

Arches National Park at the urging of two environmental groups. The organizations charge that the government failed to examine the environmental impact that the heavy pounding of 30-ton "thumper trucks" would have if energy companies were allowed to use them in searching for oil deposits.

Environmentalists argue that regulators are doing slap-dash environmental analyses on these and other energy projects in response to increased administration pressure to open more federal lands to mining and drilling. "This administration is indicating that every square acre of land in the West ought to be open to oil and gas" says Snape of Defenders of Wildlife. "They don't care about environmental quality or the public. This is 'Energy über alles.'"

But perhaps the most dramatic NEPA developments are occurring at the Forest Service, where Bush administration officials are rewriting the rules for managing the nation's 153 national forests. In the past, developing a forest management plan, which spells out how a forest can be used, was considered to be a "major action" that required extensive environmental impact analysis under NEPA. Now Bush officials are working on a proposal that would give forest supervisors greater leeway to revise forest plans without having to conduct in-depth environmental studies.

Under the revised rules, full environmental reviews would continue to be required when industry groups sought permission to begin specific projects, such as logging or construction of new recreation facilities. But more general changes to the forest management plan might not require extensive study, according to Mark Rey, the Agriculture Department under-secretary for natural resources and environment who has authority over the Forest Service. "In the past, we were dealing with the first generation of a forest plan, and there was no question that an environmental impact statement was going to be required," he said. "What we're saying now is, it is not as clear that revising plans or amending them involves a need for a similar level of analysis, depending on the circumstances."

Rey cites the example of a forest supervisor considering changing a forest plan to allow more snowmobiles to be used in a forest. "If we're saying that we might accommodate a greater degree of snowmobile use but that we don't have enough information right now to decide where we're going to locate the trails, then we probably would acknowledge that this issue is under consideration," he said. "But we'd do an environmental impact statement when we're ready to lay out the trails."

Logging industry officials enthusiastically support the new approach, arguing that it makes more sense for regulators to focus their NEPA resources on industry development projects than on forest management plans. "Why would you do a full-blown analysis of how you're going to basically zone a forest and manage it, when the real rubber hits the road when you propose an action," said Chris West, vice president of the timber industry's American Forest Resource Council in Portland, Ore. But environmentalists say that Rey's proposals are purposely vague and confusing. They accuse him of attempting to create loopholes to allow forest supervisors to make sweeping changes in the way the forests would be used without gaining public input or examining the environmental consequences.

The Forest Service is also considering new proposals that would make it easier to approve some logging projects without having to assess the environmental impact of each project. Agency staffers are working on "categorical exclusions" that would pave the

way for quicker approval of forest-thinning projects and logging of dead and dying trees after forest fires. Those exclusions are similar to the president's forest proposal, which would exempt some national forest lands from NEPA. Environmentalists say they'll fight those changes.

THE LONG HAND OF NEPA

Bush officials are more than happy to share their anecdotes about NEPA reviews gone haywire. They point to the case of the little town of Stillwater, Minn., 13 miles east of St. Paul, which has spent 30 years trying to build a four-lane bridge over the St. Croix River.

Bridge proponents say the new structure is needed to replace a 70-year-old lift bridge, which is on National Register of Historic Places. City officials and local developers say they hope a new bridge would divert truck traffic away from historic downtown Stillwater and increase development in communities on both sides of the bridge.

"The mayor of Stillwater told me recently that sometimes you can't see the historic town for the semis lined up to go across the bridge," says Peters of the Transportation Department.

But the \$135 million project is opposed by environmental groups, who say the new bridge would damage wetlands and mar the bluffs that line the St. Croix River, which is a "wild and scenic river" protected by federal law. Environmentalists also assert that the project would accelerate urban sprawl from the Twin Cities area into western Wisconsin. Some of these concerns are shared by the National Park Service, which has jurisdiction over wild and scenic rivers.

Over the years, several environmental analyses of the proposed bridge have been completed, but no consensus about its impact has been reached. The Transportation Department is trying to break the deadlock by including the Stillwater Bridge project on its list of seven high-priority construction projects set for quick environmental review under the president's September executive order. The department plans to add more projects to its priority list in December.

Conservatives charge that the long hand of NEPA is increasingly reaching into unlikely government programs. Horner of the Competitive Enterprise Institute cites a recent lawsuit in which environmental groups and the city of Boulder, Colo., claimed that the Export-Import Bank of the United States and the Overseas Private Investment Corp. violated NEPA when they gave developing countries more than \$32 billion for oil fields, pipelines, and coal-fired plants without first assessing the projects' contribution to global warming. Horner argues that as a result of the lawsuit, agencies could soon be pressured to consider global warming in their NEPA reviews. "You're talking about a tremendous new regulatory burden, which is going to cost you more time and money," he says.

Industry lobbyists see such delays and expanded use of NEPA as reason to dramatically scale back the environmental impact assessment process or eliminate it altogether. One industry group boldly suggested amending the law to bar national environmental groups from filing NEPA lawsuits.

In recent comments to the White House task force on NEPA, the Idaho Cattle Association recommended that NEPA lawsuits be limited to "individuals who have an economic stake in the outcome of a NEPA decision or those who are directly affected" by the project being reviewed. Connaughton of the Council on Environmental Quality says he disagrees with that proposal but understands the frustration of industry groups. "The procedural requirements of the law should not be deployed to wreak havoc," he argues.

But what the White House and industry see as abuse of the system, environmental activists see as their fundamental right to ensure that taxpayer dollars are not spent on projects that harm the air, water, wildlife, or wilderness. NEPA supporters say they fear that the environmental goals that NEPA was created to advance could be lost in the rush to speed up or eliminate environmental assessments and to restrict the public's ability to challenge their conclusions. As the Wilderness Society's Alberswerth puts it, "If you don't have judicial review, you have no guarantee that the [Bureau of Land Management] or any other agency will comply with the laws."

A TIME AND A PLAN TO TEACH PEACE AND DISARMAMENT IN OUR SCHOOLS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 22, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, I am delighted to bring to my colleagues' attention, and to the attention of their constituents who may wish to get involved in peace education, the recently released United Nations Study on Disarmament and Non-Proliferation Education.

The study is the result of successful collaboration between the Hague Appeal for Peace—a citizen's organization dedicated to reducing wars and armed conflict and promoting reconciliation and economic development—the Government of Mexico and the United Nations Department for Disarmament Affairs.

By working together—governments, civil society and the United Nations—the effort to sustain peace through education stands a greater chance of success.

Humankind's genius invented technological wonders in the last century that have made life more livable and longer for many. It also produced, and then governments used, the atomic bomb, and then perfected it to incomprehensible destructive capacity. We are discovering new pieces of information from direct participants about how close we came to a global nuclear exchange during the Cuban Missile crisis 40 years ago. And we are confronted with a new awareness of dangers that might arise with the use of weapons of mass destruction for terrorism.

Education alone is not a security blanket. It is not a guarantee for progressive thinking. Indeed, we have learned that young people being educated in some religious schools in the Middle East were being indoctrinated with hatred for the West and the United States.

However, in a democratic society, education is a tool for enlightenment. As H.G. Wells said in his 1921 work, *The Outline of History*, "Human history becomes more and more a race between education and catastrophe." We would do well to heed his warning.

Fortunately, the complacency and lack of interest in questions of disarmament and non-proliferation, especially about extant nuclear dangers and solutions, is starting slowly to break down. During talk of war and inspections of weapons of mass destruction, we find ourselves in a teachable moment.

Mr. Speaker, we are at a time in history when it is critical to embrace the idea that peace, dialogue, and disarmament can and

should be taught in school and that it should be taught as an integral part of school curricula and programs in the United States and across the world. And there has emerged a plan to help educators learn how to teach peace.

A ten-country United Nations group of experts issued a study in October on the status of disarmament and non-proliferation education efforts world-wide, making a set of 34 recommendations to Governments, the UN, other international organizations, and civil society on how to improve peace and disarmament education as a means of fostering tolerance and a culture of non-violence.

It calls for a joint effort to revitalize disarmament education to empower young people through knowledge to help make the world a more peaceful place. Surely this is an idea that all of us in Congress, regardless of party or political persuasion, can support.

The Study is available on the United Nations Web site at <http://disarmament.un.org/education/index.html>, and I commend it to my colleagues for further reading. I am also enclosing several additional documents for the RECORD about the project for the benefit of my colleagues and their constituents.

Mr. Speaker, I appreciate the opportunity to share this information with my colleagues and I also appreciate the hard work that the Hague Appeal for Peace, the United Nations, and the Government of Mexico put into this exciting and important peace education project.

[From the Report of the Secretary-General, Aug. 30, 2002]

SECTION VIII. PROMOTION OF DISARMAMENT AND NON-PROLIFERATION EDUCATION AND TRAINING: PRACTICAL RECOMMENDATIONS

All the following recommendations are important. They vary, however, in the resources required for their implementation, the pace with which they can be put in place and the amount of time needed before they yield significant results. Those recommendations with asterisks represent steps that can and should be taken rapidly and at a relatively low cost.

*1. Member States are encouraged to accord importance to disarmament and non-proliferation education and training in their programmes and policies, consistent with their national legislation and practices, taking into account present and future trends. They are also encouraged to use, designate or establish public advisory bodies, where appropriate, whose responsibilities include advising on disarmament and non-proliferation education and training practices. Member States are encouraged to share their experience in disarmament and non-proliferation education and training with other Member States, international organizations, civil society and the Department for Disarmament Affairs.

*2. Relevant United Nations offices and other international organizations and agencies should prepare, adapt and disseminate a wider range of user-friendly educational material on disarmament and non-proliferation. The current experience in this field should be tapped and existing educational material, including educational modules, resource books, guide and online programmes, should be tailored to the needs of individual countries, specific audiences or the international community at large.

*3. The United Nations and other international organizations should translate its disarmament and publications into all United Nations official languages and, when possible, into other languages for additional

dissemination. Upon request by the United Nations or relevant international organizations, Member States, academic and research institutions and NGOs are encouraged to support or assist in translating relevant materials.

4. The United Nations and other international organizations should increase their capacities to disseminate disarmament and non-proliferation education-related materials (print and audio-visual) more widely to all regions of the world. While strengthening existing distribution channels, they should explore new ones, such as cooperation with educational networks, teachers unions and curriculum committees as well as electrical access. Member States, local academic institutions, research centres and NGOs are also encouraged to assist in dissemination efforts. As it is essential to reach the local community level, channels of dissemination such as school libraries, gathering places, radio and television are highly recommended.

5. The Department of Disarmament Affairs should gather information about the involvement of regional and intergovernmental organizations in disarmament and non-proliferation education, training and data collection activities. The Department should examine ways to foster an exchange of experiences and regional perspectives to facilitate the development of disarmament and non-proliferation education programmes.

6. The Department of Disarmament Affairs should examine, accumulate and make public and easily accessible the different disarmament and non-proliferation curricula and programmes that States have developed for their formal school systems and university courses as well as for informal training.

7. UNU and UPEACE are encouraged to develop intensive postgraduate and other courses on disarmament and non-proliferation for representatives of all regions of the world, including government officials, legislators, military officers, NGOs, the media and students, working in cooperation with academic and non-governmental institutions that have expertise in designing and implementing such courses. UPEACE, in coordination with the Department of Disarmament Affairs, may wish to host seminars and workshops as well as to develop model university and school material.

8. Member States are encouraged to include parliamentarians and/or non-governmental advisers in delegations to United Nations disarmament-related meetings, taking into account national legislation and practices.

9. The Department of Disarmament Affairs and its regional centres, in cooperation with UNIDIR, UNU and UPEACE, are encouraged to establish a virtual library of reports of "lessons learned" on disarmament-related aspects of peace operations and make it available to both Governments and NGOs on a disarmament and non-proliferation online education resource site (see recommendations 25).

10. Municipal leaders, working with citizen groups, are encouraged to establish peace cities, as part of the UNESCO Cities for Peace network, through, for example, the creation of peace museums, peace parks, web sites and the production of booklets on peacemakers and peacemaking.

11. UNU and UPEACE are encouraged to provide assistance to those city councils and prefectures that are willing to host seminars on disarmament and non-proliferation issues for the media, academics, local and national politicians, trade union representatives, religious leaders and the wider public.

12. Religious leaders and institutions are encouraged to develop educational material promoting a culture of peace and disarmament.

*13. Member States, in cooperation with the United Nations and relevant international organizations, are encouraged to sponsor training, fellowships, and awareness programmes, on as wide a geographical basis as possible, for researchers, engineers, scientists and other academics in areas of particular relevance, but not limited to treaties and agreements on weapons of mass destruction and their means of delivery. They are also encouraged to give special emphasis to training customs, licensing and law enforcement officers for the purpose of fulfilling international obligations of Member States in the disarmament and non-proliferation fields.

*14. The Department of Disarmament Affairs, in cooperation with UNU and UPEACE, should be encouraged to organize a programme of training for educators and trainers in disarmament and non-proliferation. These programmes may be implemented cooperatively with international organizations such as IAEA, OPCW and the Preparatory Commission for the Comprehensive Nuclear-Test Ban Treaty Organization.

15. The Department of Disarmament Affairs, in cooperation with UNESCO, UPEACE, UNIDIR and NGOs, should produce and maintain an updated international bibliography of reference literature for teachers, including an updated directory of peace studies programmes and disarmament and non-proliferation research centres, and make this available on a disarmament and non-proliferation online education resource site (see recommendation 25).

16. UNESCO IBE is encouraged to convene regional meetings with ministers of education, educational administrators and university presidents to discuss the issues involved in developing disarmament and non-proliferation education for primary, secondary and university students. The International Conference on Education is encouraged to devote one session of a future meeting to disarmament and non-proliferation education, for example, through a workshop on science and ethics.

*17. The United Nations, relevant international organizations, Member States, NGOs and research institutes should develop and strengthen programmes, workshops, fellowships and materials on disarmament and non-proliferation topics for journalists and media representatives in order to enhance their knowledge of these issues. Special attention should be paid to the development of programmes and materials designed for local media in post-conflict situations, as essential partners in the disarmament and non-proliferation education process.

18. Disarmament and non-proliferation educational materials developed by the United Nations, such as the Cyberschoolbus web site, should include complementary material on how parents can encourage attitudes of peace and non-violence. Efforts should also be made by educators, parents and the business community to devise and produce toys, computer games and videos that engender such attitudes.

19. Additional fellowships and scholarships should be provided for various target audiences by or through the Department of Disarmament Affairs (directly or through its regional centres), UPEACE, UNIDIR and the NGO Committee on Disarmament, among others. An important educational supplement to disarmament and non-proliferation classroom training should be on-the-job training, which may be conducted at the sites of international organizations, national governmental agencies, NGOs and research centres. Opportunities for such on-the-job training should be expanded.

*20. The United Nations, relevant international organizations, Member States, and

corporate and private donors are encouraged to provide assistance, including funds, educational material and equipment to NGOs in different regions of the world and to universities to establish or expand their disarmament and non-proliferation libraries with free and open public access to their resources. Member States should be encouraged to fund research institutes that focus on disarmament and non-proliferation and offer scholarships for advanced university students to carry out research on disarmament and non-proliferation and its pedagogy. The United Nations should make greater efforts to tap the financial resources of private enterprises in the fields of information and communications technology.

AMERICAN WILDLIFE
ENHANCEMENT ACT OF 2001

SPEECH OF

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. OTTER. Mr. Speaker, Early on the morning of November 15, 2002 the House of Representatives passed, by unanimous consent, S. 990, the American Wildlife Enhancement Act. This bill, which amends the Pittman-Robertson Wildlife Restoration Act, is purported to improve the provisions relating to wildlife conservation and restoration programs. Had I been present when the House considered this legislation, I would have opposed the bill. I am concerned that as written this bill could undermine private property rights and impact state water rights. I am concerned that no hearings were held in the House and we never had time to consider the full implications of the bill. I am hopeful the bill does not make it to the President's desk this year. If this legislation is introduced next Congress, I will work with my colleagues to ensure the protection of private property and water rights.

HOMELAND SECURITY ACT OF 2002

SPEECH OF

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2001

Mr. STUPAK. Mr. Speaker, I reluctantly voted for H.R. 5005, the Homeland Security Act of 2002.

I say reluctantly because I have very strong objections to certain provisions contained in the bill which favor "special interests."

In particular, I am opposed to provisions in the bill that would protect pharmaceutical firms and other corporations from lawsuits. Gut our efforts to crack down on companies that move abroad to escape U.S. taxes. Provide protection against lawsuits for companies that have provided passenger and baggage screening in airports. Give the new homeland security secretary broad authority to protect companies that sell anti-terrorism technologies.

These provisions were inserted without consulting any Democratic leaders, and put in the bill literally in the middle of the night!

Mr. Speaker, I have a long and well-known record of fighting against provisions such as these.

These provisions were not in the original bill we passed earlier this year and I cannot understand why the Republican Caucus felt it necessary to include them in the most significant reorganization of the federal government in fifty years!

These provisions harm the average American by curtailing their legal rights to seek justice from corporations. Haven't we seen the dangers of allowing big business to operate this way?

The Senate was right in drawing national attention to this sham.

I am hopeful the Republican leadership will live up to its promise to remove these provisions early next Congress, but I fear they are already backing off their promise to do so.

Mr. Speaker, we desperately need a Department of Homeland Security, and that is why I voted for the bill. However, we do not need more give aways for corporate special interests, and I urge my GOP colleagues to move with great speed to remove the provisions early next session.

CONFERENCE REPORT ON H.R. 333,
BANKRUPTCY ABUSE PREVENTION
AND CONSUMER PROTECTION
ACT OF 2002

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2001

Ms. McCOLLUM. Mr. Speaker, I rise today in opposition to the Conference Report for the "Bankruptcy Reform" bill, H.R. 333. This legislation will impose new restrictions to prevent working families facing financial misfortune from getting back on track. It also does nothing to stop the irresponsible and predatory practices of some businesses and credit card companies. I support efforts to prevent abuse of our bankruptcy system as a financial tool but this legislation goes too far in cutting off avenues to relief for working families who face unmanageable debt.

Central to this legislation is a new, inflexible "means test" that will be imposed on every individual filing for bankruptcy. While judges currently have the ability to determine the appropriate relief for consumers, this new "means test" will eliminate that flexibility and prevent all but the most impoverished families from filing for bankruptcy under Chapter 7. The implementation of this "means test" will also be a costly mandate on our bankruptcy court system, which is already operating on rudimentary funding.

I have listened to concerns of bankruptcy judges in my state of Minnesota who fundamentally oppose this legislation because of the disastrous effect it will have on working families facing financial crises. These judges echoed facts that are widely known—that the vast majority of individuals who file for bankruptcy are low- and moderate-income citizens facing crisis situations such as the loss of a job, medical emergencies or divorce. The actual number of individuals who try to "game the system" and escape debts by filing for bankruptcy is very low. According to one bankruptcy judge, abusive filings constitute only about 2–3 percent of all cases and bankruptcy courts are currently able to block about

95 percent of those "bad faith" filings by converting or dismissing certain cases.

This legislation would also have a negative impact on the availability of quality, affordable representation for families filing for bankruptcy. Provisions of this legislation would impose new liability standards on bankruptcy attorneys, making them responsible for the accuracy of all information given to them by their clients when filing a bankruptcy petition. Many attorneys will be apprehensive to continue representing clients in bankruptcy cases knowing that they may be sanctioned for inaccurate information. Bankruptcy lawyers in Minnesota have told me that this will severely decrease the number of attorneys willing to provide *pro bono* services, limiting the ability of low-income individuals to obtain quality legal representation.

I agree that something must be done to curb the number of personal bankruptcies that strain our banks, credit unions and responsible financial institutions. But we must be equitable in asking everyone—borrowers and lenders alike—to practice good financial planning. This unbalanced legislation unfairly targets consumers and allows irresponsible companies to continue extending credit to college students and others who are already deep in debt or have had a past history of bad credit. For the working families of Minnesota and the nation, I cannot support this legislation.

CONFERENCE REPORT ON S. 1214,
MARITIME TRANSPORTATION
SECURITY ACT OF 2002

SPEECH OF

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. YOUNG of Alaska. Mr. Speaker, I rise to speak about the Conference Report on S. 1214, which the House approved last week and is now ready for signature by the President. I would like to point out a particular concern that is addressed in Section 445 of the conference agreement. Section 445 addresses the current problem, and the potential for greater future problems, of local jurisdictions seeking to impose taxes and fees on vessels merely transiting or making innocent passage through navigable waters subject to the authority of the United States that are adjacent to the taxing community. We are seeing instances in which local communities are seeking to impose taxes or fees on vessels even where the vessel is not calling on, or landing, in the local community. These are cases where no passengers are disembarking, in the case of passenger vessels, or no cargo is being unloaded in the case of cargo vessels and where the vessels are not stopping for the purpose of receiving any other service offered by the port. In most instances, these types of taxes would not be allowed under the Commerce Clause of the United States Constitution. Unfortunately, without a statutory clarification, the only means to determine whether the burden is an impermissible burden under the Constitution is to pursue years of litigation.

Section 445 of the Conference Report addresses this problem by clarifying the sole circumstances when a local jurisdiction may impose a tax or fee on vessels. Local governments, and other non-Federal interests, may