the 1880s. They love that land. They do not make much money on that ranch, but they have raised generation after generation after generation.

Before we take action back here that wipes out those generations of hard work, of having their hands in the soil, before we do that, consider what the consequences are. Understand again, and I continually come back to water, because water is absolutely critical, the fact that we have to store water.

We have lots of organizations here that say we should not have any more water storage projects in the country. They do not understand the West. If they do understand the West, they are trying to mislead us here in the East that in the West we do not need water storage projects.

Again, as I said earlier, take a look at our ski areas. Some groups have said, burn them down. Take a look at what happened in Vail, Colorado, last year, arson. Some people actually stand proud and say, Veil, Colorado, that ski area, they had it coming. They should have burnt them down. Come on, Mr. Speaker, that is not how we operate in this country.

Take a look, I think we have done a very professional job. I want to note that Colorado was the first State with minimum stream flow. In our State, those of us who have lived there very long and many people who have just moved there, they appreciate the fact that open space, parks, and protection of our environment are as critical to us as the water.

But along and in the same bracket and in the same category, the concept of multiple use and the concept of having local input, and the concept of tak-

ing into consideration local needs is important, too.

Go back to my original comments. Remember back here, take a look at some of these States. Do Members think the Federal government has anything to do with land control in some of these States like that? Take a look at the State of Kansas, the State of Nebraska. Members can see on the map here, do they think the government has much to do with those States? No. So it is very easy for people back in some of these States that do not have a lot of Federal Government land to dictate out here to the States that do have Federal Government land what they ought to be doing, because it does not bother them.

If the people from a State like Ohio or a State like Kansas or some other State dictate what is going on, it does not impact them. From New York State, it does not impact them if they go out to the West and eliminate grazing, or tell us we cannot have multiple use, because they do not feel the impact.

2310

We feel the impact. We live the impact. We have to survive the impact. Just think how much control is exercised in this area by a city far, far away on the eastern coast.

As the gentleman from Utah (Mr. HANSEN) knows, we in the West are very, very proud of what we have. It is American soil. We are citizens of the United States. But we also, all of us, have been raised with consideration of our fellow citizens.

I urge my colleagues in here, those of you who live east of the Colorado border, for example, who really have not given much thought to the consequences of your actions here on Federal lands, slow it down a little, and give it some consideration.

Mr. Speaker, in consideration of the time and the fact that I have taken the majority of it, I yield to the gentleman from Utah (Mr. HANSEN), and I appreciate very much his participation this evening.

But I think it is important, Mr. Speaker, that we continue to have these kinds of nightside chats. I guess it is one of our responsibilities to try and come to our colleagues here and talk to them about these issues and try and bring the awareness level up so that multiple use is not looked upon as the devil of the west, it is looked upon as the survival of the west.

Mr. HANSEN. Mr. Speaker, I would hope that more Americans would realize this concept of multiple use. It has worked very well for us for a long time and out in the West. What does one do in multiple use when one only has one use like so many of our eastern States that do not even have to consider the issue.

The gentleman from Colorado (Mr. MCINNIS) brought up the idea of grazing. Grazing is basically a tool. Should it be used judiciously? Absolutely. We

should not denude the ground. We should be very careful with the ground.

But yet, on the other hand, those of us who have been in that business and understand it, as some of my relatives have been, and I have worked on ranches myself, one finds oneself in a situation where grazing on the public ground keeps down those grasses.

In Canada, as I understand, at one time, they did away with it; now they are asking people from Montana, North Dakota, and Idaho to bring those cows and sheep over there to keep those grasses down so they do not have the fires.

Also, grazing is used in areas to open up trails. Grazing is used for various things. It should not be a thing where we hurt the ground, but that is part of multiple use.

What about timber? When I was chairman of the Subcommittee on Forests and Forest Health, we went all through the West and had all kinds of hearings. I flew over it. I walked it. I was in jeeps on it. I went with Weyerhaeuser. I went with other people. The best forest, the most wholesome, vibrant forest there is in America is private forest. But they are managed. They cut trees.

Contrary to what a lot of our friends back East do not understand, timber is a renewable resource. That is why it is under the Committee on Agriculture, because it is like a crop. We can take it out. We do not have anything against our eastern friends. This is one big Nation. We are all good Americans. We hope and we work to do things right, and we invite our eastern friends to come out whenever they would like to, and we appreciate it. We want them to take care of the ground as we have for hundreds of years.

Mr. Speaker, I think the very one thing that the Constitution tells us that we are supposed to do is defend this Nation. I guess I am one of the old guys on the Committee on Armed Services, and it really kind of bothers me as we see a deterioration of this.

I want to tie this into the ground thing. Because just recently, about a month ago, some of our environmental friends filed a lawsuit right here in Washington, D.C. That lawsuit is that all military aircraft have to be 2,000 feet above public grounds; i.e., forest, BLM, parks, things such as that.

Well, I am not the kind of pilot that the Speaker is or others, but I have spent quite a few hours in the cockpit of an airplane. Let me just tell my colleagues this, I think, after 20 years on the Committee on Armed Services, I have some understanding of how we train people. I tell my colleagues, these guys who fly those F-16s, those F-15s, and others, they have got to learn how to fly those things in the worst conditions, because they may be called to go back to Saudi Arabia and fly over to Iran. They may be called to Germany. They may be called to be on the Pacific Rim.

We want these young men and women to be the very, very best. How

we do that? It is one word. It is training. We give them good equipment and we train, train, train, train. A lot of them, I hope that is all they have to do in their military career.

Now, tell me how we are going to do surface-to-air work? How we are going to do those things? As these young, great, macho pilots say, we have got to drag our wheels through the grass. Do we have a lot of these areas in the West and the East? We have them all over. They are called training ranges.

What a terrible thing it would be if the courts uphold this, and we stop the training of our helicopter pilots, our fighter pilots. Right in my home State of Utah, we have the Utah Test and Training Range, an area that is not multiple use, but does have some wilderness study areas in it. They have pilots from Hill Air Force Base, Mountain Home Air Force Base, Nellis Air Force Base, Navy Base in Nevada.

They train in that area hundreds and hundreds of sorties. They come over those mountains, and they are right down on the deck, and they are going about 600 nauts. They are moving along. They are darn good. They know how to fly.

Yet, if we have to get to the point that our environmental communities in the East are saying to us, no, we will not let you graze, we will not let you cut timber, we will not let you mine, and we will not let you train your pilots. We will not let you use the cruise missiles. We will not let you put Abrams tanks on it like we used in the Persian Gulf, and you saw that Abrams M1-A1 tank wipe out those military tanks that Saddam Hussein had purchased from the Soviet Union. It was literally a turkey shoot. Why is it? Because they trained on those grounds out there.

That to me is one of the most important things that the American public can do. If anything, we have to come back to the idea of multiple use. We have to come back to the idea of moderation. We have to realize that other people's point of view means something.

Can my colleagues blame the folks who live in those 11 western States when they get just a tad irritated, say doggone it, Mr. Congressman, I have lived here all of my life. I am a fifth generation rancher. Now I am told by this BLM guy or this Forest Service guy who was trained in New York, and for some reason, New Yorkers are always looked at as the enemy, and I say that tongue in cheek, that they always look back at that area and say, why can he come out and tell me what to do on my ground?

So I go back to what I said earlier. I think Ronald Reagan said it right to the Secretary of Agriculture, John Bach and the Secretary of Interior, Mr. Watt when he said we are going to be good neighbors. We are going to come let us reason together. We are going to sit down and do that.

I am sure people will find that the hand of fellowship and cooperation will

be extended to anybody who wants to sit down and work things out. But the thing that bothers us is sometimes the high-handed attitude that we get when somebody comes in the dark of the night, ignores the wishes of the people on the ground, and puts in a big monument, or comes up with regulations that are way beyond the purview and the latitude and the scope of authority that is given to this Congress. That is where the resentment comes up.

So I agree with the gentleman from Colorado (Mr. MCINNIS). It is an education thing. These chats should be brought out. We welcome what we hear. Every time we do one of these, we get a number of letters, some of them a little tough. But we appreciate people writing in.

Mr. MCINNIS. Mr. Speaker, I ask to incorporate into the RECORD the written documents that I have here.

If the gentleman from Utah (Mr. HANSEN) does not have any further comments at this point in time, Mr. Speaker, I would conclude by saying this, we are good neighbors. In the West, we feel very strongly about the good neighbor attitude. But give us an opportunity to be good neighbors. Give us an opportunity to work with you and let you be aware of how important multiple use is, of what the differences between water in the East and water in the West is.

2319

We are here not in a confrontational mood. We are here in an attempt to build a coalition to let us continue to have the kind of life-styles that others enjoy, and that is a life-style that has come through hundreds of years of living here in the east, and in the west in the time we have out there. We want to be a good neighbor. We want the right to continue to use the land. We do not want anybody to abuse the land.

Mr. Speaker, I conclude tonight's night-side chat by expressing my appreciation to the gentleman from the State of Utah (Mr. HANSEN) for his participation, and submitting for the RECORD, as I mentioned earlier, the research data done by the Center for the New West:

#### GROWTH, OPEN SPACE AND WILDERNESS

COLORADO OPINION RESEARCH SHOWS SUPPORT FOR WILDERNESS DECLINES AS PUBLIC LEARNS MORE ABOUT RESTRICTIONS

(By Philip M. Burgess and Kara Steele)

Summary. An opinion survey of Colorado voters, conducted by Strategies West for Center for the New West, shows that public support for designation of additional wilderness areas is not unconditional and very much depends on the specific circumstances. Wilderness proposals that are the product of broad public input and that seek to balance preservation with multiple use of natural resources would seem to enjoy the strongest support. It is clear that using polling data that shows general support for wilderness areas to "demonstrate" support for any specific proposal is highly misleading and must not go unchallenged.

Background. The federal government owns 47% of the land in the 11 "public lands



states"—all located in the Western U.S.\* In four states, the federal government owns more than half the land—Idaho, Nevada, Oregon and Utah. In Colorado, more than one-third of the land is owned by the Federal government.

Most of these federal land holdings in the West are managed by the U.S. Bureau of Land Management (BLM) and the U.S. Forest Service, making the BLM and the Forest Service the de facto planning and zoning board for much of the rural West. Result: Issues that anywhere else in the nation would be state of local issues—like locating a road or bike path or building a water system or camping facilities—are federal issues in the West. Examples: BLM or Forest Service managers decide how many cows will graze, where they will graze and at what time of year—or where a pipeline or road must go.

Over the past decade Center-sponsored studies and forums, Congressional hearings and media reports have documented increasing dissatisfaction with "one-size fits-all" federal policies that guide the management of federal lands and the highly-intrusive administrative practices of federal land managers. A major concern is that land use decisions by federal authorities can have a strong bearing on jobs and economic opportunity in the small towns and rural areas adjacent to federal lands. Increasingly, Westerners and, to be fair, some federal land managers, have called for major reforms in federal land management policies—and especially for policies and practices that would allow greater decentralization of decision-making within the federal system and more local participation and administrative flexibility in this system of federal control.

The bottom line: Both Westerners and many outside the West are dissatisfied with the way the federal government manages its land holdings in the West—including national parks, wilderness and other federal lands—and the concern is highest among those most affected. These include tourists and other visitors to the West, farmers, ranchers and small business people who live and work in the rural West, and economic development professionals who struggle to make things work in the transition to America's New Economy.

In addition, there is growing concern in Congress about how President Clinton uses executive power—and especially the willingness of this executive branch to usurp and Constitution authority of Congress (violating the separation of powers among co-equal branches of government) and the states (violating the principles of federalism). The concern came to a head in October when Western members of Congress initiated a resolution to block the Clinton administration from designating 570,000 acres near the Grand Canyon as a national monument and to restrict the administration's ability to lock up other land holdings without subjecting its proposals to legislative review.

These are initial moves of an increasingly assertive Western Congressional delegation determined to restrict the power of the president to withdraw millions of acres of public land from multiple use without public participation or comment by bikers, climbers, builders of camp sites and explorers for oil and gas and other natural resources. These are among the most effected individuals and groups whose access to the land is often restricted or prohibited.

These concerns, and the timing of these moves by Western members of Congress, re-

flect a backlash from President Clinton's 1996 election year designation of 1.7 million acres in Utah as the Escalante/Grand Staircase National Monument, a stealth decision without Congressional review and without broad consultation with state and local elected leaders or the public.

By contrast, when the process of restricting public use of the land includes broad intergovernmental consultation and public participation, good things happen. Example: October's designation of the Black Canyon National Park in Western Colorado. This designation of America's newest national park was supported by Sen. Ben Nighthorse Campbell, Rep. Scott McInnis and other members of Colorado's Congressional delegation and by most state and local elected leaders and the public in Colorado.

#### OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, MARCH 8, 2000

##### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASCRELL (at the request of Mr. GEPHARDT) on account of official business in the district.

##### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. GEPHARDT) for today after 4:00 p.m. on account of official business.

Mr. SCHAFFER (at the request of Mr. ARMEY) for today on account of official business.

##### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. LEVIN, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

(The following Members (at the request of Mr. HANSEN) to revise and extend their remarks and include extraneous material:)

Mr. METCALF, for 5 minutes, today.

Mrs. EMERSON, for 5 minutes, March 14.

##### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 935. An act to authorize research to promote the conversion of biomass into biobased industrial products, and for other purposes; to the Committee on Agriculture; in addition to the Committee on Science for a period to be subsequently determined by the Speaker, in each case for consideration

of such provisions as fall within the jurisdiction of the committee concerned.

##### ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Monday, March 13, 2000, at 2 p.m.

##### NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,  
OFFICE OF COMPLIANCE,

Washington, DC, February 16, 2000.

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

DEAR MR. SPEAKER: Pursuant to section 4(c)(4) of the Veterans Employment Opportunities Act of 1998 ("VEO") (2 U.S.C. § 1316a(4)) and section 304(b) of the Congressional Accountability Act of 1995 (2 U.S.C. § 1384(b)), I am submitting on behalf of the Office of Compliance, U.S. Congress, this advance notice of proposed rulemaking for publication in the Congressional Record. This advance notice seeks comment on a number of regulatory issues arising under section 4(c) of VEO, which affords to covered employees of the legislative branch the rights and protections of selected provisions of veterans' preference law.

Very truly yours,

GLEN D. NAGER,  
Chair of the Board.

OFFICE OF COMPLIANCE

The Veterans Employment Opportunities Act of 1998: Extension of Rights and Protections Relating to Veterans' Preference Under Title 5, United States Code, to Covered Employees of the Legislative Branch

##### ADVANCE NOTICE OF PROPOSED RULEMAKING

*Summary:* The Board of Directors of the Office of Compliance ("Board") invites comments from employing office, covered employees, and other interested persons on matters arising from the issuance of regulations under section 4(c)(4) of the Veterans Employment Opportunities Act of 1998 ("VEO"), Pub. L. 105-339, 112 Stat. 3186, codified at 2 USC § 1316a.

The provisions of section 4(c) will become effective on the effective date of the Board regulations authorized under section 4(c)(4). VEO § 4(c)(6). Section 4(c)(4) of the VEO directs the Board to issue regulations to implement section 4. Section 304 of the Congressional Accountability Act of 1995 ("CAA"), Pub. L. 104-1, 109 Stat. 3, prescribes the procedure applicable to the issuance of substantive regulations by the Board. Upon initial review, the Board has concerns that a plain reading of VEO may yield regulations that are the same as the regulations of the executive branch yet provide veterans' preference rights and protections to no currently "covered employee" of the legislative branch. If that is the case, questions arise over the nature and scope of the Board's authority to modify the regulations in order to achieve a more effective implementation of veterans' preference rights and protections to "covered employees."

The Board issues this Advance Notice of Proposed Rulemaking ("ANPR") to solicit comments from interested individuals and groups in order to encourage and obtain participation and information in the development of regulations.

\*The 11 public lands states, located in the lower 48, are Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.