| | | |
|---|---|---|
| Fattah | Maloney | Roemer |
| Fazio | Manton | Rose |
| Fields (LA) | Markey | Roukema |
| Filner | Martinez | Roybal-Allard |
| Flake | Mascara | Royce |
| Foglietta | Matsui | Rush |
| Ford | McCarthy | Sabo |
| Frank (MA) | McDermott | Sanders |
| Frost | McHale | Sawyer |
| Gejdenson | McInnis | Schroeder |
| Gephardt | McKinney | Schumer |
| Geren | McNulty | Scott |
| Gibbons | Meehan | Serrano |
| Gonzalez | Meek | Sisisky |
| Gordon | Menendez | Skaggs |
| Green | Mfume | Skelton |
| Gutierrez | Miller (CA) | Slaughter |
| Hall (OH) | Mineta | Spratt |
| Hamilton | Minge | Stark |
| Harman | Mink | Stenholm |
| Hastings (FL) | Mollohan | Stokes |
| Hayes | Montgomery | Studds |
| Hilliard | Moran | Stupak |
| Hinchey | Murtha | Tanner |
| Holden | Nadler | Taylor (MS) |
| Hoyer | Neal | Tejeda |
| Jackson-Lee | Neumann | Thompson |
| Jefferson | Oberstar | Thornton |
| Johnson (SD) | Obey | Thurman |
| Johnson, E. B. | Olver | Torres |
| Johnston | Ortiz | Torricelli |
| Kanjorski | Orton | Towns |
| Kaptur | Owens | Tucker |
| Kennedy (MA) | Pallone | Velazquez |
| Kennedy (RI) | Pastor | Vento |
| Kennelly | Payne (NJ) | Visclosky |
| Kildee | Payne (VA) | Volkmer |
| Kleczka | Pelosi | Ward |
| Klink | Peterson (FL) | Waters |
| LaFalce | Peterson (MN) | Watt (NC) |
| Lantos | Pickett | Waxman |
| Levin | Pomeroy | Williams |
| Lewis (GA) | Poshard | Wilson |
| Lincoln | Rahall | Wise |
| Lipinski | Rangel | Woolsey |
| Lofgren | Reed | Wyden |
| Lowey | Richardson | Wynn |
| Luther | Rivers | Yates |

NOT VOTING—10

| | | |
|---|---|---|
| Andrews | Furse | Tauzin |
| Bono | Hefner | Young (FL) |
| Collins (MI) | Moakley | |
| Fields (TX) | Reynolds | |

□ 1202

Mr. STUPAK changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1977, which we are about to consider, and that I may be permitted to include tables, charts, and other material.

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

There was no objection.

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 187 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1977.

□ 1203

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. BURTON of Indiana in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio [Mr. REGULA] and the gentleman from Illinois [Mr. YATES] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Members of the Committee, first of all I want to thank those of my colleagues that supported the rule because I think we have a good bill here given the fact that we are under the constraints of the Budget Act which reduces our amount of money over 10 percent, and also I want to say to the gentleman from Illinois [Mr. YATES] and the members of the subcommittee on both sides of the aisle that we had a very bipartisan subcommittee. We worked well together. We tried to be as totally nonpartisan as we had to make these difficult choices, and we did as much as possible to address the challenges of the Interior and related agencies' responsibility with the funds that were available, and I think on balance we did a good job of achieving that. The gentleman from Illinois [Mr. YATES] and the whole team worked well; the staff and the associate staff worked as a team. We worked very closely with the authorizers. I say to my colleagues, ''There isn't anything in this bill that's not approved by at least the chairman and the members of the authorizing committee so that what we have here is a team effort.''

Mr. Chairman, obviously we are going to have differences, and that will be reflected in the amendments, some substantial policy issue differences. I will say at the outset, ''We'll do everything we can to expedite this so Members can get home but not in any way stifle debate in the process.''

I am going to be very brief in my opening comments here. I think it boiled down to three areas, as I would see it, given the constraints of the budget reductions.

First of all, we had the must-dos. The must-dos were keeping the parks open, keeping the Smithsonian open, keeping the visitor facilities at Fish and Wildlife and Bureau of Land Management open to the American people. Two hundred sixty million Americans enjoy the public lands, and they enjoy them in many ways. They enjoy them in terms of looking into the Grand Canyon and seeing a magnificent thing created by our Creator. They likewise enjoy going out and fishing in a stream or hunting in a national forest. They enjoy going to a Fish and Wildlife facility to see how we propagate the species of fish and how we nurture the fishing industry. They enjoy going to the Bureau of Land Management facilities, the millions of acres.

So, Mr. Chairman, we made every effort to do those things that the public enjoys, and we held the operating funds at roughly a flat level given our constraints, meaning that we would in no way restrict public access to these great facilities that people care a lot about, and about a third of the United States is public land owned by all of the people of this Nation, and we make every effort to insure that their experience with that will be very enjoyable, and that led to the second category of things, and that is the need-to-dos.

As I see it, the need-to-dos were to insure that sanitary facilities at our national parks, and forests and other facilities were good. The need-to-dos included fixing a road if it is in bad shape. It included finishing buildings that were under way. I say to my colleagues, ''You can't stop a construction job in midstream, and those things had to be taken care of, and we have done so.''

The third group was the nice-to-dos, things that are nice if we had the money. There are a lot of activities that we could no longer afford to do. Many of the grant programs had to be terminated, some of the research programs in energy. We had to downscale land acquisition 78 percent. We put in, of course, some money for emergencies, but essentially we will not be doing additional land acquisition because I tell my colleagues, ''When you buy lands, you have to take care of it, and that gives you enormous downstream costs.'' We did some construction where it was necessary to finish buildings, but we do limit new construction. We limit new programs so that we had some tough cuts that we had to make in the things that are nice to do.

Mr. Chairman, we just had a lot of discussion on the NEA, and of course the NEH is similar to that. We have had change. We eliminated the National Biological Survey, and rather than that we have a natural resource science arm in the U.S. Geological Survey. But we are not getting into that now because that will come up to the debate.

I think we have addressed energy security. We want to be sure that the United States will be secure in the future, that we will have energy independence, that we will not have to depend totally on foreign sources, and so we have addressed that in our bill to the best of our ability.

The Bureau of Indian Affairs is our responsibility, and in the bill we said at the outset we are going to take care of education, the basic education, for the Bureau of Indian Affairs and the basic health. That is the responsibility

of the Federal Government, and as much as possible we have level funded that along, as I mentioned earlier, with what we were able to do in keeping parks and so on open.

There are lot of other things I could say about this legislation. I simply want to say again I think it represents common sense, I think it represents a responsible use of the funds available. I endorse the fact that we are downsizing the budget, that we are going to get on a glide path to a balanced budget in 7 years. We do not fund programs that have large outyear costs simply because we would not be able to address those in the future.

I just want to close, because I think it reflects the overall philosophy in this budget, with a statement by Chairman of the Federal Reserve, Mr. Alan Greenspan, to the Committee on the Budget, and he said, and I quote:

> I think the concern, which I find very distressing, that most Americans believe that their children will live at a standard of living less than they currently enjoy, that that probably would be eliminated and that they would look forward to their children doing better than they.

That is a significant statement because it says very clearly from one of the economic leaders of this Nation that, if we can balance the budget, we will leave a legacy for our children of a better standard of living than we have, and that to me is what this is all about. That is what we are trying to do here, and not only do we want to try and leave a legacy of a better standard of living by using our resources more wisely, but we are also leaving a legacy, in my judgment, in the way we have handled the responsibilities of public lands that will be even better for their enjoyment, and that is the challenge we face as we deal with the amendments here today. We will try to keep that in mind.

Thomas Jefferson said, ''The care of human life and happiness, and not their destruction, is the first and only legitimate object of good government.'' In this bill I think we are responsibly exercising that important role.

Mr. Chairman, at this point I ask that a table detailing the various accounts in the bill be inserted in the RECORD.

## INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)

| | FY 1995 Enacted | FY 1996 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF THE INTERIOR | | | | | |
| **Bureau of Land Management** | | | | | |
| Management of lands and resources | 597,236,000 | 616,547,000 | 570,017,000 | -27,219,000 | -46,530,000 |
| Fire protection | 114,748,000 | 114,763,000 | ..... | -114,748,000 | -114,763,000 |
| Emergency Department of the Interior firefighting fund | 121,176,000 | 131,482,000 | ..... | -121,176,000 | -131,482,000 |
| Wildland fire management | ..... | ..... | 235,924,000 | +235,924,000 | +235,924,000 |
| Central hazmat account | 13,409,000 | 14,024,000 | 10,000,000 | -3,409,000 | -4,024,000 |
| Construction and access | 12,068,000 | 3,019,000 | 2,515,000 | -9,553,000 | -504,000 |
| Payments in lieu of taxes | 101,409,000 | 113,911,000 | 111,409,000 | +10,000,000 | -2,502,000 |
| Land acquisition | 14,757,000 | 24,473,000 | 8,500,000 | -6,257,000 | -15,973,000 |
| Oregon and California grant lands | 97,364,000 | 112,752,000 | 91,387,000 | -5,977,000 | -21,365,000 |
| Range improvements (indefinite) | 10,350,000 | 9,113,000 | 9,113,000 | -1,237,000 | ..... |
| Service charges, deposits, and forfeitures (indefinite) | 8,883,000 | 8,993,000 | 8,993,000 | +110,000 | ..... |
| Miscellaneous trust funds (indefinite) | 7,605,000 | 7,605,000 | 7,605,000 | ..... | ..... |
| Total, Bureau of Land Management | 1,099,005,000 | 1,156,682,000 | 1,055,463,000 | -43,542,000 | -101,219,000 |
| **United States Fish and Wildlife Service** | | | | | |
| Resource management | 511,334,000 | 535,018,000 | 498,035,000 | -13,299,000 | -36,983,000 |
| Construction | 53,768,000 | 34,095,000 | 26,355,000 | -27,413,000 | -7,740,000 |
| Natural resource damage assessment and restoration fund | 6,687,000 | 6,700,000 | 6,019,000 | -668,000 | -681,000 |
| Land acquisition | 67,141,000 | 62,912,000 | 14,100,000 | -53,041,000 | -48,812,000 |
| Cooperative endangered species conservation fund | 6,963,000 | 38,000,000 | 8,085,000 | -898,000 | -29,915,000 |
| National wildlife refuge fund | 11,977,000 | 11,371,000 | 10,779,000 | -1,198,000 | -592,000 |
| Rewards and operations | 1,167,000 | 1,169,000 | 600,000 | -567,000 | -569,000 |
| North American wetlands conservation fund | 8,963,000 | 12,000,000 | 4,500,000 | -4,463,000 | -7,500,000 |
| Lahonton Valley and Pyramid Lake fish and wildlife fund | ..... | 152,000 | 152,000 | +152,000 | ..... |
| Rhinoceros and tiger conservation fund | ..... | 400,000 | 200,000 | +200,000 | -200,000 |
| Wildlife conservation and appreciation fund | 998,000 | 1,000,000 | 998,000 | ..... | -2,000 |
| Total, United States Fish and Wildlife Service | 671,038,000 | 702,817,000 | 569,823,000 | -101,215,000 | -132,994,000 |
| **National Biological Service** | | | | | |
| Research, inventories, and surveys | 162,041,000 | 172,696,000 | ..... | -162,041,000 | -172,696,000 |
| **National Park Service** | | | | | |
| Operation of the national park system | 1,077,900,000 | 1,157,738,000 | 1,088,249,000 | +10,349,000 | -69,489,000 |
| National recreation and preservation | 42,941,000 | 39,305,000 | 35,725,000 | -7,216,000 | -3,580,000 |
| Historic preservation fund | 41,421,000 | 43,000,000 | 37,934,000 | -3,487,000 | -5,066,000 |
| Construction | 167,688,000 | 179,683,000 | 114,868,000 | -52,820,000 | -65,015,000 |
| Urban park and recreation fund | 6,000 | 2,300,000 | ..... | -6,000 | -2,300,000 |
| Land and water conservation fund (rescission of contract authority) | -30,000,000 | -30,000,000 | -30,000,000 | ..... | ..... |
| Land acquisition and state assistance | 87,373,000 | 82,696,000 | 14,300,000 | -73,073,000 | -68,396,000 |
| Crime Trust Fund | ..... | 15,200,000 | ..... | ..... | -15,200,000 |
| Total, National Park Service (net) | 1,387,329,000 | 1,490,122,000 | 1,261,076,000 | -126,253,000 | -229,046,000 |
| **United States Geological Survey** | | | | | |
| Surveys, investigations, and research | 571,462,000 | 586,369,000 | 686,944,000 | +115,482,000 | +100,575,000 |
| **Minerals Management Service** | | | | | |
| Royalty and offshore minerals management | 188,181,000 | 193,348,000 | 186,556,000 | -1,625,000 | -6,792,000 |
| Oil spill research | 6,440,000 | 7,892,000 | 6,440,000 | ..... | -1,452,000 |
| Total, Minerals Management Service | 194,621,000 | 201,240,000 | 192,996,000 | -1,625,000 | -8,244,000 |
| **Bureau of Mines** | | | | | |
| Mines and minerals | 152,427,000 | 132,507,000 | 87,000,000 | -65,427,000 | -45,507,000 |
| **Office of Surface Mining Reclamation and Enforcement** | | | | | |
| Regulation and technology | 109,795,000 | 107,152,000 | 92,751,000 | -17,044,000 | -14,401,000 |
| Receipts from performance bond forfeitures (indefinite) | 1,189,000 | 501,000 | 500,000 | -689,000 | -1,000 |
| Subtotal | 110,984,000 | 107,653,000 | 93,251,000 | -17,733,000 | -14,402,000 |
| Abandoned mine reclamation fund (definite, trust fund) | 182,423,000 | 185,120,000 | 176,327,000 | -6,096,000 | -8,793,000 |
| Total, Office of Surface Mining Reclamation and Enforcement | 293,407,000 | 292,773,000 | 269,578,000 | -23,829,000 | -23,195,000 |
| **Bureau of Indian Affairs** | | | | | |
| Operation of Indian programs | 1,519,012,000 | 1,609,842,000 | 1,508,777,000 | -10,235,000 | -101,065,000 |
| Construction | 120,450,000 | 125,424,000 | 98,033,000 | -22,417,000 | -27,391,000 |
| Indian land and water claim settlements and miscellaneous payments to Indians | 77,096,000 | 151,025,000 | 67,145,000 | -9,951,000 | -83,880,000 |
| Navajo rehabilitation trust fund | 1,996,000 | ..... | ..... | -1,996,000 | ..... |
| Technical assistance of Indian enterprises | 1,966,000 | 1,966,000 | ..... | -1,966,000 | -1,966,000 |

## INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)—Continued

| | FY 1995 Enacted | FY 1996 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| Indian direct loan program account | 779,000 | | | -779,000 | |
| (Limitation on direct loans) | (10,890,000) | | | (-10,890,000) | |
| Indian guaranteed loan program account | 9,671,000 | 9,684,000 | | -9,671,000 | -9,684,000 |
| (Limitation on guaranteed loans) | (46,900,000) | (70,100,000) | | (-46,900,000) | (-70,100,000) |
| Total, Bureau of Indian Affairs | 1,730,970,000 | 1,697,941,000 | 1,673,955,000 | -57,015,000 | -223,986,000 |
| Territorial and International Affairs | | | | | |
| Assistance to territories | 50,481,000 | 41,512,000 | 41,512,000 | -8,969,000 | |
| Northern Mariana Islands Covenant | 27,720,000 | 27,720,000 | 27,720,000 | | |
| Subtotal | 78,201,000 | 69,232,000 | 69,232,000 | -8,969,000 | |
| Trust Territory of the Pacific Islands | 19,800,000 | | | -19,800,000 | |
| Compact of Free Association | 13,574,000 | 10,038,000 | 10,038,000 | -3,536,000 | |
| Mandatory payments | 10,000,000 | 14,900,000 | 14,900,000 | +4,900,000 | |
| Subtotal | 23,574,000 | 24,938,000 | 24,938,000 | +1,364,000 | |
| Total, Territorial and International Affairs | 121,575,000 | 94,170,000 | 94,170,000 | -27,405,000 | |
| Departmental Offices | | | | | |
| Office of the Secretary | 62,479,000 | 64,772,000 | 55,982,000 | -6,497,000 | -8,790,000 |
| Office of the Solicitor | 34,606,000 | 35,361,000 | 34,608,000 | | -753,000 |
| Office of Inspector General | 23,939,000 | 25,485,000 | 23,939,000 | | -1,546,000 |
| Construction Management | 1,996,000 | 2,000,000 | | -1,996,000 | -2,000,000 |
| National Indian Gaming Commission | 1,000,000 | 1,000,000 | 1,000,000 | | |
| Total, Departmental Offices | 124,022,000 | 128,618,000 | 115,529,000 | -8,493,000 | -13,089,000 |
| Total, title I, Department of the Interior: | | | | | |
| New budget (obligational) authority (net) | 6,507,897,000 | 6,855,935,000 | 6,008,534,000 | -501,363,000 | -849,401,000 |
| Appropriations | (6,537,897,000) | (6,870,735,000) | (6,038,534,000) | (-501,363,000) | (-834,201,000) |
| Rescission | (-30,000,000) | (-30,000,000) | (-30,000,000) | | |
| Crime trust fund | | (15,200,000) | | | (-15,200,000) |
| (Limitation on direct loans) | (10,890,000) | | | (-10,890,000) | |
| (Limitation on guaranteed loans) | (46,900,000) | (70,100,000) | | (-46,900,000) | (-70,100,000) |
| TITLE II - RELATED AGENCIES | | | | | |
| DEPARTMENT OF AGRICULTURE | | | | | |
| Forest Service | | | | | |
| Forest research | 193,748,000 | 203,796,000 | 182,000,000 | -11,748,000 | -21,796,000 |
| State and private forestry | 154,268,000 | 187,459,000 | 129,551,000 | -24,717,000 | -57,908,000 |
| Emergency pest suppression fund | 17,000,000 | | | -17,000,000 | |
| International forestry | 4,987,000 | 10,000,000 | | -4,987,000 | -10,000,000 |
| National forest system | 1,328,893,000 | 1,348,755,000 | 1,276,688,000 | -52,205,000 | -72,067,000 |
| Forest Service fire protection | 159,285,000 | 164,285,000 | | -159,285,000 | -164,285,000 |
| Emergency Forest Service firefighting fund | 226,200,000 | 239,000,000 | | -226,200,000 | -239,000,000 |
| Emergency appropriations | 450,000,000 | | | -450,000,000 | |
| Fire protection and emergency suppression | | | 385,485,000 | +385,485,000 | +385,485,000 |
| Construction | 199,215,000 | 192,338,000 | 120,000,000 | -79,215,000 | -72,338,000 |
| Timber receipts transfer to general fund (indefinite) | (-44,769,000) | (-44,548,000) | (-44,548,000) | (+221,000) | |
| Timber purchaser credits | (50,000,000) | (50,000,000) | (50,000,000) | | |
| Land acquisition | 63,882,000 | 65,311,000 | 14,600,000 | -49,282,000 | -50,711,000 |
| Acquisition of lands for national forests, special acts | 1,250,000 | 1,317,000 | 1,069,000 | -181,000 | -248,000 |
| Acquisition of lands to complete land exchanges (indefinite) | 210,000 | 210,000 | 210,000 | | |
| Range betterment fund (indefinite) | 4,575,000 | 3,976,000 | 3,976,000 | -599,000 | |
| Gifts, donations and bequests for forest and rangeland research | 89,000 | 92,000 | 92,000 | +3,000 | |
| Total, Forest Service | 2,803,602,000 | 2,416,539,000 | 2,113,671,000 | -689,931,000 | -302,868,000 |
| DEPARTMENT OF ENERGY | | | | | |
| Clean coal technology | -337,879,000 | -155,019,000 | | +337,879,000 | +155,019,000 |
| Fossil energy research and development | 423,701,000 | 436,506,000 | 384,504,000 | -39,197,000 | -52,004,000 |
| (By transfer) | (17,000,000) | | | (-17,000,000) | |
| Alternative fuels production (indefinite) | -3,900,000 | -2,400,000 | -2,400,000 | +1,500,000 | |
| Naval petroleum and oil shale reserves | 187,048,000 | 101,028,000 | 151,028,000 | -36,020,000 | +50,000,000 |
| Energy conservation | 755,751,000 | 923,561,000 | 552,871,000 | -202,880,000 | -370,690,000 |
| Biomass Energy Development (transfer) | | -16,000,000 | -16,000,000 | -16,000,000 | |
| Economic regulation | 12,413,000 | 10,500,000 | 6,297,000 | -6,116,000 | -4,203,000 |
| Emergency preparedness | 8,233,000 | 8,219,000 | | -8,233,000 | -8,219,000 |
| Strategic Petroleum Reserve | 135,954,000 | 25,689,000 | | -135,954,000 | -25,689,000 |
| (By transfer) | (90,764,000) | (187,000,000) | (187,000,000) | (+96,236,000) | |
| Energy Information Administration | 84,566,000 | 84,689,000 | 79,766,000 | -4,800,000 | -4,923,000 |
| Total, Department of Energy | 1,265,887,000 | 1,416,775,000 | 1,156,066,000 | -109,821,000 | -260,709,000 |

## INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)—Continued

| | FY 1995 Enacted | FY 1996 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | |
| Indian Health Service | | | | | |
| Indian health services | 1,709,780,000 | 1,816,350,000 | 1,725,792,000 | +16,012,000 | -90,558,000 |
| Indian health facilities | 253,282,000 | 242,672,000 | 236,975,000 | -16,307,000 | -5,697,000 |
| Total, Indian Health Service | 1,963,062,000 | 2,059,022,000 | 1,962,767,000 | -295,000 | -96,255,000 |
| DEPARTMENT OF EDUCATION | | | | | |
| Office of Elementary and Secondary Education | | | | | |
| Indian education | 81,341,000 | 84,785,000 | 1,000,000 | -80,341,000 | -83,785,000 |
| OTHER RELATED AGENCIES | | | | | |
| Office of Navajo and Hopi Indian Relocation | | | | | |
| Salaries and expenses | 24,888,000 | 26,345,000 | 21,345,000 | -3,543,000 | -5,000,000 |
| Institute of American Indian and Alaska Native Culture and Arts Development | | | | | |
| Payment to the Institute | 11,213,000 | 19,846,000 | 5,500,000 | -5,713,000 | -14,346,000 |
| Smithsonian Institution | | | | | |
| Salaries and expenses | 313,853,000 | 329,800,000 | 309,471,000 | -4,382,000 | -20,329,000 |
| Construction and improvements, National Zoological Park | 3,042,000 | 4,950,000 | 3,000,000 | -42,000 | -1,950,000 |
| Repair and restoration of buildings | 23,954,000 | 34,000,000 | 24,954,000 | +1,000,000 | -9,046,000 |
| Construction | 21,857,000 | 38,700,000 | 12,950,000 | -8,907,000 | -25,750,000 |
| Total, Smithsonian Institution | 362,706,000 | 407,450,000 | 350,375,000 | -12,331,000 | -57,075,000 |
| National Gallery of Art | | | | | |
| Salaries and expenses | 52,902,000 | 54,566,000 | 51,315,000 | -1,587,000 | -3,251,000 |
| Repair, restoration and renovation of buildings | 4,016,000 | 9,885,000 | 5,500,000 | +1,484,000 | -4,385,000 |
| Total, National Gallery of Art | 56,918,000 | 64,451,000 | 56,815,000 | -103,000 | -7,636,000 |
| John F. Kennedy Center for the Performing Arts | | | | | |
| Operations and maintenance | 10,323,000 | 10,373,000 | 9,800,000 | -523,000 | -573,000 |
| Construction | 8,983,000 | 9,000,000 | 8,983,000 | ..... | -17,000 |
| Total, John F. Kennedy Center for the Performing Arts | 19,306,000 | 19,373,000 | 18,783,000 | -523,000 | -590,000 |
| Woodrow Wilson International Center for Scholars | | | | | |
| Salaries and expenses | 8,878,000 | 10,070,000 | 6,152,000 | -2,726,000 | -3,918,000 |
| National Foundation on the Arts and the Humanities | | | | | |
| National Endowment for the Arts | | | | | |
| Grants and administration | 133,846,000 | 143,675,000 | 82,259,000 | -51,587,000 | -61,416,000 |
| Matching grants | 28,512,000 | 28,725,000 | 17,235,000 | -11,277,000 | -11,490,000 |
| Total, National Endowment for the Arts | 162,358,000 | 172,400,000 | 99,494,000 | -62,864,000 | -72,906,000 |
| National Endowment for the Humanities | | | | | |
| Grants and administration | 146,131,000 | 156,087,000 | 82,469,000 | -63,662,000 | -73,618,000 |
| Matching grants | 25,913,000 | 25,913,000 | 17,025,000 | -8,888,000 | -8,888,000 |
| Total, National Endowment for the Humanities | 172,044,000 | 182,000,000 | 99,494,000 | -72,550,000 | -82,506,000 |
| Institute of Museum Services | | | | | |
| Grants and administration | 28,715,000 | 29,800,000 | 21,000,000 | -7,715,000 | -8,800,000 |
| Total; National Foundation on the Arts and the Humanities | 363,117,000 | 384,200,000 | 219,988,000 | -143,129,000 | -164,212,000 |
| Commission of Fine Arts | | | | | |
| Salaries and expenses | 834,000 | 879,000 | 834,000 | ..... | -45,000 |
| National Capital Arts and Cultural Affairs | | | | | |
| Grants | 7,500,000 | 6,941,000 | 6,000,000 | -1,500,000 | -941,000 |
| Advisory Council on Historic Preservation | | | | | |
| Salaries and expenses | 2,947,000 | 3,063,000 | 1,000,000 | -1,947,000 | -2,063,000 |
| National Capital Planning Commission | | | | | |
| Salaries and expenses | 5,655,000 | 6,000,000 | 5,090,000 | -565,000 | -910,000 |
| Franklin Delano Roosevelt Memorial Commission | | | | | |
| Salaries and expenses | 48,000 | 147,000 | 48,000 | ..... | -99,000 |

## INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1977)—Continued

| | FY 1995 Enacted | FY 1996 Estimate | Bill | Bill compared with Enacted | Bill compared with Estimate |
|---|---|---|---|---|---|
| Pennsylvania Avenue Development Corporation | | | | | |
| Salaries and expenses | 2,738,000 | 3,043,000 | 2,000,000 | -738,000 | -1,043,000 |
| Public development | 4,084,000 | 2,445,000 | | -4,084,000 | -2,445,000 |
| Land acquisition and development fund | | 1,388,000 | | | -1,388,000 |
| Total, Pennsylvania Avenue Development Corporation | 6,822,000 | 6,876,000 | 2,000,000 | -4,822,000 | -4,876,000 |
| United States Holocaust Memorial Council | | | | | |
| Holocaust Memorial Council | 26,609,000 | 26,707,000 | 26,707,000 | +2,098,000 | |
| Total, title II, Related Agencies | 7,011,333,000 | 6,961,469,000 | 5,956,141,000 | -1,055,192,000 | -1,005,328,000 |
| (Timber receipts transfer to general fund, indefinite) | (-44,769,000) | (-44,548,000) | (-44,548,000) | (+221,000) | |
| (Timber purchaser credits) | (50,000,000) | (50,000,000) | (50,000,000) | | |
| Grand total: | | | | | |
| New budget (obligational) authority (net) | 13,519,230,000 | 13,817,404,000 | 11,962,675,000 | -1,556,555,000 | -1,854,729,000 |
| Appropriations | (13,549,230,000) | (13,832,204,000) | (11,992,675,000) | (-1,556,555,000) | (-1,839,529,000) |
| Rescission | (-30,000,000) | (-30,000,000) | (-30,000,000) | | |
| Crime trust fund | | (15,200,000) | | | (-15,200,000) |
| (Timber receipts transfer to general fund, indefinite) | (-44,769,000) | (-44,548,000) | (-44,548,000) | (+221,000) | |
| (Timber purchaser credits) | (50,000,000) | (50,000,000) | (50,000,000) | | |
| (By transfer) | (107,764,000) | (167,000,000) | (187,000,000) | (+79,236,000) | |
| TITLE I - DEPARTMENT OF THE INTERIOR | | | | | |
| Bureau of Land Management | 1,099,005,000 | 1,156,682,000 | 1,055,463,000 | -43,542,000 | -101,219,000 |
| United States Fish and Wildlife Service | 671,038,000 | 702,817,000 | 569,823,000 | -101,215,000 | -132,994,000 |
| National Biological Service | 162,041,000 | 172,698,000 | | -162,041,000 | -172,698,000 |
| National Park Service | 1,387,329,000 | 1,490,122,000 | 1,261,076,000 | -126,253,000 | -229,046,000 |
| United States Geological Survey | 571,462,000 | 586,369,000 | 686,944,000 | +115,482,000 | +100,575,000 |
| Minerals Management Service | 194,821,000 | 201,240,000 | 192,996,000 | -1,825,000 | -8,244,000 |
| Bureau of Mines | 152,427,000 | 132,507,000 | 87,000,000 | -65,427,000 | -45,507,000 |
| Office of Surface Mining Reclamation and Enforcement | 293,407,000 | 292,773,000 | 269,578,000 | -23,829,000 | -23,195,000 |
| Bureau of Indian Affairs | 1,730,970,000 | 1,897,941,000 | 1,673,955,000 | -57,015,000 | -223,986,000 |
| Territorial and International Affairs | 121,575,000 | 94,170,000 | 94,170,000 | -27,405,000 | |
| Departmental Offices | 124,022,000 | 128,618,000 | 115,529,000 | -8,493,000 | -13,089,000 |
| Total, Title I - Department of the Interior | 6,507,897,000 | 6,855,935,000 | 6,006,534,000 | -501,363,000 | -849,401,000 |
| TITLE II - RELATED AGENCIES | | | | | |
| Forest Service | 2,803,602,000 | 2,416,539,000 | 2,113,671,000 | -689,931,000 | -302,868,000 |
| Department of Energy | 1,265,887,000 | 1,416,775,000 | 1,156,066,000 | -109,821,000 | -260,709,000 |
| Indian Health Service | 1,963,062,000 | 2,059,022,000 | 1,962,767,000 | -295,000 | -96,255,000 |
| Indian Education | 81,341,000 | 84,785,000 | 1,000,000 | -80,341,000 | -83,785,000 |
| Office of Navajo and Hopi Indian Relocation | 24,888,000 | 26,345,000 | 21,345,000 | -3,543,000 | -5,000,000 |
| Institute of American Indian and Alaska Native Culture and Arts Development | 11,213,000 | 19,846,000 | 5,500,000 | -5,713,000 | -14,346,000 |
| Smithsonian Institution | 362,706,000 | 407,450,000 | 350,375,000 | -12,331,000 | -57,075,000 |
| National Gallery of Art | 56,918,000 | 64,451,000 | 56,815,000 | -103,000 | -7,636,000 |
| John F. Kennedy Center for the Performing Arts | 19,306,000 | 19,373,000 | 18,783,000 | -523,000 | -590,000 |
| Woodrow Wilson International Center for Scholars | 8,878,000 | 10,070,000 | 6,152,000 | -2,726,000 | -3,918,000 |
| National Endowment for the Arts | 162,358,000 | 172,400,000 | 99,494,000 | -62,864,000 | -72,906,000 |
| National Endowment for the Humanities | 172,044,000 | 182,000,000 | 99,494,000 | -72,550,000 | -82,506,000 |
| Institute of Museum Services | 28,715,000 | 29,800,000 | 21,000,000 | -7,715,000 | -8,800,000 |
| Commission of Fine Arts | 834,000 | 879,000 | 834,000 | | -45,000 |
| National Capital Arts and Cultural Affairs | 7,500,000 | 6,941,000 | 6,000,000 | -1,500,000 | -941,000 |
| Advisory Council on Historic Preservation | 2,947,000 | 3,063,000 | 1,000,000 | -1,947,000 | -2,063,000 |
| National Capital Planning Commission | 5,655,000 | 6,000,000 | 5,090,000 | -565,000 | -910,000 |
| Franklin Delano Roosevelt Memorial Commission | 48,000 | 147,000 | 48,000 | | -99,000 |
| Pennsylvania Avenue Development Corporation | 6,822,000 | 6,876,000 | 2,000,000 | -4,822,000 | -4,876,000 |
| Holocaust Memorial Council | 26,609,000 | 26,707,000 | 26,707,000 | +2,098,000 | |
| Total, Title II - Related Agencies | 7,011,333,000 | 6,961,469,000 | 5,956,141,000 | -1,055,192,000 | -1,005,328,000 |
| Grand total | 13,519,230,000 | 13,817,404,000 | 11,962,675,000 | -1,556,555,000 | -1,854,729,000 |

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

Mr. YATES. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. YATES. Mr. Chairman, my good friend, the chairman of the subcommittee, and he is my good friend, and I have differed on an Interior appropriations bill I think for the first time in how long have you been on the committee, RALPH? Twenty years? Twenty years we have been in agreement on the bills, and the reason for that, I think more than any other, is the fact that the bill did not suffer from malnutrition. The heavy hand of the full chairman of the committee was felt immediately by the Interior Subcommittee. Our 692(b) allocation was cut by more than a billion dollars on the first go-around. On the second go-around on the 602(b), we were cutting another $17 million dollars. So, there is a lot of PR work for the chairman and for me to do with the chairman of the full committee if we want to be treated as we should be treated.

This is America's bill. This is the bill that fosters our natural resources. This is the bill that is working on providing energy savings. This is the bill that provides for cultural enrichment throughout the United States.

□ 1215

Yet, as a result of the 602(b) allocation, we just do not have the funds with which to carry on the kind of activities that we ought to.

Our natural resources are going to suffer. My good friend, the chairman, indicated that we are keeping the parks open. That is not enough, The Grand Canyon, as the gentleman said, will still be there and people will still be able to see the Grand Canyon, but they ought to be able to see the Grand Canyon in comfortable facilities. They ought to be able to see the Grand Canyon driving on roads that do not have ruts and ditches. They ought to be sure that their safety is protected as they go through the national parks.

I do not know that the funds we have provided here will allow that. Construction for the parks, construction for Fish and Wildlife, construction funds for the Bureau of Land Management and the Forest Service, have all been cut back.

I do not know that I can use the phrase ''worst of all,'' but the Indian people are going to take a very big hit in this bill. The protection of our environment will be severely diminished as a result of what we do in this bill.

Of course, we have been arguing about the National Endowments for the Arts and the Humanities and the Institute for Museum Services for 2 days now. The Endowments have been cut by at least 40 percent. That is a huge cut. Our cultural resources are going to suffer.

The program to help the needy people with their problems of weatherization, during the cold of winter, and the heat of summer is being cut. We have a program in our bill that enables the needy to obtain a small amount of funding to improve their physical properties so that the rigors of the winters in cities like Chicago or in States like Minnesota or New England will not be felt as keenly as they are going to be felt now, because there will not be funds with which they could help themselves.

I talked about welfare for the needy, and in this bill, welfare for the needy will be cut. But Western welfare, welfare for the Western States; for example, the program to provide payments in lieu of taxes, PILT, is increased. In a total bill that is cut more than 13 percent below the 1995 appropriation, payments in lieu of taxes, a program heavily weighted to the West, is up 10 percent. Welfare for the needy may be on the wane, but welfare for Western miners has taken new life.

In our bill last year, we approved a moratorium on providing the sale of national lands to miners for $2.95 an acre, lands that have subsequently been sold on many occasions for huge sums of money to big mining companies. This giveaway of public lands will now start again. The patent moratorium is not in this bill. Nothing is done to stop the mining law of 1872's permissive nature. Western States and localities will also be able to build roads through existing parks, refuges, forests, and public lands unabated.

There is much pain in this fiscal year 1996 bill, and it takes various forms. Agencies are being eliminated, programs are being terminated, programs are being phased out. Hard working people are going to lose their jobs, Mr. Chairman. At least 3,000 people in the Department of the Interior will be laid off.

This bill does have some good features. I congratulate the chairman for that. I do hope that the other body, when it considers this bill, will take the steps that are necessary to maintain the vital functions that are carried out in this bill.

But other programs have not been cut.

Welfare for the needy may be cut but western welfare in the form of payments in lieu of taxes is up. In a bill that is cut more than 13 percent below the 1995 appropriation, payments in lieu of taxes, a program heavily weighted to the west is up 10 percent.

Welfare for the needy may be on the wane, but welfare for western miners has new life. The giveaway of public lands will start again because this bill, unlike the fiscal year 1995 appropriation law, does nothing to stop the mining law of 1872's permissive nature.

Under the bill western States and localities can build roads through existing parks, refuges, forest, and public lands unabated.

There is too much pain in this fiscal year 1996 Interior appropriations bill. The pain began with the 602b allocation for this bill. This bill is subject to a larger percentage reduction than any other appropriation bill. At $11.9 billion in new budget authority, this bill is $1.6 billion below 1995 and $1.9 billion below the President's request. What form does the pain take?

Agencies are being eliminated; programs are being terminated immediately; programs are being phased out; and hard working people are going to lose their jobs, with at least 3,000 people in the Department of the Interior subject to a reduction in force.

INDIAN PROGRAMS

Let me speak first to the programs that serve and honor the Indian people. I am grateful that the Indian Health Service and Bureau of Indian Affairs education programs are maintained at the 1995 level. But I know even at the fiscal year 1995 levels, these programs will not come close to meeting the needs. The Bureau of Indian Affairs education programs are $31 million below the President's request at a time when student enrollment is escalating rapidly; the Indian Health Service is $96 million below the President's request. With medical inflation and a growing Indian population, this means that health care will be reduced in a very real way.

Among the most prominent terminations in this bill is the Indian Education Program administered by the Department of Education. It would be easier to accept this $81 million cut if at least some of this money had been transferred to the Bureau of Indian Affairs education programs. But that was not done. This is a program that has enhanced the education of nonreservation Indians across the country.

But this is not the end of the insult to the Indian people.

This mark limits the ability of the Indian people to defend themselves in water rights cases. Even at the $15 million 1995 level, the Bureau of Indian Affairs is unable to meet requests from 30 tribes who need technical and legal assistance in defending their water rights. With a $5 million reduction, the 1995 level will be reduced by one-third and even more tribes will remain unsupported. I view this an abrogation of our trust responsibility to Indian nations.

This marks takes away the ability of the Indian people to help themselves through loan guarantees.

If this mark is approved, the U.S. Government will be breaking yet another promise to the American Indian people. This mark will delay, if not totally stop, the much needed Smithsonian facility at Suitland that would store and conserve the Heye collection of Indian artifacts which will be the central feature of the Smithsonian's American Indian Museum.

Self-governance for Indian tribes, with these budget reductions, will be delayed and the momentum generated in recent years for self-governance lost. I believe self-governance is working and should be encouraged instead of stifled through budget cuts.

Heaped upon all of this is the complete elimination of community economic development grants, community development technical assistance, and the Indian arts and crafts board. And this bill sets in motion termination of Federal support for the Institute of American Indian and Alaska Native Culture and Arts Development.

In total, what is before us today for Indian people is $450 million below what the President requested, an 11-percent reduction for one of the neediest groups in America.

ENERGY PROGRAMS

Moving on to the Department of Energy, I think we all can take great pride in the successes resulting from our investments in energy efficiency technologies. New lighting technology, new windows and efforts to produce more efficient automobiles are all paying off. Now, many of these efforts will be reduced, and eventually eliminated.

One of the most disappointing things in this bill is that it slashes the low income weatherization program in half, a $107 million reduction. This is done at the same time the committee ignores the President's request to delay $155 million in clean coal technology subsidies for industry. Do we really want to continue corporate welfare at the expense of elderly poor people? If this cut is not reversed, efforts to reduce overall energy usage and reduce energy costs for elderly people will be extremely limited.

CULTURAL PROGRAMS

Of course, the proposed decreases in the appropriations for cultural programs is an urgent concern. The cuts in the National Endowment for the Arts and the National Endowment for the Humanities which exceed 40 percent and the cut for the Institute of Museum Services, which exceeds 25 percent, are out of proportion to the total reduction in this bill and for the National Endowment for the Humanities and the Institute of Museum Services the reduction is out of proportion to the recommendations of the Economic and Educational Opportunities Committee.

I wonder if people understand fully the impact these cuts will have on our culture. Performances will be canceled, museums will close their doors earlier, and art education opportunities in our schools will be cut back sharply. Every segment of American society will suffer from these draconian cuts.

SCIENCE PROGRAMS

Not only is this bill unfriendly to cultural programs, it buries biological science. It buries it in the U.S. Geological Survey after cutting biological research by almost one-third and shackles researchers to Federal land. But the creatures of this great land of ours are not restricted to Federal lands. Lets think about what we are doing. The Secretary of the Interior has a trust responsibility for migratory birds as well as international treaties protecting these birds. These migratory birds do not know the boundaries of Federal land. Provisions in this bill though keep the Secretary from doing any science, any research on anything but Federal lands. If there are threats to our waterfowl on non-Federal lands, the Secretary could not study it even if private landowners ask to have their properties studied. Why at a time when duck numbers are finally increasing as a result of combined Federal, State, and private efforts, would we want to place obstacles to the progress now underway? Is that what we want? I think not. But this bill would do that.

Volunteers are even banned by this bill, if they offer their talents to help resource science and research. Let me give one example of what this will mean to one program, the breeding bird survey. The North American Breeding Bird Survey, started in 1966, is the only continental survey program specifically designed to obtain population trend data on all species of birds. At least 4,000 volunteers contribute to this survey. Without their data, it would be extremely difficult to detect declines or increases in our country's bird populations. No one has ever questioned the authenticity of this information and it come to us at no cost. I do not know what public policy purpose is served by banning the use of volunteers.

SHORT ON DOLLARS, LONG ON LEGISLATION

This is bill, as I have documented, short on dollars; yet, it is long on legislative provisions.

The bill requires committee approval for new wildlife refuges.

The bill amends fee language for refuges.

The bill mandates peer review for resources research in the Geological Survey.

The bill permits giving away Bureau of Mines facilities.

The bill amends the American Trust Fund Management Reform Act of 1994.

The bill repeals the Outer Banks Protection Act of 1990.

The bill authorizes and executes the sell of strategic petroleum reserve oil.

The bill terminates the Pennsylvania Avenue Development Corporation and transfers its responsibilities to other agencies.

The bill establishes a new fee program for the Bureau of Land Management, Fish and Wildlife Service, National Park Service and Forest Service; and

The bill includes Columbia River basin ecoregion assessment restrictions and directions.

Beyond that, the Endangered Species Act is circumvented by not providing money for listing species so they can receive the full protection of the Act.

Section 404 of the Clean Water Act is being circumvented by taking away the Fish and Wildlife Service's ability to respond to a permit application for a golf course which would disturb valuable wetlands in Lake Jackson, TX.

The California Desert Protection Act is circumvented by taking away all but $1 for the National Park Service to operate the Mojave National Preserve and returning the management to the Bureau of Land Management. With this bill, the first of the national parks will be closed. How many more will follow?

MORATORIA

And we find that moratoria are OK in some instances but not okay in others. Moratoria are not OK to stop the give away of patents under the 1872 mining law. But a moratoria is acceptable to stop promulgation of an RS 2477 rulemaking, a rulemaking that would prevent the potential despoliation of national parks, wildlife refuges, and wilderness areas.

This bill does include a continuation of the moratoria on Outer Continental Shelf leasing including Bristol Bay in Alaska, California, Oregon, and Washington on the west coast as well as certain Florida areas and east coast areas.

LAND AND WATER CONSERVATION FUND

While I am relieved there is some money for land acquisition, unlike the scorched earth policy of the House budget resolution, the lack of money can only lead to future problems. For many willing sellers, the Government is the only possible buyer. Ongoing acquisitions which have been phased over several years can not be completed. We will have broken commitments with those individuals and concerns that entered into agreements. Of the $51.5 million in the bill related to the land and water conservation fund, only $23 million is for actual acquisition of land. The balance is to administer the program.

The Secretary of the Interior asked for money to help local areas with habitat conservation plans by giving land acquisition grants to State and local governments, a request that was denied. Turning a blind eye to this problem serves only to undermine efforts to improve the Endangered Species Act.

The North American wetlands conservation fund is cut in half with the understanding that it will be terminated next year, another blow to successful efforts to strengthen the number of migratory waterfowl.

CONCLUSION

Given the disproportionately large reduction this subcommittee received from the full Appropriations Committee, large cuts are inevitable and regrettable.

One of the great strengths and appeals of this bill is the wide variety of programs it covers. The all-America bill as I used to call it. The remarkable natural resources of this country, our magnificent cultural resources, the programs that help people, the energy research programs—unfortunately, all will be diminished by the provisions in this bill.

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

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. TAYLOR], a very good member of our committee and a Member who has done great service on handling the Forest Service issues and who brings to it a lot of knowledge.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in strong support of this bill.

Mr. Chairman, before I came to Congress, I was chairman of the State Parks and Recreation Council in overseeing our State parks and facilities, and we never had enough money to do the things we wanted to do or do all the maintenance we wanted to do. And I found it the same on a national basis, but I think the gentleman from Ohio, Chairman REGULA, and the committee, working with Members and the authorizers, have done as much as they possibly can to see that the needs of our Parks and Forest Services are met.

The actual maintenance, park maintenance, even though the total committee was ordered to reduce the cost in order to meet budget reductions, and we reduced this $1.5 billion below the fiscal year 1995 bill, maintenance for the critical areas were held even. I think that is amazing, given the cuts that had to be made.

It also addresses the concerns and the desires of many of the Members' specific things that they had to do, and I again want to thank both Chairman REGULA and ranking member YATES for the work that has been done in this bill.

We have increased, and I feel very strongly about this, our timber sale program some $7.5 million above current levels. This will increase our timber sale program by 418 million board feet of green sales and 300 million feet of salvage timber. This is a modest increase, but it is moving in the right direction.

We are now in this country in a dangerous situation regarding forest health. We have not been removing salvage as we should have been. We have not been addressing the concerns of management, silviculture concerns of management by professional foresters and science that has been lost in much of our forest management, and it has cost us tens of thousands of jobs. It has cost us millions of dollars in taxes, and it means that we, today, are importing over one-third of our timber.

Mr. Chairman, I certainly urge support of this bill, and will be voting for it.

Mr. Chairman, I rise in strong support of this bill. Not only does H.R. 1977 reflect the serious will of this body to reduce spending—it is $1.5 billion below the fiscal year 1995 bill—it also addresses the concerns, desires, and suggestions of many members and the authorizing committees. Chairman REGULA and the staff have done a terrific job in putting this bill together, and I encourage all my colleagues to support the bill. One aspect that is particularly pleasing to me is the commitment by this committee to turn the management or our national forests around.

This bill moves the timber sale program forward, in a new direction from the past. The increase in the timber management and sales program and road construction funds will allow the Forest Service to increase the timber sale volume to its maximum capacity in fiscal year 1996 of 4.3 billion board feet.

We have increased the timber sale program only $7.5 million above current levels, but this will increase the sale program by at least 418 million board feet of green sales and 300 million board feet of salvage volume. This modest increase will not only maintain jobs, it will create job growth and return many times the amount in timber sale revenues and income taxes.

Although the road construction account has been cut, we have increased the timber road construction account to correspond with the increase in the timber sale program. This account has been maligned for a long time, and I would like to set the record straight.

First, roads in the national forests serve many purposes. They provide the primary access to the 191 million acres that make up the National Forest System. These roads provide access for recreation, for wildlife and fisheries projects, for fire protection, for monitoring water quality, and for many other aspects of ecosystem management and timber harvesting. Funding for road construction ensures watershed protection through better road design, improves safety for road system users, and provide access for fighting wildfires and responding to other emergencies.

The bulk of road construction funds are for reconstruction, that is, restoration and maintenance of existing roads. In fact, the number of miles of new roads has dramatically declined over the past several years. Also, the Forest Service has obliterated more roads than were constructed and the same pattern is being proposed for the next fiscal year. In fiscal 1994, the total road system actually decreased by 1,780 miles and only 519 miles of new roads were constructed.

Today, millions of acres of our forest lands are in need of attention. We are well aware of the forest health problems that pervade our Federal forests—approximately 6 billion board feet of timber dies each year. The road budget is one step toward assuring access for salvage sales and forest restoration projects.

This bill is only a first step. The Forest Service is so depleted of adequately trained personnel that it is still incapable of establishing a timber pipeline, which is desperately needed in many parts of the country. However, by providing funds for timber sale preparation above the level requested by the administration, we expect the Forest Service to make a significant contribution toward the national need for lumber and wood products. I don't know if this body is aware that we are currently importing a third of our wood needs—much of it from environmentally sensitive areas of the world with less sensitive harvest methods than those used here.

For too long, we have ignored professional foresters and silviculture science when managing our national timber assets. Instead, we have relied on the pseudo-science of the environmental community to dominate the discussion. The pendulum swung too far—encouraging the locking up of these valuable assets instead of their wise use. We have a responsibility to protect, conserve and maintain the ecosystems of our Federal forests. To do that we must provide our land management agencies with the resources and tools necessary to get the job done. H.R. 1977 does that.

We are all aware of the widespread forest health problems in our national forests across the country. Chairman REGULA and Chairman LIVINGSTON have been real troopers for including the salvage timber provision in the fiscal year 1995 supplemental-rescissions bill and continuing to fight for its passage. I know we are all looking forward to getting a final resolution on the rescission bill.

The committee understands that the Forest Service can use the timber sale program as a cost-efficient tool to thin and restructure forest stands. Timber harvests improve the forest health by clearing out the dead and dying trees and solving the overcrowded conditions found on many of our national forests. Harvests will also improve the habitat for many creatures that live In the forests and lead to less destructive forest fires.

Although we continue to receive criticisms regarding below-cost timber sales, these determinations have not been based on an evaluation of all the factors that contribute to the profitability or cost of the timber program. Those opposed to timber sales encourage greater costs by supporting more costly harvest methods but have not come forward with proposals to minimize costs incurred by the Forest Service. This, combined with specific direction to manage the timber program for a broader variety of program objectives, continues to drive costs upward.

I remain concerned that staff reductions within the agency to meet the administration's governmentwide FTE reduction targets have been to date disproportionately directed toward staff professionals with expertise in timber management and timber sales planning and preparation. In attempting to meet any future goals relative to agencywide staff reductions, I expect the agency will seek opportunities in other areas to reduce personnel, before considering reducing staff in timber management programs, particularly with regard to personnel stationed in the field.

It is my hope that the Forest Service will not only take the necessary steps at all management levels to provide the maximum amount of timber sales possible in the next year, but also continue to seek ways to more efficiently provide for a timber sales program in a manner that reduces bureaucratic requirements.

Again, I want to thank Chairman REGULA and his staff for working to accommodate the concerns and wishes of many Members, myself included, and I encourage my colleagues to support the bill.

Mr. SKAGGS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I would like to state at the outset that I think all of us serving on this committee have a deep and abiding love for the responsibilities that come with the jurisdiction of this subcommittee.

I also want to pay tribute to the gentleman from Ohio [Mr. REGULA], our subcommittee chairman. There is no more decent or thoughtful Member of this body. He has been given an incredibly difficult task to manage the responsibilities that we have within the budget constraints. And while I know he would have liked to have done more and better, he has done well with what was made available to us.

It is also an extraordinary privilege to serve under the leadership of the gentleman from Illinois [Mr. YATES], our ranking member on this subcommittee.

There are a number of good things in this bill. But there are also too many instances where I think it falls very seriously short of what should be done for the proper protection and proper management of our public lands and resources, for the education of native Americans children, and for continuing sound policies about the development and use of energy.

It provides no money for endangered species prelisting work, for instance; that is, for efforts to avoid the necessity of adding species to the list protected under the Endangered Species Act. This is a prescription for increasing, not diminishing, the conflicts about implementing that law, and is extremely unwise and shortsighted. So are funding restrictions for basic biological research, restrictions on the use of volunteers and access voluntarily to private property.

The bill does not include the moratorium that should be there for patenting mining claims until we have a revision of the mining law of 1872. In area after area, this bill puts commercial interests ahead of science, education, proper management and protection of our natural resources, our historical and cultural resources, our human resources.

There will be amendments offered to correct some of these defects. I will support those. But I am afraid that unless the bill is radically revised, and the chances of that are not great, it will be difficult to say that it deserves to be enacted.

This bill, more than any other that comes before this body, is about the profound trust and stewardship responsibilities that this Congress has for our

national treasures, for our natural treasures. I am afraid our descendants will look back on these actions and ask how in the world we could so short-change our trust and our stewardship responsibilities.

Tragedy occurs, Mr. Chairman, when we know better but we do not do better, and I fear today we are writing a tragedy.

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

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. SKEEN] who is a very valuable member of our subcommittee, who brings a wealth of knowledge as a rancher to some of the tough problems that confront us, as well as a leader in the Western matters and with the cattle association, and other things.

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

Mr. Chairman, I would like to take a little time to give my sense of appreciation for the kind of work that goes on in a committee with as diverse a responsibility as is inculcated into the authorization in the realm of what is known as the Committee on Resources.

I want to say that Chairman REGULA and Ranking Member YATES are some of the finest people I ever worked with and had the opportunity to work with and to deal with in this Congress of the United States, along with the other members of the committee itself. This is my second go-around on that committee, an enormous responsibility.

I want to say, too, to the staffs that back us up, that there are no better people on this Earth who are more learned or a more professional group in the world than the staffs that support the committee work that we do day in and day out. Without them, it would not be possible to put this together, particularly at a time like this when we are cutting back, reducing the size of Government, but yet maintaining that sense of responsibility that is paramount to this entire function.

That word ''function'' means an awful lot. Because if you do not understand what the function of some of these programs are, then you are hard put to come up with some solutions to some of the things we are trying to do. These folks have done an outstanding job. I wanted to compliment them all and say it is great serving with you.

I hope that those of you who are out there furiously writing new amendments to this bill would stop and listen just once and say do I really understand what the function of this particular element of this bill is, how does it work. If you do not, then skinny yourself over here and talk to some of these people that I just referred to on the staffs, and it will save us an awful lot of talking time, because right now we need to reduce the time and expenditure on some of these bills.

Mr. SKAGGS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I want to take this opportunity to commend the full Committee on Appropriations and, of course, the gentleman from Illinois [Mr.YATES], for their action to restore a moratorium on offshore drilling along the U.S. coastline in this bill. The committee action puts Congress back on the right track in the protection of our coastal resources.

For more than a decade, Congress has recognized the need to impose sensible safeguards against the exploitation of our offshore areas.

□ 1230

While some in Congress and, of course, the oil companies want to reopen these areas to drilling, the overwhelming consensus among those of us who live and work in the coastal areas is that it is simply not worth the risk to open these areas up to drilling. Offshore drilling off New Jersey in my State and other mid-Atlantic States is not environmentally sound and also threatens the economies of coastal areas that depend on a healthy coastal environment.

In the areas off the Jersey shore and other Mid-Atlantic States, studies have indicated that the expected yield of oil and gas is rather low. Still there are strong expressions of interest in exploratory drilling which would have disastrous effects on our environment and coastal economy. We must keep the door firmly shut to any drilling or preleasing activities.

Having said that, Mr. Chairman, I want to mention that there are other parts of the bill that I do find objectionable, particularly the committee's decision to derail the Endangered Species Act by defunding the program. This is the wrong way to address individual problems with the Endangered Species Act.

I also object to the bill's drastic reductions in funding for land acquisition under the U.S. Fish and Wildlife Service. In New Jersey, the most urbanized State in the Nation, we have refuges that are under severe threat of development and the $14 million that is provided is not enough to cover even New Jersey's preservation needs, let alone the needs of the Nation as a whole.

Finally, Mr. Chairman, I would like to take this opportunity to speak out against any further cuts in funding for the National Endowment for the Arts and the National Endowment for the Humanities. These influential agencies encourage lifelong learning, promote participation within civic organizations and preserve our country's cultural and intellectual heritage. New Jersey takes advantage of these funds very effectively and I think it would be a mistake for us to make any further cuts in those programs.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I'd like to commend the chairman of the Interior Appropriations Subcommittee and my friend, Mr. REGULA, for his hard work and courageous action in putting this bill together. It has not been an easy task. But throughout the hearing process, as well as the subcommittee and full committee markup, Chairman REGULA and his staff have performed tirelessly, professionally, and with the utmost sensitivity.

Trying to put together a workable budget for the Departments of Interior and Energy, the Forest Service, and the numerous independent agencies under the Interior Subcommittee's jurisdiction is difficult. Add to this an effort to address the personal concerns of the members of this body and you have a very arduous, nearly impossible mission. But, Chairman REGULA and his staff have crafted a good bill that I think is fair, fiscally conservative, and represents an excellent starting point for our 7-year journey to a balanced budget.

Is this bill everything everyone wanted? Of course not. But then we can't—nor should we—ever go back to the fiscally irresponsible practices of the past. We must keep in mind that the fiscal integrity of this nation is our responsibility, and we must act accordingly.

As the chairman has stated, the bill appropriates $11.96 billion in new budget authority for fiscal year 1996, $1.56 billion less than fiscal year 1995, and almost $2 billion less than the President requested. We have attempted to place an emphasis on preserving natural and cultural resources, the maintenance of scientific and research functions, and on our commitment to the health and educational needs of native Americans. H.R. 1977 also ensures that adequate resources are allocated for our Nation's public lands and our crown jewels—our National Park System. In fact, in an era of decreasing budgets, the bill actually contains an increase in the operational account of the National Park Service. This will prove invaluable to those who manage America's parks. And contrary to some published reports, the subcommittee never considered or even contemplated closing any of our Nation's parks.

Overall, the National Park Service fared fairly well. The bill appropriates $1.26 billion in overall funding. The bulk of these funds, $1.08 billion, will go to the management of park areas, visitor services, park police, resources and facility maintenance. This figure represents a $10 million increase over fiscal year 1995.

An important and much needed initiative that is included in the bill is the Recreational Fee Demonstration Program. This innovative program will give the National Park Service, the Bureau of Land Management, the U.S. Fish and Wildlife Service, and the Forest Service the opportunity to establish a 1-year pilot program that allows these land managing agencies to charge, and utilize on-site, recreational use and access fees. The language in the bill directs each agency to establish 10 to 30 demonstration sites where broad fee authorities are established.

The best aspect of the program is that the bulk of fees that are collected—stay at the site which collects them. Of the fees, 80 percent that are collected are to be used in that area. The remaining 20 percent of the fees go into an agency account to be used agency-wide for priority backlogged recreational safety and health projects.

On the budgetary side, the bill is quite lean. Most agencies are at or below their 1995 funding level. Land acquisition accounts are reduced 87 percent below the 1995 level. Funds are to be used only for emergencies, hardship situations and high priority acquisitions subject to committee reprogramming guidelines. Major construction accounts are reduced 41 percent below their 1995 level with emphasis on high priority health and safety construction. Funding for the controversial National Endowment of the Arts is reduced 39 percent, and the National Endowment for the Humanities is reduced 42 percent. The bill calls for a 3-year phase-out of Federal funding for these agencies, but new agreements made last night may reduce that to 2 years.

H.R. 1977 also proposes the elimination of a number of agencies and programs. Agencies targeted for termination include the National Biological Service, the Bureau of Mines, the Pennsylvania Avenue Development Corporation, the Department of Energy's Office of Emergency Preparedness, and the Department of Education's Office of Indian Education. The Advisory Council on Historic Preservation is also slated to be terminated.

On the positive side, H.R. 1977 provides $111.4 million for the Bureau of Land Management's Payments in Lieu of Taxes [PILT] Program. As you know, the PILT Program compensates units of government for losses to their real property tax base due to Federal lands within their boundaries. In my State of Arizona, this level of funding is welcomed by several county administrators.

In general, this bill provides a sound and fiscally conservative blueprint for the continued management of our public lands. As stewards of these lands it is incumbent upon us to ensure that they are preserved for future generations to enjoy. I commend Chairman REGULA and his staff, and I hope that through the amendment process we can produce a bill that we will all be proud of.

Mr. SKAGGS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Minnesota [Mr. VENTO].

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

Mr. VENTO. Mr. Chairman, I rise in opposition to the measure that is before us. Frankly, it warrants opposition because of the priorities, because the hand that was dealt to the appropriators under the allocation system is inadequate to meet the responsibilities that we are sworn to discharge. The money is not there. Obviously, you can shift money around and do a little for operation and maintenance in the parks, but then you are denied to buy the in-holdings of lands and the land/water conservation or in other areas. The money is not there, and this bill ought to be rejected because it does not permit us to exercise our responsibilities in a way that is effective.

We are going to see we have a $7 billion backlog in parks or a $9 billion backlog in terms of responsibilities. That is going to grow under this measure. Under anyone's evaluation, we do not put a dent in the backlog. In fact, we add to it.

The other reason that this bill has to be rejected, and there are many such examples in the bill, where it is inadequate, the elimination of essential programs like the weatherization program, the energy programs, these are working programs. They work. They are not just for a time of crisis. They are the way we avoid crisis.

The other reason is that this measure is not just an appropriations bill, this is a whole policy bill. In Congress, we separate policy and authorization from the actual appropriation. The allocation of dollars actually funding programs is essential. That is an essential decision which is supposed to be kept separate. We have always had a little overlap. But in this bill we simply circumvent the policy process completely in many significant areas. We are rewriting the Endangered Species Act. We are rewriting law after law in this legislation, rewriting those laws, in fact, in a way in which we are not able to have essential debate.

My colleagues wonder why we are spending more time on the appropriations bill on the floor. I can tell you, because when you consolidate the appropriation process, one that is highly controversial because of the nature of the cuts that are coming down this year and the strong disagreement in terms of those priorities, and with an entire wholesale rewrite of many laws that affect the management of our forests, management of our park system, fee issues, issue after issue, the Endangered Species Act, the issue with regard to mining law and whether or not we are going to have a moratorium, when you combine all of this into a single legislative bill, you have bought into a significant responsibility.

I have spent some 19 years in this body working on parks and public lands issues, as an example. I think I know a little bit about it. I do not know everything. As my colleague, Congressman Udall, used to say, there are two types of Members of Congress: ''those that don't know and those that don't know they don't know.''

Obviously, we are always guided by the fact that we are trying to learn in this process, as I am sure my colleagues would agree. But the fact that you consolidate into this measure dozens of policy changes that you do and the other aspects are obviously going to result in a significant policy path changes.

This should not be done. Maybe the chairmen of the various authorizing committees approved of this, but that does not make a majority. That does not provide us with the in-depth debate and hearings and other aspects that are supposed to take place in terms of public participation to at least a limited degree.

So this bill fails in terms of process. It fails in terms of priorities, and it should be defeated.

Mr. Chairman, as we consider H.R. 1977, the fiscal year 1996 appropriations bill, I think it is appropriate to review the mission and purpose of the Department of Interior as outlined in the U.S. Government Manual (1993/94):

> As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation.

Similar analysis and reflection would apply to the Department of Agriculture Forest Service, the sister agency which shares substantial responsibilities for conservation and preservation of our natural and cultural legacy also is addressed in this measure.

I cannot support H.R. 1977 because it doesn't provide the Interior Department or the Forest Service with the resources they need to carry out their stated mission. This is an unfortunate move away from a core conservation and preservation ethic that is basic to the definition and culture of the American people.

The policies and programs in place to carry out the mission of the Interior Department are not the work of Democrats or Republicans alone, rather they were uniquely derived from years of deliberation, of listening and responding to the core conservation and preservation values and ethics of the American people.

Significant programs—the Land Water Conservation Fund [LWCF] and Historic Preservation Fund [HPF] are cut to the point of not being able to fill the backlog or immediate need. Of the one billion of funds generated, only 6–7 percent allocated for its intended purposes.

In their zeal to shun Federal conservation efforts the majority isn't even making sensible choices in funding priorities. For example, zero funding listing and prelisting programs for endangered species and eliminating the National Biological Service demonstrate the height of hypocrisy on the part of the majority. Problems in managing our Federal resources will not go away just because we decide to quit addressing them, and not addressing them is certain to cost the American people more in the long run.

I too want to decrease the Federal deficit. But the most sensible way to do that is through improving the effectiveness and efficiency of Interior Department programs or other funding of agencies with this measure. Many of the programs seriously underfunded or targeted for elimination in this bill are working. Improving programs that work goes a lot

farther in reducing the Federal deficit than cutting funding and hoping the problem goes away.

H.R. 1977 zero-funds all prelisting activities until the ESA is reauthorized. The $4.5 million cut from the FWS budget for prelisting activities is vital to the continuation of a highly successful program designed to prevent the need to list under the Endangered Species Act. There are over 4,000 species now under consideration for possible listing. Many of these species could be conserved through simple and inexpensive programs at the Federal, State, and local land management levels.

The Fish and Wildlife Service candidate conservation program serves as an impetus to establishing conservation and stabilization activities before the species reaches critical levels. It is hypocritical for this Congress to criticize the FWS for listing species without giving that agency the opportunity to conserve species before they reach critical levels. It is hypocritical for this Congress to cry for reduced spending and greater economic efficiency while gutting a program that decreases the need for future costly emergency recovery actions.

H.R. 1977 zero-funds all listing activities for endangered and threatened species, thereby extending the current moratorium. The majority is evading the legislative process by using agency appropriations to legislate national policy. By denying FWS any ability to conserve species proactively, Congress is ensuring further decline and the need for drastic and expensive actions to save species. In addition, there are no exceptions in this budget cut for emergency listings or for listing plant species which are potential sources of medicine. Plants, animals and people cannot cling to life waiting for the legislative process to run its course.

The submersion of the National Biological Service into the National Geological Survey is another glaring illustration of fear run amok. There is legitimate room for debate over the merits of what the NBS or any other government agency does or how much funding should be provided for that work. However, the allegations leveled at the NBS, largely unfounded, are being used to justify elimination of the NBS. It is hypocritical for this Congress to call for better science and then deny funding for efforts specifically set up to conduct unbiased science.

H.R. 1977 also eliminates the Advisory Council on Historic Preservation, severely crippling the efforts of the Federal Government to achieve consensus on policy actions and short changing the key efforts which backstop local nonprofit and private preservation efforts.

Historic preservation provides a twofold benefit—preserving historic properties while helping communities achieve the economic advantages that occur as a result of historic preservation. It seems Members who take deficit reduction seriously would see the significant benefit that flow from a program that efficiently achieves a national goal while generating revenue to participating communities.

Beyond these specifics the moratoria to prevent the public land giveaways under the 1872 mining laws are not included. Elimination of the essential weatherization program, appliance development commercialization program and other energy efficiency programs. Most energy conservation programs have been severely cut. Unfortunately this measure bans AmeriCorps funding initiated under the National Service law in spite of the fact that it was self funded by the 1993 law.

The majority claims that their bill strikes a balance between the dual goals of reducing the deficit and protecting and enhancing the Nation's rich natural and cultural resources. This bill does no such thing and in the process, poorly serves the needs of the American people. It's certainly not a good measure we can and should do better.

Mr. REGULA. Mr. Chairman, I yield 2½ minutes to the gentleman from Washington [Mr. NETHERCUTT], a newcomer in terms of service but an oldcomer in terms of knowledge to the subcommittee. The gentleman brings a great perspective on Western issues, particularly as they affect the State of Washington, and the areas surrounding, on forests and some of the river problems.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for the kind remarks.

I am happy to stand before this House today in support of H.R. 1977, the fiscal year 1996 Interior Appropriations Act. I am a new member of the Subcommittee on Interior. I am a new Member of Congress. I was very pleased to work closely with the chairman, the gentleman from Ohio [Mr. REGULA], and certainly the Members of the minority party to craft this legislation in the fairest way possible.

I believe we still have further to go in reducing the size and scope of this Federal Government, but this bill represents a significant first step, I believe, in the right direction in cutting back on unnecessary waste and duplication within the Federal Government.

This bill is about a billion and a half dollars below last year's level of funding. I recognize the difficulty that the chairman had and our subcommittee and committee had in meeting the needs of the Nation with this reduction. But I certainly want to compliment him and the rest of the leadership for allowing such an open process as we go through this very important bill.

I personally had some problems supporting one aspect of the bill regarding the Bureau of Mines. I wanted to keep it open, and we decided not to in the committee. But I was encouraged to offer an amendment in both the subcommittee and the full committee by the chairman and others, and we had a full hearing. I thank the chairman for his forbearance in working with us on that amendment.

I also want to thank the committee for working with me and other Members from the West on programs that are of particular importance to our region. This bill continues funding for the operation of our national parks, our forests, our pubic lands and refuges, and it maintains our forest health programs and provides a modest increase for the timber sales program. This increase comes after a drop in sales targets by about 60 percent over the last 5 fiscal years.

This slight increase will begin to put our timber communities back to work without damaging the environment. The bill eliminates the National Biological Service, an agency that is unauthorized and is really unnecessary at this time. Critical NBS functions will be continued at the Geological Survey while private property rights will be fully preserved. This bill funds the arts and culture at a more fiscally responsible level, a level that all of us should support at this time of the fiscal responsibility that we must exercise.

I urge all Members to support this bill. It is a good bill. It is a fair bill. Let us work hard to pass it.

Mr. SKAGGS. Mr. Chairman, I yield 2½ minutes to the gentleman from New York [Mr. HINCHEY].

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

Mr. HINCHEY. Mr. Chairman, first of all let me express my profound respect and appreciation for the work of the chairman of the subcommittee. He and I share many of the same values and interests with regard to the Nation's natural and historical resources. But unfortunately, this bill does not reflect those values in the way that I think both the gentleman and I would like it to.

The gentleman has been given a very ugly package to carry here. What does this bill do? First of all, it cuts the Department of the Interior to $500 million below this current year's level, making it more difficult for the Department to protect the Nation's natural and historical resources. It eliminates the National Biological Service as a separate agency and slashes funding for that purpose by about 30 percent. It pretends that we ought not to know more about the Nation's biological resources, pretends that ignorance about these resources is a virtue.

The bill prohibits the research activities of the Department, the former National Biological Service, from using even volunteers to go out and accumulate information. It revels in this kind of ignorance and prevents people from exercising their civic duty in a voluntary sense.

It cuts the National Park Service by $230 million below the administration's request, including $70 million from park operations, making it more difficult for the people of this country to enjoy these natural resources, particularly our national parks.

But it expends money in other areas. It exceeds the House Committee on Science's authorized amounts for the Department of Energy's fossil energy research and development activities by more than $150 million. This is a giveaway to major energy corporations in the country. It provides more than $65 million for six pork barrel projects for which the Committee on Science recommended no funding. At the same time it increases funding in these areas, it slashes funding for the Department of Energy's weatherization

program by $100 million, which means there are more people who are going to be colder in the winters and we are going to be wasting more energy.

□ 1245

Mr. Chairman, Let me focus on one particular provision. The Strategic Petroleum Reserve was set aside in the advent of an incident, another incident which occurred back in the 1970's. This bill reduces the Strategic Petroleum Reserve by 7 million barrels, and it sells those 7 million barrels for now about $15 a barrel. This oil was purchased for $30 a barrel, so we are selling for $15 what we bought a few years ago for $30 a barrel. If this is any indication of the way the majority party in this House is a steward of the Nation's resources and the taxpayers' dollars, then I think it is a poor example of where we are and where we are heading. This is foolhardy to cut back on this reserve, and it is certainly wasteful of the taxpayers' money.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. GALLEGLY], a member of the Committee on Resources.

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

Mr. Chairman, I rise today as chairman of the Subcommittee on Native American and Insular Affairs to express my support for the pending efforts to amend H.R. 1977 to restore funding for either the Office of Indian Education or the education programs supported by that office.

The Office of Indian Education provides financial assistance to elementary and secondary schools, tribal schools, and related Indian education programs.

These programs are important elements in the overall effort to provide quality education for our native American children.

While I support efforts to balance the budget, cut bureaucrats and shrink the Government, H.R. 1977 goes well beyond reason. This bill not only cuts funding, it totally eliminates the office which administers the funds.

To completely abolish these programs is not prudent and asks too much of our Indian children in too short a period of time.

I know several amendments will be offered to reverse the committee's recommendations and I hope the Members of the House will give those amendments every consideration.

Mr. SKAGGS. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this is the season of sacrifice. We know that. But, why is it that we continue to pick on those least able to defend themselves—the children?

I refer, of course, to that section of this bill that would eliminate the Office of Indian Education.

First established in 1972, through the Indian Education Act, for nearly a quarter of a century the Office of Indian Education has sought to serve the unique cultural and academic needs of the original inhabitants of our land.

Without the Office of Indian Education, American Indian children and Alaska Native children would not be able to achieve the same academic standards as other children.

Most American Indian and Alaska Native children are State recognized, but are not federally recognized.

Elimination of the Office of Indian Education and the loss of funding for that purpose would mean the loss of this special Federal funding for public school districts that provide educational opportunities to the vast majority of these children.

Federal financial assistance to tribal schools, for elementary and secondary schools, and for related Indian education programs will be gone if this bill stands. Our amendment freezes funding at this fiscal year's level.

The administration had sought an increase in funding for the Office of Indian Education, however, in the spirit of deficit reduction, we believe a freeze in funding is appropriate.

But, we do not accept a freeze in progress. The primary focus of the Office of Indian Education is to encourage Indian children to achieve self-sufficiency. That is an important goal—a goal that is consistent with many of the themes embodied in the Contract With America.

As we sacrifice, let us not sacrifice the gains we have made. In addition to assistance to tribal schools and to elementary and secondary schools with significant Indian populations, the Office of Indian Education provides assistance for adult Indian education, for fellowships for those Indian students who have distinguished themselves, for special Indian education programs and for planning, pilot and demonstration projects.

For a small investment, this Office manages to do a lot for a population that deserves the help of this Nation. I urge my colleagues to raise their voices for Indian children and give your vote for the future of America. Vote for the Obey-Richardson-Clayton amendment.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. ALLARD], a member of the Committee on Resources, who was a key Member in working with the authorizers and the appropriators in a team effort to address a number of challenging issues in this bill.

Mr. ALLARD. Mr. Chairman, I rise in support of the Interior appropriations legislation. I would like to begin by first of all complimenting the gentleman from Ohio [Mr. REGULA], chairman of the House Subcommittee on the Interior of the Committee on Appropriations, for his hard work on the National Biologic Service issue. I would like to especially thank him for working closely with members of the Western Caucus, who have a very keen interest in this issue.

The Interior appropriations legislation is an important move in the right direction. The independent Biological Research Agency is eliminated. There is no longer a National Biological Survey, a National Biological Service, or a Life Science Research Service. This is a significant victory for taxpayers. Fifty-four million dollars is saved. The overhead of a separate agency is eliminated. Objective science is promoted.

The 1995 funding level for the NBS was $167 million. The Interior appropriations bill eliminates this agency and account entirely. The bill provides $113 million to the U.S. Geological Survey for resources research. The USGS already has an authorized research mission. Further, research will be confined to public land and will be conducted by trained professionals. Equally important, the legislation will provide for greater peer review throughout the research process. An option is to privatize or contract out more of the research being done by the Interior Department.

One of the most important points to make is that the Interior appropriations bill language states that when authorizing legislation is finally passed and signed by the President, it will supersede the current proposal. We all agree research must be based on sound science. Therefore, it is up to the authorizing committee to determine how to guarantee that quality science is used and to include appropriate guidelines and restrictions concerning private property and the use of volunteers in an authorization bill.

Mr. Chairman, I think this is a wise step toward balancing the budget.

Mr. SKAGGS. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. MCDERMOTT].

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

Mr. MCDERMOTT. Mr. Chairman, I rise in vehement opposition to this year's Interior appropriations bill (H.R. 1977).

By slashing the amount of money the Nation spends on protecting various species and their environment, this bill will set back many of the gains the Nation already has made in ensuring that our children and grandchildren have a healthy environment in which to live.

Make no mistake, this bill is the first step by the Republican majority to effectively gut and make useless the Endangered Species Act—an act that has successfully balanced economic development with necessary environmental concerns across the country for almost 25 years.

In fact, over the last 22 years, there have been fewer than 12 court cases concerning habitat modification while countless sustainable compromises have proven ESA's effectiveness.

I am not just talking about preserving ESA moneys so that future strip malls aren't built on wetlands or timber companies clearcut too close to salmon habitat. We need these species for the future because we know how much the vast spectrum of life has helped us in the past.

Right now, ESA protects plant life which may cure diseases such as AIDS. Fifty percent of prescription medicines sold in the United States contain at least one compound originally derived from plants, microbes, fungi, and other obscure species. These medicines play a vital role in fighting cancers, heart disease, and other infectious diseases and have produced considerable economic benefits as well.

Yet, despite the many gains made under the ESA, the Republicans are using the appropriations process as a devious back-door strategy to slightly eliminate the ESA by no longer funding its activities.

Mr. Chairman, I urge Members to vote against this bill on that basis alone.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN], a valued member of the Committee on Resources, chairman of the Subcommittee on National Parks, Forests and Lands, and a Member who contributed substantially in helping to craft this bill as we worked in a cooperative way with the authorizing committee.

Mr. HANSEN. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Ohio [Mr. REGULA], chairman of the Subcommittee on Interior of the Committee on Appropriations. I appreciate his kind words.

Mr. Chairman, I seek this colloquy to discuss the Interior appropriations subcommittee action to reduce by $5.5 million the administration's budget request for the implementation of the Ute Indian Settlement Act. As the gentleman from Ohio is aware, the Indian settlement was improved by Congress as part of Public Law 102–575, which contained the Central Utah Project Completion Act.

Title V of that act settles certain water claims of the Ute Indian Tribe of Utah relative to prior agreements with the United States, the State of Utah and the central Utah Water Conservancy District. This settlement represents more than a simple authorization for future appropriations to the Ute tribe. It represents a binding obligation by the Federal Government to compensate the Ute tribe for past promises that were never kept.

I am concerned that the members of the Ute tribe will view the subcommittee's action as breaking the Federal Government's commitment to abide by the settlement. Does the subcommittee's action to reduce funding for the settlement in any way suggest that the terms of the settlement will not be fully satisfied?

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

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

Mr. REGULA. Mr. Chairman, I would respond to the gentleman from Utah [Mr. HANSEN] by saying no. The action taken by the subcommittee to reduce funding for this settlement should not in any way be viewed as a retreat of the Federal Government to honor the terms of the agreement with the Ute Tribe of Indians. We are honor-bound to fully comply with all aspects of the Ute Indian Settlement Act.

Mr. HANSEN. Could the chairman of the subcommittee then explain why this action was taken?

Mr. REGULA. I would tell the gentleman from Utah, as he is very aware, this year the Subcommittee on the Interior of the Committee on Appropriations did not receive a section 602(b) budget allocation large enough to fully fund the administration's request for the Indian land and water claims settlements and miscellaneous payments account. The subcommittee was forced to reduce the amount appropriated for the Ute Indian Settlement Act by $5.5 million.

The bill does appropriate, however, a sizable remaining amount of approximately $20 million for the Ute settlement. We plan to make up for the reduced level funding in this fiscal year settlement funding by adding in the future year's appropriations bills the appropriate amount.

Mr. HANSEN. Mr. Chairman, if the other body is able to find additional resources under section 602(b) allocation to restore the $5.5 million and appropriates the full amount requested by the administration's budget for the Ute Indian settlement, will the subcommittee chairman defer to the other body in conference on this specific appropriation item, so that the obligation to the Ute tribe could be satisfied in this year's appropriation bill?

Mr. REGULA. Mr. Chairman, I can only assure the gentleman from Utah that I and the other members of the conference committee representing the House will carefully consider this item as we confer with the Senate, with the other body, and seek to achieve, as much as possible, full funding of the Ute Indian settlement.

Mr. HANSEN. Mr. Chairman, I appreciate the willingness of the chairman of the subcommittee to continue to try to find money for this important matter, and also for his excellent work as chairman of the subcommittee.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

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

Mr. FALEOMAVAEGA. Mr. Chairman, as the ranking member of the Subcommittee on Native American and Insular Affairs of the Committee on Resources, I rise to express great concerns about the cuts which the Interior appropriations bill makes in the funding of the Bureau of Indian Affairs.

Mr. Chairman, when viewed in the context of the massive cuts which all Federal programs are taking, the BIA cuts may not seem serious. But, when viewed in the context of the special Federal legal and moral obligations to the Indian people, these cuts only further undermine the honor and integrity of this Nation in meeting those obligations.

With that honor and integrity at stake, however, the Appropriations Committee, in its report, makes a serious error which calls into question the good faith of the United States toward all native Americans.

In particular, language on page 53 of the committee's report directs the BIA to submit a report to the committee on the gross gaming revenues of Indian tribes and the amount of Federal funding such tribes are receiving. The threat is thinly veiled.

About one third of the Indian tribes in the lower 48 States have developed tribal revenues from gaming operations. In this respect, they are not unlike nearly all of the States which have developed State lotteries as a means of generating governmental revenues.

Two small tribes, ideally situated, have for all practical purposes achieved economic self-sufficiency and complete independence from Federal funding. Only a handful of other tribes are making significant gains from their gaming operations. The overwhelming majority are deriving revenues from their operations which permit them to only partially meet critical unmet needs which the Federal Government has refused to meet over the years. But in every case, whatever the level of their gaming income, these tribes are devoting the net revenues to governmental operations and programs, as required by the Indian Gaming Regulatory Act.

Yet the committee's report levels a threat at these tribes. After years of encouraging tribes to seek self-sufficiency and after years of failing to meet this Nation's obligation to assist tribes toward that goal, the report threatens to cut off their Federal funds in proportion to governmental revenues generated by their own initiative. But we know, in Indian affairs, that no good deed goes unpunished. If this Congress is going to be consistent, Mr. Chairman, we need to require each State government to make a report to Congress on the gross income derived by that State from gaming and other commercial activities, and to take those State receipts into consideration when allocating Federal funds.

Mr. Chairman, I hope that the Secretary of the Interior, in responding to the study requirement of the committee report—should the Senate concur—will put the report into context. When reporting on the level of tribal gaming revenues and on the level of Federal funding, he must also advise the Congress of the level of unmet need of that tribe and its members. The study of the tribe's unmet need must be comprehensive, accurate, and that need must be

measured in terms of the effort necessary to put that tribe and its members into a position comparable to the average circumstances of all Americans.

Until this Nation fulfills its obligation to the Indian people to ensure them a standard of living comparable to the rest of the Nation, it is unjust to threaten the Federal funding of programs for their benefit because they have begun to exert their own efforts toward self-sufficiency.

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Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just a few things that have been brought out here. First of all, concerning eliminating funding for endangered species. I think it should be pointed out that the bill is subject to authorization, and that for those that read today's Congress Daily, one of the headlines is ''Young-Pombo Species Bill Readied.''

What I am saying is that the funds are there, they are in the refuge operations and maintenance account, but they will be available in conference, assuming we get an authorization bill on endangered species. Right now there is not any. For that reason, we have not put in money for listing and pre-listing.

Mr. Speaker, weatherization was raised as a problem. Of course we had to cut. It was talked about how people are freezing. On weatherization, to my knowledge, there is not anyone freezing in Hawaii but they are getting weatherization money.

I think it illustrates the fact that this program is just one of those that every State gets so many dollars without regard to the need. It seems to me that if you have programs, they should be predicated on the need of recipients.

Then the issue was raised of selling oil from the Strategic Petroleum Reserve and a figure was brought up here of something like $30. I would point out that the last 7 million barrels that were put in the Strategic Petroleum Reserve which this bill proposes to sell cost $17.50. That is what we are talking about.

The problem is that if we do not take care of SPRO, the 590 million barrels that are there will not be accessible. But we will get into that further discussion at the time that we have an amendment on that topic.

One last comment. A number of speakers have addressed the fact that this is below last year, that there are needs that are unmet. But I would just remind everybody that there was an election on November 8, 1994, and I think the message was loud and clear from the voters, that they want to reduce spending.

We are trying to do that. We are reducing spending. We are doing it in a responsible way. Part of our legacy to future generations will be on an economy that will be strong, that will provide them jobs, that will be free of inflation, and that will give the standard of living improvement that Chairman Alan Greenspan talked about.

Mr. Chairman, I have no further requests for time, but I reserve the balance of my time, subject to what the minority would like to do.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, there are so many bad cuts in this bill that I do not have time to talk about all of them. I am going to talk abut the ones that matter the most to me. Those are the attacks on our endangered salmon.

This bill, makes no mistake about it, is an attack on environmental protection and the Endangered Species Act. First, it slashes funding for pre-listing activities and habitat acquisition. Why is that a bad idea? Because we want to pre-list species before they reach the point where they need listing. We want to buy habitat so that we do not impact private landowners.

Second, this bill terminates all funding for listing activities. We are simply putting our heads in the sand if we think that just because we do not list a species, it is not going extinct. That is ridiculous. We have got to list these species. The reality of species decline will simply require more money and more drastic measures down the line to stop the extinction of species.

Finally, Mr. Chairman, this bill terminates 3 vital initiatives to protect fisheries habitat in the Northwest: PACFISH, INFISH and the Upper Columbia Basin Assessment. Why are those important? Because they are designed to ensure that the activities in the woods do not impact our vital fishery interests.

On the West Coast, we are trying very, very hard, we have spent millions of dollars to restore our salmon industry. In 1988, these salmon contributed about $1 billion and 60,000 jobs to our region. Since then, the salmon have declined so badly that the fishing revenue has gone down 80 percent.

For this reason, the fishery industry strongly supports the Endangered Species Act I want to quote what they say: ''There is . . . no industry more regulated under the ESA presently, nor more likely to be regulated in the future, than the commercial fishing industry. . . . we view these protections as vitally important in protecting and preserving our industry, our jobs and our way of life for the long term. . . . Without a strong ESA, there will be no salmon recovery in the northwest.''

To those who might think that gutting funding for the Endangered Species Act will help the economy, I would ask you to go to the Northwest and talk with the unemployed fishermen and fisherwomen in my district. It seems to me if we want to reduce the deficit, and we must, let's cut some Pentagon pork, not gut salmon recovery.

I urge my colleagues to oppose this bill to protect the environment and to protect our salmon jobs and salmon industry.

Ms. RIVERS. Mr. Chairman, I rise today in strong opposition to H.R. 1977, the Interior Appropriations Bill for Fiscal Year 1996. Although there are many reasons for this opposition, the greatest is the elimination of the National Biological Service [NBS]. And although the U.S. Geological Survey will now perform some of the NBS's functions, it comes with a 33 percent cut in funding.

The National Biological Service [NBS] Director, Ronald Pulliam, has stated publicly that the cut in the budget of the NBS would result in, among other things, the closure of the Great Lakes Science Center [GLSC] in my district.

The GLSC provides an invaluable service to the entire Great Lakes Region. Since 1927, the Great Lakes Research Center has been funded by the Federal Government to monitor the status and trends of the Great Lakes ecosystem. The Center's 70 employees provide cutting-edge research in the field of contaminants, wetlands, fish and wildlife habitat, global climate change, fish health, and ecosystem indicators. The Center has been one of the Nation's leaders in researching the problems caused by nonindigenous pest species, such as the zebra mussel.

The Great Lakes contain 95 percent of the fresh surface water in the United States and supply drinking water, fish and other food to millions of Americans. It is of critical importance that we continue working to maintain and improve the environment in the Great Lakes Basin. It is not so long ago that we had headlines declaring that Lake Erie was dead. The research provided by the Great Lakes Science Center has helped to revive that Lake, and this is the thanks it gets?

Mr. Chairman, upon seeing the budget document background materials that were provided as part of the Republican Contract with America, I noticed a line item that stated ''Abolish the National Biological Service,'' and today they are doing it. And with the GLSC we are losing one of the best research facilities in the Great Lakes Region. Losing the Center, which has performed research work on Great Lakes issues since 1917, will truly be a national tragedy.

Mr. McDERMOTT. Mr. Chairman, I rise in vehement opposition to this year's Interior appropriations bill (H.R. 1977).

By slashing the amount of money the nation spends on protecting various species and their environment, this bill will set back many of the gains the nation already has made in ensuring that our children and grandchildren have a healthy environment in which to live.

Make no mistake, this bill is the first step by the Republican majority to effectively gut and make useless the Endangered Species Act—an act that has successfully balanced economic development with necessary environmental concerns across the country for almost 25 years.

In fact, over the last 22 years, there have been fewer than 12 court cases concerning habitat modification while countless sustainable compromises have proven ESA's effectiveness.

I am not just talking about preserving ESA moneys so that future strip malls aren't built on wetlands or timber companies clear cut too close to salmon habitat. We need these species for the future because we know how

much the vast spectrum of life has helped us in the past.

Right now, ESA protects plant life which may cure diseases such as AIDS. Fifty percent of prescription medicines sold in the United States contain at least one compound originally derived from plants, microbes, fungi and other obscure species. These medicines play a vital role in fighting cancers, heart disease, and other infectious diseases and have produced considerable economic benefits as well.

Yet, despite the many gains made under the ESA, the Republicans are using the appropriations process as a devious back door strategy to silently eliminate the ESA by no longer funding its activities.

Just take a look at what they're doing. They are eliminating—zeroing out—the money used for prelisting and listing species. Money crucial for minimizing conflicts between economic development and specie extinction. Countless other funds for ensuring that specie habitat can be saved—including money for essential land acquisition—have been dramatically reduced as well.

Mr. Speaker, since ESA has been enacted, the country has made terrific strides in protecting the environment. Strides that have provided both economic and environmental success. Let's not make a 180 degree turn and destroy the progress we have made by allowing bills like this to become law. I urge my colleagues to oppose this effort by the Republican majority to undermine the ESA and threaten the Nation's environment. I urge you to vote ''no.''

Mr. RICHARDSON. Mr. Chairman, I strongly object to language included in the report accompanying H.R. 1977, the Interior appropriations bill for fiscal year 1996, which directs the Bureau of Indian Affairs [BIA] not to distribute self-governance tribal shares of central office and pooled overhead funding to Indian tribes despite the fact that the distribution of these tribal shares is required by law, namely the Indian Self-Determination and Education Assistance Act. Even the committee's report admits that distribution is required by law. And as the U.S. Supreme Court has stated in the Tennessee Valley Authority and Oklahoma Press Publishing Co. cases, committee reports cannot change or amend the plain intent of statutes.

But we must not also forget that Congress passed the Indian Self-Determination Act and created the self-governance program in order to enable tribes to achieve self-sufficiency, eliminate unnecessary layers of bureaucracy, and reduce governmental red tape and inefficiency by turning over the operation of Federal Indian programs to the tribes themselves. This act was passed with strong bipartisan support and represents the foundation of our policy toward Indian tribes.

The transfer of tribal shares from central office operations to the tribes is part of this effort and has successfully resulted in concrete reductions in the Federal bureaucracy that exist at the central and area office levels of the BIA. As confirmed by a recent inspector general's report, tribes receiving tribal shares further the act's goals by spending these funds on actual services rather than on administrative costs.

The language contained in the Appropriation Committee's report would resurrect the very same bureaucratic obstacles that Congress and the tribes have fought to eliminate over the past decade. If the BIA does not have to distribute central office shares, then the BIA will not have to downsize or restructure itself. The BIA has always opposed the distribution of central office shares, and the language contained in the report will only give it further opportunities to defeat the very purposes of self-governance and the Indian Self-Determination Act. It is vitally important that the policy of self-determination—and the promises we made to the tribes in the Act—be honored.

Mr. DICKS. Mr. Chairman, I rise to discuss H.R. 1977, the fiscal year 1996 appropriations bill for the Department of the Interior and Related Agencies.

I would like to thank the gentleman from Ohio, Mr. REGULA, who has done a fine job under very difficult circumstances in developing this bill in his first year of chairing the Interior Appropriations Subcommittee. I would also like to express my appreciation to the subcommittee's ranking member, Mr. YATES, who has long been a champion of many of the critical needs for the Nation that are funded through this bill.

The Interior appropriations bill had to absorb a reduction of $1.5 billion in budget authority, $750 million in outlays, and an overall cut of 10 percent to base funding. So even though I am not happy with this level of reduced funding for the Interior bill, I believe that our chairman and our subcommittee did its best under difficult circumstances to hold together support for the bill's core priorities.

This bill is important because it funds our national parks. The national park system is currently comprised of 368 areas, encompassing more than 80 million acres, in 49 States and the District of Columbia. This bill provides the operations money to protect our crown jewels in the park system, such as the Olympic National Park, Mt. Rainier, Yellowstone, and Grand Canyon, and the Everglades.

The bill supports our national wildlife refuge systems, ensures the protection of species, and encourages ecosystems management. It ensures that the U.S. Geological Survey continues its operations, and is able to investigate and issue warnings of earthquakes, volcanic eruptions, landslides, and other geologic hazards.

The bill takes away the independent status of the National Biological Service, placing it under the jurisdiction of the U.S. Geological Survey, and reduces its base funding by $49 million. Under this bill, the NBS will not be a runaway agency as some opponents have claimed. But I believe that the mission of the National Biological Service is an important one, and we should not make critical decisions on habitat use and species protection in a vacuum. We should know as much as possible, and use that knowledge to make forward-thinking decisions which benefit all concerned.

I just had a private company in my State, Murray-Pacific, produce the first multi-species habitat conservation plan [HCP] in the nation. Their experience, and the progress that others are making, demonstrates that species and humans can co-exist, and the NBS can be a positive catalyst to assist in these efforts.

This bill addresses the needs of our native American citizens, and ensures that we continue to invest in their economic well-being, health, and cultural priorities through the Bureau of Indian Affairs [BIA] and the Indian Health Service [IHS]. I would have killed to have seen the Office of Indian Education funded as well, but I understand the subcommittee's constraints, and we did manage to hold the Bureau of Indian Affairs to only a 3-percent cut, and maintained base funding for the Indian Health Service.

This bill funds the President's forest plan in the Pacific Northwest, and although greater efforts need to be made in the region to reach the timber harvest levels identified in the plan, I believe we are making progress, and the funding within this bill will keep us on a positive track.

The bill provides for the full economic assistance to hardhit timber-dependent communities in the Northwest, and also keeps us moving forward with watershed analysis and the ''Jobs in the Woods'' watershed restoration program, which is doing great things for the environment and helping dislocated timber workers in my district and the region.

The bill also ensures that we continue to make progress on the national timber sale program. We have a severely depleted national pipeline, and there are funds provided in this bill to increase efforts on advanced timber sales preparation, and prepare an additional 400 million board feet above the 4.9 billion board feet target called for in the President's fiscal year 1996 budget submission.

Finally, the bill funds our cultural institutions: the Smithsonian Institution, the Holocaust Museum, the National Endowment for the Humanities, and yes, the National Endowment for the Arts. I strongly support the Arts and Humanities agencies. They are an investment in America's culture and future. Both the NEA and NEH received 40 percent cuts in this bill and should not be reduced further.

Mrs. ROUKEMA. Mr. Chairman, I will support House passage of H.R. 1977, but I want to take this opportunity to briefly express my concern about several aspects of this very important legislation, which funds the Interior Department and various independent agencies for the coming fiscal year.

Before elaborating on my concerns with the particular details of this bill, let me reaffirm that I vigorously support a balanced Federal budget, and I continue to support efforts to slow down the rate of growth in Federal spending as a means of achieving this objective, instead of raising taxes on the hard-working American people.

I also know that Chairman REGULA, like all other Appropriations Subcommittee chairman, is trying to make the best of a very difficult situation.

H.R. 1977, as reported by the House Appropriations Committee, represents his best effort at balancing far more requests for Federal monies than his subcommittee has the ability to fund, now that the 104th Congress has begun the difficult process of balancing the Federal budget over the next 7 years.

Nevertheless, there are priorities which should be understood. Namely, that inordinate delays in taking action can frequently result in higher costs. In other words, postponement can sometimes be ''penny wise, but pound foolish.''

Such a delay would, in the case of Sterling Forest, result in enormous additional costs. That is why our New Jersey delegation is aggressively pursuing the following course of action.

In recent years, a bipartisan delegation of members from the states of New Jersey and

New York have worked diligently to pass legislation that would initially authorize, and subsequently appropriate, funds to purchase roughly 20,000 acres of undeveloped woodland straddling the New Jersey-New York border commonly know as Sterling Forest.

Protecting Sterling Forest from development is essential, because these lands provide vital watershed protection to millions of residents in the great New York City metropolitan area, including New Jersey and Connecticut.

Developing Sterling Forest, as its current owner has proposed doing, would jeopardize the water quality for hundreds of thousands, if not millions, of people who live and work in the tristate area.

Further delays in purchasing will ultimately cost our citizens much more, both in financial costs as well as public health costs.

Consequently, those of us who have been working to protect Sterling Forest were very encouraged to see the Senate pass legislation that contained authorization for $17.5 million in funding to help purchase Sterling Forest, right before the Fourth of July recess.

I, along with other concerned House Members, will be working with the leadership of the House Resources Committee to encourage the committee to promptly pass this critical authorization legislation through the House of Representatives so that it can go directly to the White House where President Clinton can sign it into law.

If we are successful in these efforts, I hope that the Senate will include funding for Sterling Forest in its version of H.R. 1977, which will be debated by the other body in September or October.

If the Senate version of the fiscal year 1996 Interior appropriations bill contains Sterling Forest funding, I look forward to working with subcommittee Chairman REGULA, and other House conferees, to ensure that the final version of H.R. 1977 contains these essential money.

In addition to having the support of Members from both New Jersey and New York, the effort to preserve and protect Sterling Forest enjoys the support of both Governor Whitman and Governor Pataki.

Clearly, this is a case of bipartisan, interstate support for doing the right thing; namely, purchasing Sterling Forest and preventing its development will help protect the water supply for millions of residents in the northern New Jersey and avoiding escalating costs to the taxpayers in the future.

Enacting this legislation is a very high priority for Governor Whitman, the State of New Jersey, and our congressional delegation. I will continue to work with Chairman REGULA to make this a reality.

In the meantime, I will support House passage of H.R. 1977 with the hope that its final version will enjoy my full and enthusiastic support.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by titles and each title shall be considered read.

The amendments printed in section 2 of House Resolution 187 are adopted.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate title I.

The text of title I is as follows:

H.R. 1977

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau $570,017,000, to remain available until expended, of which not more than $599,999 shall be available to the Needles Resources Area for the management of the East Mojave National Scenic Area, as defined by the Bureau of Land Management prior to October 1, 1994, in the California Desert District of the Bureau of Land Management, and of which $4,000,000 shall be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–6a(i)): *Provided,* That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors; and in addition, $27,650,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $570,017,000: *Provided further,* That in addition to funds otherwise available, and to remain available until expended, not to exceed $5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and $2,000,000 from communication site rental fees established by the Bureau.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire use and management, fire preparedness, emergency presuppression, suppression operations, emergency rehabilitation, and renovation or construction of fire facilities in the Department of the Interior, $235,924,000, to remain available until expended, of which not to exceed $5,025,000, shall be available for the renovation or construction of fire facilities: *Provided,* That notwithstanding any other provision of law, persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further,* That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further,* That unobligated balances of amounts previously appropriated to the Fire Protection and Emergency Department of the Interior Firefighting Fund may be transferred or merged with this appropriation.

CENTRAL HAZARDOUS MATERIALS FUND

For expenses necessary for use by the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,000,000, to remain available until expended: *Provided,* That, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to sections 107 or 113(f) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9607 or 9613(f)), shall be credited to this account and shall be available without further appropriation and shall remain available until expended: *Provided further,* That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary of the Interior and which shall be credited to this account.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $2,515,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–07), $111,409,000, of which not to exceed $400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94–579 including administrative expenses and acquisition of lands or waters, or interests therein, $8,500,000 to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $91,387,000, to remain available until expended: *Provided,* That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50

per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $9,113,000, to remain available until expended: *Provided,* That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93–153, to be immediately available until expended: *Provided,* That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further,* That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

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

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $498,035,000, to remain available for obligation until September 30, 1997, of which $11,557,000 shall be for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery resources from water development projects on the Lower Snake River: *Provided,* That unobligated and unexpended balances in the Resource Management account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 Resource Management appropriation, and shall remain available for obligation until September 30, 1997.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $26,355,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and the Act of July 27, 1990 (Public Law 101–337); $6,019,000, to remain available until expended: *Provided,* That sums provided by any party in fiscal year 1996 and thereafter are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated or otherwise disposed of by the Secretary and such sums or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $14,100,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended by Public Law 100–478, $8,085,000 for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,779,000.

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), $600,000, to remain available until expended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, $4,500,000, to remain available until expended.

LAHONTAN VALLEY AND PYRAMID LAKE FISH AND WILDLIFE FUND

For carrying out section 206(f) of Public Law 101–618, such sums as have previously been credited or may be credited hereafter to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, to be available until expended without further appropriation.

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, $200,000, to remain available until expended, to be available to carry out the provisions of the Rhinoceros and Tiger Conservation Act of 1994 (P.L. 103–391).

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $998,000, to remain available until expended, to be available for carrying out the Partnerships for Wildlife Act only to the extent such funds are matched as provided in section 7105 of said Act.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 113 passenger motor vehicles, of which 59 are for police-type use and 88 are for replacement only; not to exceed $400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided,* That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further,* That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further,* That notwithstanding any other provision of law, the

Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103–551: *Provided further,* That none of the funds made available in this Act may be used by the U.S. Fish and Wildlife Service to impede or delay the issuance of a wetlands permit by the U.S. Army Corps of Engineers to the City of Lake Jackson, Texas, for the development of a public golf course west of Buffalo Camp Bayou between the Brazos River and Highway 332: *Provided further,* That section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is amended—

(1) in subsection (a)(1)(B), by striking ''distributed'' and inserting ''used''; and

(2) in subsection (c)—

(A) by redesignating clauses (i), (ii), and (iii) of subparagraph (A) as paragraphs (1), (2), and (3), respectively;

(B) by striking ''shall be distributed as follows:'' and all that follows through ''such amount—'' and inserting ''shall be used by the Secretary—''; and

(C) by striking subparagraph (B).

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed $1,593,000 for the Volunteers-in-Parks program, and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $1,088,249,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed $72,000,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100–203, and of which not more than $1 shall be available for activies of the National Park Service at the Mojave National Preserve.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $35,725,000: *Provided,* That $248,000 of the funds provided herein are for the William O. Douglas Outdoor Education Center, subject to authorization.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), $37,934,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1997.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, $114,868,000, to remain available until expended: *Provided,* That not to exceed $6,000,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1996 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, $14,300,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $4,800,000 is provided for Federal assistance to the State of Florida pursuant to Public Law 103–219, and of which $1,500,000 is to administer the State assistance program.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 518 passenger motor vehicles, of which 323 shall be for replacement only, including not to exceed 411 for police-type use, 12 buses, and 5 ambulances: *Provided,* That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further,* That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; $686,944,000, of which $62,130,000 shall be available for cooperation with States or municipalities for water resources investigations, and of which $112,888,000 for resource research and the operations of Cooperative Research Units shall remain available until September 30, 1997: *Provided,* That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality: *Provided further,* That funds available herein for resource research may be used for the purchase of not to exceed 61 passenger motor vehicles, of which 55 are for replacement only: *Provided further,* That none of the funds available under this head for resource research shall be used to conduct new surveys on private property: *Provided further,* That none of the funds provided herein for resource research may be used to administer a volunteer program: *Provided further,* That no later than April 1, 1996, the Director of the United States Geological Survey shall issue agency guidelines for resource research that ensure that scientific and technical peer review is utilized as fully as possible in selection of projects for funding and ensure the validity and reliability of research and data collection on Federal lands: *Provided further,* That no funds available for resource research may be used for any activity that was not authorized prior to the establishment of the National Biological Survey: *Provided further,* That once every five years the National Academy of Sciences shall review and report on the resource research activities of the Survey: *Provided further,* That if specific authorizing legislation is enacted during or before the start of fiscal year 1996, the resource research component of the Survey should comply with the provisions of that legislation: *Provided further,* That unobligated and unexpended balances in the National Biological Survey, Research, inventories and surveys account at the end of fiscal year 1995, shall be merged with and made a part of the United States Geological Survey, Surveys, investigations, and research account and shall remain available for obligation until September 30, 1996.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for purchase of not to exceed 22 passenger motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the United States Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts: *Provided,* That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; $186,556,000, of which not less than $70,105,000 shall be available for royalty management activities; and an amount not to exceed $12,400,000 for the Technical Information Management System of Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: *Provided,* That beginning in fiscal year 1996 and thereafter, fees for royalty rate relief applications shall be established (and revised as needed) in Notices to Lessees, and shall be credited to this account in the program areas performing the function, and remain available until expended for the costs of administering the royalty rate relief authorized by 43 U.S.C. 1337(a)(3): *Provided further,* That $1,500,000 for computer acquisitions shall remain available until September 30, 1997: *Provided further,* That funds appropriated under this Act shall be available for the payment of interest in

accordance with 30 U.S.C. 1721 (b) and (d): *Provided further,* That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further,* That notwithstanding any other provision of law, $15,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments: *Provided further,* That beginning in fiscal year 1996 and thereafter, the Secretary shall take appropriate action to collect unpaid and underpaid royalties and late payment interest owed by Federal and Indian mineral lessees and other royalty payors on amounts received in settlement or other resolution of disputes under, and for partial or complete termination of, sales agreements for minerals from Federal and Indian leases.

OIL SPILL RESEARCH

For necessary expenses to carry out the purposes of title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,440,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for the orderly closure of the Bureau of Mines, $87,000,000.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: *Provided,* That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral products that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further,* That notwithstanding any other provision of law, the Secretary is authorized to convey, without reimbursement, title and all interest of the United States in property and facilities of the United States Bureau of Mines in Juneau, Alaska to the City and Borough of Juneau, Alaska; in Tuscaloosa, Alabama, to The University of Alabama; in Rolla, Missouri, to the University of Missouri-Rolla; and in other localities to such university or government entities as the Secretary deems appropriate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 15 passenger motor vehicles for replacement only; $92,751,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in fiscal year 1996: *Provided,* That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1996 pursuant to the assessment of civil penalties under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further,* That notwithstanding any other provision of law, appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 22 passenger motor vehicles for replacement only, $176,327,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended, of which $5,000,000 shall be used for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines through the Appalachian Clean Streams Initiative: *Provided,* That grants to minimum program States will be $1,500,000 per State in fiscal year 1996: *Provided further,* That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for Federally-administered emergency reclamation projects under this proviso shall not exceed $11,000,000: *Provided further,* That donations credited to the Abandoned Mine Reclamation Fund, pursuant to section 401(b)(3) of Public Law 95–87, are hereby appropriated and shall be available until expended to support projects under the Appalachian Clean Streams Initiative, directly, through agreements with other Federal agencies, as otherwise authorized, or through grants to States or local governments, or tax-exempt private entities: *Provided further,* That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further,* That pursuant to Public Law 97–365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, $1,508,777,000, of which not to exceed $106,126,000 shall be for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts or grants or compacts entered into with the Bureau of Indian Affairs prior to fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975, as amended, and $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act; and of which not to exceed $330,711,000 for school operations costs of Bureau-funded schools and other education programs shall become available for obligation on July 1, 1996, and shall remain available for obligation until September 30, 1997; and of which not to exceed $67,138,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Johnson O'Malley Act shall remain available for obligation until September 30, 1997; and of which not to exceed $74,814,000 shall remain available until expended for trust funds management, housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, and the Navajo-Hopi Settlement Program: *Provided,* That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements: *Provided further,* That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: *Provided further,* That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further,* That notwithstanding any other provision of law, the reconciliation report to be submitted pursuant to Public Law 103–412 shall be submitted by November 30, 1997: *Provided further,* That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: *Provided further,* That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further,* That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further,* That any net increase in costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation: *Provided further,* That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1996, may be

transferred during fiscal year 1997 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further,* That any such unobligated balances not so transferred shall expire on September 30, 1997: *Provided further,* That notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs, other than the amounts provided herein for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1996: *Provided further,* That funds made available in this or any other Act for expenditure through September 30, 1997 for schools funded by the Bureau of Indian Affairs shall be available only to the schools which are in the Bureau of Indian Affairs school system as of September 1, 1995: *Provided further,* That no funds available to the Bureau of Indian Affairs shall be used to support expanded grades for any school beyond the grade structure in place at each school in the Bureau of Indian Affairs school system as of October 1, 1995: *Provided further,* That notwithstanding the provisions of 25 U.S.C. 2011(h)(1)(B) and (c), upon the recommendation of a local school board for a Bureau of Indian Affairs operated school, the Secretary shall establish rates of basic compensation or annual salary rates for the positions of teachers and counselors (including dormitory and homeliving counselors) at the school at a level not less than that for comparable positions in public school districts in the same geographic area.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; and preparation of lands for farming, $98,033,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Southern Arizona Water Rights Settlement Act may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: *Provided further,* That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: *Provided further,* That for the fiscal year ending September 30, 1996, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further,* That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further,* That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further,* That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further,* That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $67,145,000, to remain available until expended; of which $65,100,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87–483, 97–293, 101–618, 102–374, 102–441, 102–575, and 103–116, and for implementation of other enacted water rights settlements, including not to exceed $8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103–116; and of which $1,045,000 shall be available pursuant to Public Laws 98–500, 99–264, and 100–580; and of which $1,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100–86 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Systems accounts amounts invested in credit unions or defaulted savings and loan associations and which were not Federally insured, and (3) to reimburse Indian trust fund account holders for losses to their respective accounts where the claim for said loss(es) has been reduced to a judgment or settlement agreement approved by the Department of Justice.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs shall be available for expenses of exhibits, and purchase of not to exceed 275 passenger carrying motor vehicles, of which not to exceed 215 shall be for replacement only.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $69,232,000, of which (1) $65,705,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,527,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided,* That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further,* That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99–396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands Covenant grant funding: *Provided further,* That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further,* That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further,* That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $24,938,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658: *Provided,* That notwithstanding section 112 of Public Law 101–219 (103 Stat. 1873), the Secretary of the Interior may agree to technical changes in the specifications for the project described in the subsidiary agreement negotiated under section 212(a) of the Compact of Free Association, Public Law 99–658, or its annex, if the changes do not result in increased costs to the United States.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, $55,982,000, of which not to exceed $7,500 may be for official reception and representation expenses.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $34,608,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $23,939,000.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100–497, $1,000,000.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided,* That notwithstanding any other provision of law, existing aircraft being replaced may be sold,

with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further,* That no programs funded with appropriated funds in the ''Office of the Secretary'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

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

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the ''Emergency Department of the Interior Firefighting Fund'' shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further,* That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

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

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

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

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

SEC. 107. Appropriations made in this title from the Land and Water Conservation Fund for acquisition of lands and waters, or interests therein, shall be available for transfer, with the approval of the Secretary, between the following accounts: Bureau of Land Management, Land acquisition, United States Fish and Wildlife Service, Land acquisition, and National Park Service, Land acquisition and State assistance. Use of such funds are subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

SEC. 108. Amounts appropriated in this Act for the Presidio which are not obligated as of the date on which the Presidio Trust is established by an Act of Congress shall be transferred to and available only for the Presidio Trust.

SEC. 109. Section 6003 of Public Law 101–380 is hereby repealed.

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes.

SEC. 111. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 112. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 113. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 151 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

SEC. 114. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 164 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

AMENDMENT OFFERED BY MR. KOLBE

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

The Clerk read as follows:

Amendment Offered by Mr. KOLBE: Page 19, line 15, after ''property'' insert the following: ''except when it is made known to the Federal official having authority to obligate or expend such funds that the survey or research has been requested and authorized in writing by the property owner or the owner's authorized representative''.

Mr. KOLBE. Mr. Chairman, this amendment has been cleared with the majority and the minority. It has been cleared also with the authorizing committee, so I will take less than 30 seconds to describe it.

Basically, when we transferred the functions of the NBS, National Biological Survey, to the U.S. Geological Survey, we put in language which prohibited the use of any funds to conduct surveys. USGS does do surveys, always with written authorization, so this simply restores that and clarifies it and makes it clear that if they are requested, and if it is authorized in writing by the private property owner, they can do the survey. Without this, USGS, for example, would be unable to go on the property of Phelps Dodge or Magnum or some other company to do a geological survey. We think it does clarify it, and it has been cleared.

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

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

Mr. REGULA. Mr. Chairman, as I understand it, it is cleared with the authorizers?

Mr. KOLBE. It has been, that is correct.

Mr. REGULA. Mr. Chairman, we have examined the amendment, we think it is a good one and we are in agreement. We accept the amendment.

Mr. YATES. If the gentleman will yield, we have no objection to the amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. KOLBE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REGULA

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

The Clerk read as follows:

Amendment offered by Mr. REGULA: On page 9, line 22, strike ''498,035,000'' and insert in lieu thereof: ''499,235,000'', and

On page 18, line 25 strike ''686,944,000'' and insert in lieu thereof: ''685,744,000'', and

On page 19, line 3, strike ''112,888,000'' and insert in lieu thereof: ''111,688,000''.

Mr. REGULA. Mr. Chairman, this amendment transfers $1.2 million to support the breeding bird survey that transfers from the USGS to the Fish and Wildlife Service. The Fish and Wildlife Service prior to 1993 performed this function. We want to give it back to them. I think this is a very important function.

The gentleman from Wisconsin [Mr. OBEY], the ranking member of the full committee, filed a dissent. It is on the back page of the report. I think the information and the ideas he expressed therein are very constructive. We are trying to respond to the concerns expressed by the gentleman from Wisconsin [Mr. OBEY]. I share them.

Many groups across the country participate in the survey on the breeding birds and they find this something they like to do, so we want this to continue. Therefore, we are taking some of the funding in the resource research division we have created in USGS and have transferred it to the Fish and Wildlife for that function.

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

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

Mr. YATES. Mr. Chairman, I am impressed with the chairman's argument. Why do you not do it for all the other places where you have banned the use of volunteers?

Mr. REGULA. In response to the gentleman's question, Mr. Chairman, this is the biggest item in terms of volunteer hours. It is a selected function in terms of dealing with the migratory birds. We felt that it would be very appropriate to have the volunteers do this.

Mr. YATES. I do not think there is any doubt that this is a place where you can use volunteers. But I should like to suggest to the chairman that there are other places as well. I would hope that he would give them his close attention.

Mr. REGULA. Mr. Chairman, I would point out that with the exception of the natural resource research function, within the USGS there is no restriction on the use of volunteers, and as we all know, there are hundreds of thousands of volunteers in forests, parks, BLM, Fish and Wildlife, USGS, and they are in no way restricted by this bill.

Mr. YATES. If the gentleman will yield further, I have a factsheet from the Department of the Interior. It says that during the last 4 years, 32 veterinary medicine students and 18 others have volunteered over 3 person-years to the National Wildlife Health Center in Madison, WI, to perform postmortem examinations and other highly technical activities in collaboration with the center's diagnostic staff.

Apparently even in scientific work, volunteers have done a creditable job.

Mr. REGULA. We discussed that with the gentleman from California [Mr. MILLER], and I know it is a matter of a difference of opinion.

Let me just mention one further thing. The language in the science portion of USGS as provided in this bill says that if there is an authorized bill on this subject, and I know that the authorizing committee plans to bring one out, that the language in the appropriations bill will drop out and whatever comes in the authorizing bill, they can address the volunteer issue in that bill.

Mr. YATES. I thank the gentleman.

Mr. REGULA. Mr. Chairman, the amendment transfers $1,200,000 from the U.S. Geological Survey, surveys, investigations, and research appropriation, natural resources research activity, to the U.S. Fish and Wildlife Service, resource management appropriation, migratory bird management activity to support the Patuxent bird banding lab and the breeding bird survey, the latter of which is conducted largely by volunteers and is essential in the promulgation of Federal migratory bird hunting regulations. This transfer also includes $200,000 for the related waterfowl survey work on the Yukon Delta refuges in Alaska. These activities were formerly funded in the Fish and Wildlife Service and were transferred to the National Biological Survey when it was established. The amendment does not transfer back the computer support for this program, with the expectation that the data analysis needs of the breeding bird survey be given the highest priority within the resources research activity.

□ 1315

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. MILLER of California. Mr. Chairman, on the point that the gentleman from Illinois was pursuing with you, I appreciate what the gentleman is doing in terms of the migratory birds. But, again, I do not understand why we are going to draw a barrier around one provision where he will not be able to use volunteers.

We started to talk about it this morning in the debate on the rule. But can the gentleman tell me, he says, Well, not for the science functions. He wants everybody to be a Ph.D. But I do not understand.

Mr. REGULA. Mr. Chairman, I would say to the gentleman that this is to try to address the property rights issue. As you know from service on the authorizing committee, there is a divergence of opinion.

As I know the gentleman is the senior member of the minority on the authorizing committee, he is going to be addressing this problem in that committee and I would suggest that the volunteer issue should be raised by the gentleman in developing authorizing legislation.

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

Mr. Chairman, I want to commend the author of this amendment, but I think the gentleman could get greater commendation by doing rather more.

I am curious, why is it that this amendment deals only with the breeding bird situation at Fish and Wildlife and the Interior Department as opposed to dealing more broadly with the entire program for the use of volunteers by the Fish and Wildlife Service? Can the gentleman inform me why this narrow limitation on this matter?

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

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

Mr. REGULA. In responding, to a certain extent, to the dissenting views of the ranking member of the full committee, and he addressed the breeding bird issue, the migratory breeding birds and, the fact that the great bulk of the volunteer effort is expended on doing the surveys on the migratory breeding birds. And the gentleman is a sportsman and understands that very well.

Mr. DINGELL. Mr. Chairman, I support what the gentleman is doing, but he still has not answered my question. The question really is why is the gentleman just making the use of volunteers by Fish and Wildlife Service available in the case of the migratory bird survey? Volunteers are used by Fish and Wildlife Service for running refuges, for conducting a whole series of surveys, for dealing with the salmon problem in the Pacific Northwest, for addressing different problems that exist within the Service in terms of serving as guides and interpretive people at the refuges.

Indeed, in many refuges these are the only people, the volunteers are the only people that are available to make the refuge system work. I am unaware of any abuse that has been committed by the volunteers or any abuse that exists with regard to this system. And If the gentleman can inform me what that abuse is, or why is it that we are terminating the use of the volunteers in the refuge system, and why the gentleman is limiting this addition only to volunteers with regard to the breeding surveys, he will help me enormously.

Mr. REGULA. If the gentleman will continue to yield, all the activities you described are not affected in any way.

Mr. DINGELL. As a matter of fact, I think they are, because the language of the bill, if the gentleman will permit, simply bans the use of volunteers.

Mr. REGULA. For natural resource research only in USGS. That is the only place it is affected. Fish and Wildlife is in no way affected in the use of volunteers. The Park Service is not affected. The other divisions of the USGS are not affected. And all I have done in the proposed amendment is transfer additional money to the Fish and Wildlife Service to do the functions you are talking about, and specifically the breeding bird survey.

Mr. DINGELL. It may well be that that is so, but the hard fact of the matter is that the Fish and Wildlife Service uses them for fish surveys in the Pacific Northwest, something that is extremely important. The salmon are

now approaching the status of endangered species in the entire northwestern part of the United States.

Without that particular use of volunteers for surveys on streams, and things of that kind, to count breeding populations and things of that kind and to identify reproduction, you are going to find a major threat to the salmon resource in the entire Western part of the United States.

Now, why are we not including them?

Mr. REGULA. Mr. Chairman, if the gentleman will continue to yield, the only limitation is on the natural resource function in USGS as far as volunteers.

As far as the Fish and Wildlife Service, any science that they are doing, any activities that they are doing, can be done by as many volunteers as they choose. There is no limitation.

Mr. DINGELL. Mr. Chairman, reclaiming my time, I want to make it very, very clear to my friend, and I applaud what he is doing, but I want to make it very clear to my good friend that I did not favor the idea that we would create a U.S. Biological Survey. I thought it was a step backward. I thought it created great peril. I thought it set up a target where we could do great hurt to the Fish and Wildlife Service and to the conservation efforts of this United States by setting up this kind of an entity. I opposed it on this floor and I think it is a bad idea.

But that is not the problem we confront. There are a number of scientific efforts that are conducted now by this entity. I intend to try and get rid of it at the earliest possible moment. But during the time that it is there, whether you like it or not, the hard fact is this agency has to be able to perform the scientific research that has to be done in order to get the information that is necessary for us to properly manage our Fish and Wildlife resources.

I am not talking about going out and shutting down somebody who has a controversy involving the Endangered Species Act or anything of that sort. I was just saying to find out about the wildlife resources of the United States, this kind of survey has to be done. This kind of survey, under the unfortunate existence of the Biological Survey, is done by the biological Survey. It is not only the breeding bird population survey which is at stake here.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DINGELL] has expired.

(On request of Mr. OBEY and by unanimous consent, Mr. DINGELL was allowed to proceed for 5 additional minutes.)

Mr. DINGELL. Mr. Chairman, I want to make it clear, I am trying to proceed in a friendly way. I have great respect for the gentleman, and what he is doing is good, but not good enough.

I yield to my good friend.

Mr. REGULA. Mr. Chairman, I want to reemphasize that any science done by the Fish and Wildlife Service is not affected one iota. This is only the natural resource research, and it is only after October 1.

The NBS, the National Biological Survey that you do not like, and I do not have any great affection for either, will be able to continue their programs until September 30, and by that time we hope the Fish and Wildlife Service can address their needs.

Mr. DINGELL. Mr. Chairman, reclaiming my time, but remember you have runs of spring Chinook. They will be coming in during the time in which this is forbidden. It is not Fish and Wildlife that conducts all of those research efforts. And a lot of the people that do the work are now shifted by a bookkeeping effort from Fish and Wildlife's budget over to the Biological Survey. They are doing the same work that they did when they were in the Fish and Wildlife Service, and they are doing it in concert with people in the Fish and Wildlife Service, but they are paid by the other agency.

So, whether this amendment carries or not, and it is a good amendment. I intend to support it, but I would like to support it if it were better. Whether it carries or not, still the question is going to exist as to whether or not volunteers can participate in that survey.

But I want to reiterate for the benefit not of my friend, because I know he understands what is going on. I understand the politics of this situation. He has been caught in a political situation where some know-nothing somewhere came to the conclusion that we had to do away with the use of volunteers by the Fish and Wildlife Service or the Interior Department.

I want to give my colleagues here some appreciation of the hard facts. If my colleague were to offer a similar amendment with regard to the Defense Department or the Veterans Administration and say that you could not use volunteers in a hospital run by the VA or run by the Department of Defense, people would say you are crazy.

We run the entirety of these hospitals in almost total dependence on volunteers. The volunteers there do the work. The volunteers there comfort the patients. The volunteers do actually research, and things of that kind, which is extremely important to the existence of those agencies and the services at the hospitals.

Now, a similar situation obtains with regard to the Fish and Wildlife Service and the Interior Department. I still have not heard from my dear friend why it is that we are prohibiting the use of volunteers in this. If the Biological Survey is bad, I will be happy to join the gentleman in offering legislation which will simply do away with it. I think it was extremely unwise it was ever adopted. But I do not think we ought to punish ongoing efforts which are extremely important in terms of efforts which are done using scientific methods to manage our living resources, not only in the West but in the East. Can the gentleman tell me why this thing was done in the first place?

Mr. REGULA. If the gentleman would yield, as a veteran, if I go to a veterans hospital, I do not want any of the medical procedures carried on by the volunteers. What we are trying to go on here is the science.

Mr. DINGELL. There are volunteers in the VA hospital and you are going to find out how well you are going to do there, but the gentleman still has not answered the question. And having dealt with the gentleman over the years, I know how adept and adroit my good friend is, but I want to make it clear that he has not answered the question as to what blockhead it was that did this on this particular legislation.

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

Mr. DINGELL. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me say that I share the concern of the gentleman in the well about the creation of the National Biological Service in the first place. I think it was a tactical mistake. I do not think it should have been done and I would join him in the actions that he described.

Mr. DINGELL. Absolutely.

Mr. OBEY. But I want to ask the gentleman from Ohio to reconsider what I think is really a mistake in attitude about how different functions of this Government can be carried out. You said during the debate on the rule that you would be happy to provide support for all of the volunteers that we wanted, if they were Ph.D. biologists.

I would just make this observation. At the National Institutes of Health, if we insisted that only Ph.D. scientists could review routine data and perform routine tasks in compiling observations, we would raise the cost of medical research in this country tenfold.

You do not need Ph.D. scientists to perform a lot of the functions at NIH or with respect to some of the surveys that the gentleman in the well is talking about and, with all due respect, to those who can make somewhat flippant remarks about the knowledge level of these volunteers, I suggest that their usage is perfectly appropriate in most of the instances that the gentleman in the well is talking about.

And if you want to set up a standard that you have got to have a Ph.D. every time you deal with either a medical problem or an environmental problem, you are going to raise the cost of these programs by 10 to 15 times their present cost.

Mr. DINGELL. Mr. Chairman, reclaiming my time, this is particularly true in view of the fact that the Republican Party is also talking about the need to have volunteerism. Here we have a piece of legislation which simply bans volunteerism in a very important area.

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

Mr. Chairman, I support the Gilchrest-Dingell NBS [National Biological Service] volunteers amendments. During a time when budgets are being cut and agencies are being asked to do more with less, it makes little sense to prohibit the use of properly trained volunteers working under the supervision of professionals.

Volunteers have provided a wide variety of services, from common labor to highly specialized areas of expertise. The last year for which national statistics were gathered—6,080 volunteers added at least 240 FTE's to the National Biological Service's work force. That, Mr. Speaker, was an increase to the paid staff of almost 13 percent. The Department of the Interior's 30-year-old breeding bird survey would have been impossible had they not used volunteers.

Mr. Chairman, I urge my colleague not to set up artificial roadblocks to impede the Department of the Interior from gathering information that allows us to understand the health of our living resources. Support the Gilchrest-Dingell amendments.

□ 1330

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

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

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

Mr. REGULA. Just to respond to the gentleman from Wisconsin, I would point out that there are over 200,000, probably 300,000, volunteers that serve all the agencies, and this amendment, nor does this language in the bill in any way affect them, and all I said is that if you are doing scientific work, it should be done by professionals as much as possible, and that is what we are attempting to do. If it is a high degree of science and the volunteer limitation is in the area of USGS that is devoted to natural resource research to developing ideas, then I think the researcher needs to have skills in order to make sure that is valid and quality science, and I know the gentleman from Michigan would agree with that.

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

Mr. POMBO. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, if that is so, why is this amendment necessary? This amendment is necessary to cure the mischief that is included in the appropriations bill which prohibits the use of these kinds of volunteers for this kind of work.

Mr. REGULA. If the gentleman will yield further, this amendment is necessary to enable Fish and Wildlife to have adequate funds in addition to their regular duties, to do the breeding bird survey, which the gentleman very much wants to happen.

Mr. DINGELL. I applaud what the gentleman is doing, but he still has not addressed the problem.

Mr. POMBO. Mr. Chairman, I would just like to comment that the reason that we wanted to ban volunteers in the scientific part of this bill was we feel that we need to depend upon better science than what is being used right now, and that if you have volunteers out gathering scientific data, that data can come back reflecting the agenda of the volunteers. If we are going to, as policymakers, make decisions based on science, we need to have it based on good science.

If you have a bunch of volunteers running all over the country supposedly collecting scientific data, I believe that the data can come back skewed one way or the other, which does not benefit us.

What the gentleman from Ohio [Mr. REGULA] is trying to do with this amendment is to cure one part of the bill that was overlooked when they drafted it. I believe it is a correct amendment. I support that amendment.

But I will also support the ban on volunteers in gathering scientific data that we are supposed to base our decisions on.

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

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. I hate to belabor the point, ladies and gentlemen, but the gentleman from Ohio has simply not answered the question the gentleman from Michigan [Mr. DINGELL] and others have asked, and that is: Why do you have a ban on volunteers?

And we are told that we have a ban on volunteers by the gentleman from Ohio and the gentleman from California only because we want good science. Well, if a PhD, if a Nobel Prize winner wants to volunteer, they cannot volunteer, because this says, ''No volunteers in the USGS'', so a Nobel Laureate cannot go out on the weekends and take water samples, take a little test tube, put it into the river and collect it and give it to a government scientist, because it says, ''No volunteers.'' It does not say, ''Volunteers except for Einstein.'' It says, ''No volunteers.''

So you have not answered the question.

It is not a property issue, because we just accepted the amendment offered by the gentleman from Arizona [Mr. KOLBE] that says you can go onto private property if you are, in fact, invited by the owner of that property, as we have seen with a number of timber companies that want this service provided so they can design their cuts to maximize the efficiency of their operations and environmental protection. So you are stuck here with something that does not quite smell right.

Now what else have you done? You really denigrate hundreds of thousands of people in this country. Some are bird watchers, some are reptilian fanciers, some are people who are interested in habitat, some are interested in this as a hobby, and they are very skilled people. They work in Yosemite National Park, they work in the Sequoias. They are collecting data. Yes; I say to the gentleman from Ohio [Mr. REGULA] they are interrupted because every study that Fish and Wildlife does now will have to be redesigned and refunded because it is relying on volunteer programs designed by the National Biological Survey, which has now been put into the U.S. Geological Survey. You cut that budget by $49 million. You start to see the picture? You cut the budget. We need more volunteers. You prohibit the volunteers, and the other agencies that are relying on these volunteers now will not be able to use them because they come out of USGS.

Why do you not give back the American people the right to volunteer on behalf of their Government? And why do you not give back to the Government the right to supervise those people? Because we have not had these complaints. We have not had the complaints in California where they are working in the Rosewood National Park to document changes in channel stability so we know what the farmers can do upstream in that area. They are working in Sequoia National Park, and they have over 480 hours, for a total of 1,920 hours they have given collecting data, not rocket scientists, collecting data under the direction of people there.

Over the last 15 years, 75 volunteers have contributed to the efforts of the Santa Cruz field station to help the 5 employees who are there. We see it in the National Park Service and the National Marine Fisheries, studies that are used that rely on these same people and these volunteers.

They are doing it in Maine at Acadia National Park, monitoring bald eagle reproduction which contributed to the downlisting to removing this bird from the endangered species; the Southern Science Center has over 30 volunteers. These volunteers help in laboratories and greenhouses and help with the coastal mapping activities.

These are American citizens who are out there helping their Government, helping the private sector, and what you are telling them is, ''No,'' you are telling them ''No.''

You have them in Massachusetts at Turner Falls, at the global change lab in Hadley and the Cape Cod National Seashore field station; you have the great American fish count, where every year during 2 weeks in July thousands of people go in to count the fish. So, again, we can start to map what catches will be available or not be available. You have them in Alaska, where they help out in counting the Canadian geese. It goes on and on and on.

The point is this: The point is that many of these are very talented graduate students from our finest universities, and they volunteer. Now, mind you, some only have masters degrees, a hell of a lot more educated than many Members of this Congress in a specific field, and they are volunteering. Some of them are some of the most noted people in their fields as private citizens, but they go out during certain periods of the year to help us find out more and more about species and about habitat, to help the Government make intelligent decisions, and we are going to cut these people off. We are going to cut these people off even though we have the protection that they cannot go on private land without being invited and even though they are following the direction of government employees or contractors or what have you.

We have them in the State heritage programs, very important programs to most States. They are helping the States design these programs. We cannot use them, because they are now in the USGS. Why can we not use them? Because we said that we did not want to use them because they are scientists; they are scientists in many instances. You ought to get yourself out of this situation. You ought to get yourself out of this situation. You ought to go back to what President Bush talked about, the 10,000 points of light. We have got to go with what every President of the United States has talked about, encouraging voluntarism.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 4 additional minutes.)

Mr. MILLER of California. Mr. Chairman, we have got to understand the kind of time that these people are giving the Government, and now apparently if they are not associated with the USGS, they will still be allowed to do that.They could do it for NASA, they could do it in the fields of education, they could do it at NIH, they can do it everywhere else in the Government, but we are not going to let them wade into our streams and put a beaker down and pick up some water and take it to the laboratory. We are not going to let them pick a little bit of flowers or identify a bird even though they may be the best people in the Nation identifying the bird.

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

Mr. MILLER of California. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, the gentleman, as a member of the authorizing committee, knows full well that USGS will now have four branches, including the one on natural resource research. There is no limitation in the other three divisions, geologic, water, you mentioned water, there is no restriction, and mapping.

Mr. MILLER of California. There is a restriction.

Here are all the grants; here are all the programs ongoing for 5 years, 3 years. They have to be rewritten now because you prohibit the thousands of Americans who are helping their Government because these programs are off limits. Now these programs are off limits.

You say you want the authorizing committee, fine, let us design it. You put a ban on it, so for the next fiscal year they cannot do this.

Mr. REGULA. If the gentleman will yield further, if you read the language carefully, it says in the natural resource research arm of USGS. That is just 1 out of 4.

Mr. MILLER of California. That is the people running this program.

Mr. Chairman, reclaiming my time, I appreciate what you are saying. You have taken the National Biological Survey, you have put it into the science function of USGS.

Mr. REGULA. We abolished it and created this function.

Mr. MILLER of California. In the transfer, somebody lost $50 million, and in the transfer they lost the right to all the volunteers, and in the transfer they lost the right of these thousands of citizens to participate with Fish and Wildlife or any other agency who are relying on these; yes, they were relying on the Biological Survey. The programs have now been abolished and transferred.

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

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

Mr. POMBO. When we started getting into this whole argument about what we did with NSB, the National Biological Survey, in maintaining the science function, I was told as we passed on the House floor last year, there was a ban on volunteers, that the National Biological Survey was not using volunteers in accordance with the ban that was passed on the House floor.

Mr. MILLER of California. You are getting bad information. Here is program after program in our State and other States.

Mr. POMBO. If the director of the National Biological Survey is giving me bad information, I apologize.

Mr. MILLER of California. They are in fact using the volunteers. Here it is. You still have not told me why you would ban this group of Americans from participating with the Government like hundreds of thousands of other Americans getting to participate on a voluntary basis.

The gentleman from Ohio [Mr. REGULA] says if he goes into the hospital, he does not want a volunteer doing the work.

Mr. REGULA. Specific work.

Mr. MILLER of California. When the doctor gets to taking your urine sample, who is going to carry it down the hall? Do you want to pay the surgeon's rates, or would you like to have somebody else help out the surgeon?

Mr. POMBO. If the gentleman would yield, the reason that we are banning them on science is that you are fully aware of the fact that there is very little effort on the part of private property owners in this country to participate with volunteers. We feel that the best way to collect scientific data is using professionals, and we feel it is extremely important that we use the best science possible.

Mr. MILLER of California. Reclaiming my time, the point is this: As already stated, you can have people who have their Ph.D.'s, who have a Nobel Prize, and they cannot volunteer in the science part of USGS under this bill. There are no exceptions.

Now, even though they cannot get onto the land that you are concerned about, and we are all concerned about, without the owners' invitation, and I suspect he would ask are you going to have 50 grade school children running around my land, or are you going to have some serious scientists conducting this study, then he would decide whether or not he or she would extend that invitation. You have all those built-in safeguards. Somehow we are not going to let highly qualified, talented people who happen to want to volunteer in one little piece of the Federal Government, and I still have not heard the reason why.

I think we ought to strike this provision.

AMENDMENT OFFERED BY MR. GILCHREST AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. REGULA

Mr. GILCHREST. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. GILCHREST as a substitute for the amendment offered by Mr. REGULA: Page 19, line 17, insert after ''program'' the following: ''when it is made known to the Federal official having authority to obligate or expend such funds that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified''.

Mr. GILCHREST. Mr. Chairman, I would like to say something quickly about volunteers. My own son right now is an unpaid volunteer to record information for the Museum of Natural History. I was a volunteer for the Forest Service in a wilderness cabin, designated wilderness area, because the Forest Service could not afford to put somebody in that particular cabin.

We are working with the USGS; that is a little bit different, but the concept is the same.

Mr. Chairman, this amendment is fairly straightforward. It would allow the U.S. Geological Survey to use volunteers for research, provided those volunteers are appropriately trained and supervised and that their data is verified. It reflects almost exactly the language adopted in the subcommittee.

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

Mr. GILCHREST. I yield to the gentleman from Illinois.

Mr. YATES. I accept the gentleman's amendment. I think it is a good amendment.

Mr. GILCHREST. I thank the gentleman.

I would like to make just a couple more points, if I may.

Last year we all learned many Members had concerns about the National Biological Survey. There was a perception that it was a band of environmental activists who would seek to find endangered species on private property, and I would be willing to say, in some instances, that probably happened. It was feared that volunteers had more agenda than training and that their data would be inaccurate. I believe, at best, these concerns very often are overstated.

Let me talk about what this amendment does not do.

□ 1345

It does not allow anyone to collect any resource data on private property. The explicit language of the bill prohibits research on private property. It does not allow untrained environmental activists to sign up to count species. All volunteers must have adequate training. For those who are concerned that volunteers will manufacture data, the amendment requires supervision of the volunteers and a verification of this data.

This amendment is not about property rights. Again let me emphasize that the language of the bill prohibits data collection on private property. Researchers could only collect data on public property.

This amendment is not about the Endangered Species Act. The purpose of this research is to take inventory of natural resources. If this study were to overlap the Endangered Species Act, it would most likely be because new counts of certain species would result in their being upgraded or delisted, which would help all of us. This is not an effort to find out which species are endangered; it is an effort to find out what species we have.

Day after day on the House floor we hear people talking about good science. The distinguished chairman of the Committee on Science just yesterday, the gentleman from Pennsylvania [Mr. WALKER], made an excellent speech about the value of research, and volunteers are critical for this effort. We simply do not have enough money to pay all the people necessary to collect this data. If this amendment is not adopted, then a retired professional with a degree in ornithology, or something of this nature, would not be allowed to help collect scientific data even though he was perfectly trained to do so.

Mr. Chairman, who benefits from this substitute amendment? How can someone argue that we are better off not knowing what plants or animals are out there? Does anyone believe, does anyone believe, that ignorance is our friend and knowledge is our enemy? I do not think so. People want to give us verified information for free. I cannot understand why we would not want that, and we are prohibiting the Federal Government from accepting it. In fact, we will only accept it if we are allowed to pay for it. I do not think that is being very wise.

Mr. Chairman, let me close by emphasizing that this amendment is not about property rights. We already have that. This amendment is not about endangered species; that fight is yet to come. It is simply about allowing the Government to accept free research, and I would ask my colleagues to accept this substitute amendment.

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

Mr. GILCHREST. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman's explanation has confirmed the opinion that I expressed in the first place. I think it is a very good amendment, and, as far as our side is concerned, we are willing to accept it. I would urge my chairman to accept it as well.

Mr. GILCHREST. Mr. Chairman, I would like to make one other comment about volunteers and use the State of Alaska for an example.

For 10 years over 20 Yupik Eskimo student volunteers have donated over hundreds of hours assisting the Alaska Science Center band cackling Canada geese in western Alaska. They calculated the annual and seasonal mortality of the population by resighting the neck-collared geese in Oregon and California, their wintering habitat.

Without this data collection there would be basically no hunting season. This type of data collection by volunteers who are trained, whose information is verified, will save the U.S. government millions of dollars and, I am sure, do what both sides of this issue wanted to do. That is try and get information.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. GILCHREST] has expired.

(On request of Mr. POMBO and by unanimous consent, Mr. GILCHREST was allowed to proceed for 1 additional minute.)

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

Mr. GILCHREST. I yield to the gentleman from California.

Mr. POMBO. Mr. Chairman, I say to the gentleman, ''You in your amendment say that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified. I would like to ask the maker of this amendment who will be determining whether or not the volunteers are properly trained or that the information is carefully verified.''

Mr. GILCHREST. The Federal officials will verify the research and have the funding for that particular program which ultimately is the Secretary of the Interior.

Mr. POMBO. So the gentleman's definition of this is that the Federal officials themselves would be determining that.

Mr. GILCHREST. Yes.

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

Mr. Chairman, I reluctantly rise in opposition. I am a big fan of volunteers. As we have hearings, I ask each of the agencies, ''How many volunteers do you use?'' I am a volunteer myself. I just worked on a home for Habitat last Saturday, and I am not a skilled carpenter, to say the least. But I want to point out to the gentleman from Maryland [Mr. GILCHREST] that this would in no way inhibit his son from working with the Forest Service. It in no way inhibits the volunteers in Alaska. It is a very restrictive area that we do not allow the use of volunteers.

In addition I would say to the gentleman he is a member of the Committee on Natural Resources. The language in this bill that establishes the Natural Resources section of USGS says clearly that, as soon as an authorizing committee produces legislation, that will override, and I would urge the gentleman, as the authorizing committee works on developing legislation in this field, to bring to that, the members of his committee, his ideas on volunteerism, and perhaps it can be very narrowly restricted to ensure to the owners of private property that they will not have the problems that they have suffered to some extent in the past.

In addition let me point out again that this in no way, no way whatsoever, affects volunteers in the Forest Service, the Park Service, the Bureau of Land Management, the U.S. Fish and Wildlife Service, the USGS, except for the very narrow activities in the area of natural resource research.

I think it is great. Volunteerism is very much a part of the American way, and it's just, that in this instance, we are trying to narrow the way in which this program is used.

This is not NBS. This bill will eliminate NBS. Until September 30 they would continue to use volunteers as they choose, and, hopefully before that, the gentleman's committee will have a bill and will reflect some of the gentleman's ideas on volunteerism.

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

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

Mr. GILCHRIST. Mr. Chairman, I thank the gentleman for his suggestion about correcting some of the problems so that we can make better use of volunteers, reduce the costs of collecting data to enhance the quality of data we collect, and I certainly will pursue that agenda. But I think we could correct the problem right now if we adopt the substitute amendment.

I also want to make two other quick points, if the gentleman will continue to yield. The bill says the following if there are any concerns about private property rights on page 19, starting on line 12:

*Provided further,* That none of the funds available under this head for resource research shall be used to conduct new surveys on private property.

So the key has locked the door and slammed it shut to protect private property rights.

What we are looking for, Mr. Chairman, and I understand and I appreciate the fact that National Biologic Survey has been wiped out, but sent over to the U.S. Geological Survey, which is a reputable, scientific organization, but in that area of USGS where they will be collecting data for species around this country so that we can have some sense of the health of the biological diversity of this country, the importance of biological diversity of this country, the potential value of biological diversity in this country, will be hampered and hindered unless we give that particular agency the tools to collect that data, and I think we have strapped USGS by limiting the use of trained volunteers when the information that they bring back to them will be verified.

Mr. REGULA. Reclaiming my time, two points. One is that the gentleman will have an opportunity in the authorizing committee to bring to that committee his ideas. We would hope there would be a permanent bill prior to October 1 and, therefore, this language will not go into effect.

Second, we just accepted an amendment on both sides of the aisle that says that, if it is requested and authorized in writing by the property owner, that they can under this natural resource research division in USGS go on private property lands. So it is not just restricted. I say to the gentleman, ''You see that changes the dynamics.''

Mr. GILCHREST. Mr. Chairman, will the gentleman yield.

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

Mr. GILCHREST. There have been some significant changes that I think have gone in the right direction. The Breeding Bird Survey I think takes up about half of the volunteers in this country. To allow a willing property owner to have species studied on his property, that is another move in the right direction, I think, for fiscal reasons.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland [Mr. GILCHREST].

Mr. Chairman, again with great respect and great affection for my good friend, the chairman of the subcommittee, I would like to support this amendment very strongly which is offered on behalf of the gentleman from Florida [Mr. GOSS] and by our good friend, the gentleman from Maryland [Mr. GILCHREST]. It is a good amendment.

As my colleagues know, I cannot understand what it is that the Committee on Appropriations has against using volunteers to collect scientific data and information. If that is their concern, they should say so. I have asked on a number of occasions why is the language at lines 12 through 17 in the bill? There is no answer. What abuse is this language directed at? Has there been some impropriety by Fish and Wildlife or by the Biological Survey which has been committed which would trigger this kind of response? The answer is nobody knows, but all of a sudden this language shows up, and it says:

You can't use volunteers at the Biological Survey to collect data and information which would be of value in understanding what is going on with regard to our fish and wildlife resources in this country.

Now this language is not something which is thought lightly of in the conservation community. The Audubon Society, the Trails Unlimited, National Wildlife Federation, and the International Association of Fish and Wildlife agencies all are opposed to the language, and all support the amendment because they recognize that we need to have information to manage wildlife resources. Without it we cannot do an intelligent job of managing those precious resources.

We are not talking about endangered species. We are not talking about regulatory actions. All we are talking about is the collection of information and data of scientific information and of utilizing volunteers to assist the taxpayers and the Government in carrying out the mission of this Government. Why that should cause distress, pain, suffering, and heartburn on the part of my friends on the Committee on Appropriations I do not know.

Mr. Chairman, I have inquired to find out what it is that distresses so many of my friends on the Committee on Appropriations about that situation. They cannot say.

The hard fact of the matter is that volunteers are used throughout the entirety of government and they serve well and honorably. They provide informational services. They serve as associates in the administration of public lands. They serve as volunteers at hospitals to assist the sick and the ill in government-run hospitals. They serve at the National Institutes of Health, the National Science Foundation. We have a large internship program here, and yet we say no Fish and Wildlife, Biological Survey, Interior Department can use volunteers. Why? Nobody knows, but it causes great distress to the Committee on Appropriations so they put in this language.

Now the International Association of Fish and Wildlife Agencies, all of my colleagues' home-State Fish and Wildlife administrators, their game and fish commissions in their own States, say that is a bad thing, that that language should be removed, that we should use volunteers. My dear friend from Ohio, for whom I have the most enormous respect, cannot tell us why this language is here. Obviously he is under some sort of pressure, and I respect him for having responded to it with such grace and dignity, and I must say that there is no man who could have done a better job in handling a bad hand in a poker game, but the hard fact of the matter is this language is bad, it is unwise, it is unnecessary. The chairman of the subcommittee cannot explain why it is here.

So, we ought to adopt this amendment. What we really ought to do is to strike the entirety of the language from line 12 down through line 17. Then we would have a program which would continue to make the public be able to participate in their government, to enable us to derive enormous advantage from the service of ordinary citizens to save money on behalf of the taxpayers, to gather needed information in a timely fashion so that we can protect the precious and treasured Fish and Wildlife resources in the United States.

☐ 1400

Why we are trying to deny ourselves that, I cannot explain. My good friend from Ohio, the chairman of the subcommittee, cannot explain why. I have asked him on several occasions. He suffered mightily over the question, but he cannot answer it.

So my urging to my colleagues is, join the responsible people in the conservation community. Join your own home State fish and game administrator. Support the amendment offered by the gentleman from Maryland [Mr. GILCHREST], and then let us try and lay to rest this cockamamie idea that we should not use volunteers in this country because some oddball somewhere gets the idea that we really should not.

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

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

Mr. REGULA. Mr. Chairman, there is nothing here that says we cannot use volunteers in America. It is a very narrowly constricted area. We permit hundreds of thousands of volunteers, and your friends at Fish and Wildlife can continue to volunteer. I am trying to let them do the breeding bird survey, if you let me get to the amendment.

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

Mr. Chairman, I rise in strong support of the Gilchrest amendment. I am a little bit baffled by the language this bill is amending. Why is the Committee on Appropriations so fearful of volunteers? I always thought the Republican Party was the champion of volunteerism. That is what Ronald Reagan said, volunteers were to take over what had been government responsibilities. That is what George Bush said, volunteers were 1,000 points of light.

But here we have a program that uses thousands of volunteers to help carry out what would otherwise be a very expensive government function, and we want to turn them away unceremoniously.

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

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

Mr. REGULA. This is a new program. It cannot have used thousands of volunteers, because it has not been in existence.

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, for such a reversal of our party's course, quite frankly, one must assume that these volunteers were some sort of dangerous cabal or cadre. But who are most of these volunteers? Bird watchers? Not a bunch who are thought to be a very dangerous group.

Well, I for one am willing to take the risk and let the bird watchers and the fish counters and other volunteers go about their business. I am willing to trust that they will be well-trained and well-supervised, as they have been, and as the Gilchrest amendment requires, and they will provide information to help policy makers make informed decisions.

I have said it many times on this floor and I will repeat it: The American people want us to do more with less, not to do more knowing less. I urge my colleagues to support this well-reasoned, very carefully crafted amendment, and to endorse our traditional source and encouragement for volunteers.

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

Mr. BOEHLERT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I want to make a comment about volunteers that would come under the jurisdiction of USGS as far as collecting data on species. In Maine and Maryland, recently volunteers are the ones who collected the data that was used by the National Biological Survey that would now be incorporated into the USGS to delist bald eagles. It was the important use of those volunteers that went out into the field, very well-trained, the information was verified, and in the State of Maine now and the State of Maryland, the bald eagle is now delisted from endangered to threatened. That was the value of volunteers. It could not have been done without those valuable, trained volunteers.

Mr. BOEHLERT. Mr. Chairman, volunteers all across America, in so many aspects of our daily life, do wonderful service for the American people. We here in the people's House should be encouraging them.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland [Mr. GILCHREST].

Mr. Chairman, with all due respect to myself and all of my colleagues who have participated in this debate, not only today, but its predecessor a couple of years ago when we first authorized in this House the National Biological Survey, this has to be one of the silliest debates I have ever had the privilege to be participating in.

I invite Members to concentrate on what it is we have been talking about. There have been three propositions before us in the course of the day: The first is the one that is in the bill, and it is based on the premise apparently there is something inherently pernicious about volunteers, because it prohibits them outright from the research of the U.S. Geological Survey. No volunteers. No one has yet told us what is particularly pernicious and dangerous about volunteers, but it prohibits them.

The second proposition before us is offered by the distinguished chairman, the gentleman from Ohio. The essence of the gentleman's amendment is, well, on the other hand, maybe you can have them. They are OK for the migratory bird survey, but not for anything else. But that raises the obvious question, if they are not pernicious for the migratory bird survey, why are they so dangerous for the rest of he Geological Survey?

Now, believe it or not, the third proposition before us, offered by the gentleman from Maryland [Mr. GILCHREST], is, if I may roughly translate it, volunteers are OK, as long as they are competent.

What is truly staggering is that is being opposed here on this floor passionately by Members who think this is a major issue. We must not allow competent volunteers to participate in the Geological Survey.

A citizen, in the unlikely event that one is still listening, might ask himself or herself, what are they doing? Have they lost it altogether? We are actually opposing the proposition that competent volunteers ought to be allowed to help us. For God's sake, we are proposing to extinguish the Points of Light that Republican Presidents used to talk endlessly about.

Not only that, but, shockingly, the gentleman from Ohio [Mr. REGULA] has revealed that in our very midst there are volunteers, on this floor as we speak. My God, there are volunteers. The gentleman from Ohio has pled guilty, the gentleman from Maryland has pled guilty, and I have a revelation to make. I hope Members will not be shocked, because I know there are Members here who are offended, frightened, and somehow outraged by the very thought of volunteers. We do not usually do this, but the distinguished gentlewoman staff member of this committee, Karen Stoyer, was a volunteer. I hate to tell you she is not a Ph.D. She was counting whales at a research center on Cape Cod. She concluded, and I think most Members might agree, that you do not need a Ph.D. They are very big. They are not hard to count. That is part of the work that is being done here.

I submit that the propositions before us are apparently absurd. We have more important work to do. Let us adopt the extraordinary contention of the gentleman from Maryland that competent volunteers are OK, and get along with our business.

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

Mr. Chairman, I rise to speak adamantly against the proposal, the amendment that is on the floor. First of all, I want to make it very clear that none of us oppose the use of volunteers, and I think those who have any honesty on the other side really do know that. But we are opposed to using volunteers when the work product that is produced is not adequate and is not accurate.

It has been asked several times, well, just exactly what is the problem? Well, I am here to tell you what the problem is. I am from the West, and I notice that people who have spoken in favor of this amendment are from Maine and Maryland and Massachusetts and Michigan and New York. And what they do not understand about places like Wyoming and Nevada and Utah is the ownership configuration of the land. It is a checkerboard configuration. Forty acres is about 2.2 square miles. So every other 2.2 square miles is privately owned, and then publicly owned, privately owned, and then publicly owned. So when volunteers go out, they, unknowingly, possibly, go on to private land and violate private property rights. That is a problem, because this boils down to private property rights.

Many, many times, in their zeal to protect and preserve the resource, they show little respect for private property rights. They also, again, with all the best intentions, sometimes have a subjective bias to the resource that they are counting. That is why they are there, because that is their interest. So they have a subjective bias, and most have their own environmental bias, which tends to totally disregard private property rights.

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

Mrs. CUBIN. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, there is no question that if you wanted to do surveys on promoting unionism, labor unionism, the volunteers you would get would be labor. They would not come from the management side. If you wanted to get volunteerism to promote abortion rights, you would not get volunteers from the other side of the issue.

On this issue, the volunteers have a specific agenda, as the gentlewoman has mentioned, and that is natural that you will get volunteers from that side. And when the agenda requires research, and the only research you are going to get and the numbers you are going to get are from the side that promotes the environmental side, that is wrong, and that is the whole reason that you have to do this. Even Ph.D's that have an agenda are not going to solve the problem. If you could get a

balance of those that would do the research and the counts and the numbers, that would be a different story, but that is not what is happening.

I could give you horror story after horror story on my own properties as well as property owners within my district that simply say you have got to do away with the people that impose upon your property rights.

Mrs. CUBIN. Mr. Chairman, reclaiming my time, I want to explain one more thing. My district, my State, is 98,000 square miles. As I said, much of it is owned in this checkerboard fashion. So it makes it very difficult to have volunteers go out and have control over them.

If you are going to cover 98,000 square miles with volunteers that are closely supervised, why not just have the supervisors count the flora and fauna on the public lands and leave the private land alone.

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

Mrs. CUBIN. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, we want to ensure that no one is going to go on private land. We realize, and I have lived in the West, the difficulty sometimes of knowing what is private land and what is public land. That is why we wanted these volunteers to be very well trained and supervised, so they do not violate anybody's private property.

Mrs. CUBIN. Mr. Chairman, reclaiming my time, many of these places have not been surveyed. Many of these sections have not been surveyed. So it requires a professional to know what is private land and what is public land.

Again, there are thousands and thousands and thousands of square miles that are owned in this way without markers, without corner posts, so that people will know where the land is. That is why I am saying that is is necessary that professionals do the counting in the West, and that is the reason for the chairman's amendment, and I think the chairman's amendment is good, and I hope you will defeat the amendment on the floor.

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

Mr. Chairman, I just would like to ask the chairman if he could propound a unanimous consent request regarding debate time on this amendment.

Mr. REGULA. Mr. Chairman, if the gentleman will yield, we have been thinking about getting a unanimous consent agreement. Does the gentleman's side want to limit debate to another additional 20 minutes?

Mr. YATES. We would be willing to vote as soon as the gentlewoman from Colorado is through.

Mr. REGULA. If the gentleman will yield, we have a couple more speakers.

Mr. Chairman, I ask unanimous consent that all time for debate on this amendment be limited to 2:30 p.m.

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

Mr. MILLER of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

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

Mr. Chairman, I stand as a westerner to engage myself in this debate. Mr. Chairman, there seemed to be a protest from the other side that there was nobody talking from the West. Colorado is from the West. I was born in the West, Oregon, and I have letters here from my very own district saying that they really do believe that volunteers are very essential. I have a letter here from a women in my district talking about how important these surveys are and that as an Audubon volunteer she is willing to go out and do all of this.

You just heard about private property, private property, private property. Guess what; you cannot go on private property as a volunteer without permission of the owner. So that is kind of a bogeyman that someone is throwing out there.

The other thing you hear about volunteers are biased, what do you mean? How can you be biased in favor of birds, or biased in favor of migratory birds? I do not understand what all this bias, bias means.

I assume that these are good citizens who are wanting to go out and take a look at what the wildlife is looking like, and they are trying to monitor it. There is never enough money to get that kind of information, I cannot understand what they are talking about, whether they are going to be biased or not.

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

Mrs. SCHROEDER. I yield to the gentleman from Wisconsin.

□ 1415

Mr. OBEY. Mr. Chairman, I just heard the gentleman from California somehow talk about unionization in this effort. Is the gentlewoman aware of any effort that she knows of to unionize birds?

Mrs. SCHROEDER. Mr. Chairman, I do not think the birds have a union. I have been listening to this debate thinking it is not worth getting into because it does not make any sense. My understanding is all this debate is about is an amendment to allow volunteers to be used to monitor migratory birds and then there is an amendment to the amendment saying they have to be competent volunteers. I think that is what it is about.

All of this is modified by the fact that you cannot go on private property without the owner's permission and now we are hearing that some of them might be biased or birds may be getting a union. People are wondering what is going on with us. They are going to want volunteers to be in here carrying on this debate.

I have a letter from a woman in Colorado. Her name is Pauline Ritz. She is with the Denver Audubon society. She points out that she is considered perfectly competent to volunteer in her children's schools, as many of us do.

She was considered perfectly competent to volunteer at the Denver Arsenal, when we were busy trying to make it into a wildlife refuge, even though that arsenal had some of the most polluted land in the world. People were able to figure out how to utilize volunteers very well to move that forward and create something very exciting. And she goes on to point out many other things.

So I think this is a wonderful use of resources. America is about volunteerism.

You could go all the way back to the 1700's, Europeans visiting here could never believe the passionate volunteerism that we had trying to make this country great.

Now, migratory birds and all of these issues are terribly important, I think, for future generations, and nobody wants to go out and hire Federal employees to sit around and count them, because we do not have that kind of money. We are cutting off some essential services.

If I am missing something, let me know what it is. This just seems so simple that I understand frustration of the gentleman from Illinois. Why are we debating this? What is wrong with competent volunteers being able to deal with migratory bird issues, even though we are shutting them out of everything else and with the whole private property area saying you have to have the owner. Why is this a debate? People keep accusing this side of the aisle of stalling things, but these amendments are coming from that side of the aisle. And they are just incredible amendments that I cannot figure out why we are spending this body's time.

I would hope that this body could move propitiously to endorse the amendment to the amendment and then the amendment to the bill, and I think everybody out there will scratch their head and say, my goodness, what is going on there today. There must be something in the water.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and any amendments thereto close at 2:30 and that time be equally divided.

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

Mr. MILLER of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:35 and that the time be equally divided.

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

Mr. VOLKMER. Reserving the right to object, Mr. Chairman, there are

Members here who have not had an opportunity to speak. And I would appreciate it if the gentleman would at least extend this time. I am sure there are other Members who would like to speak yet.

Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, we were all going to speak for 5 minutes, too. We said that we will not object to the limitation of time. We would all like to get through the thing and give the gentleman from California [Mr. MILLER] his time and us, too. I will not take the 5 minutes, and I was even going to yield to cut the time.

Mr. REGULA. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:40 p.m. and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The time for debate on the pending amendment and all amendments thereto shall expire at 2:40, which would be 20 minutes equally divided and controlled by the gentleman from Ohio [Mr. REGULA] and the gentleman from Illinois [Mr. YATES].

The Chair recognizes the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I thank the distinguished chairman for yielding time to me.

Mr. Chairman, the bird survey that we are talking about is put there for a specific agenda; it is to count birds. We have been asked why would we oppose the amendment of the gentleman from Maryland [Mr. GILCHREST]. Some of the Members have indicated that it is trivial, why we would oppose it. I would say, Mr. Chairman, that it is not.

Why would I say that? The previous actions of this House and of the Members and of specific agendas that have been pushed through in the past have superseded common sense. I look at the last time that this body was in the majority on the other side. They were pushing to even have these volunteers to be able to go on the land without permission, without permission of the private property owner. Now they cannot do that, so they are trying to get volunteers.

I would look at the comments of the gentleman from California [Mr. PACKARD]. If you have different agendas, you would go to those groups to have them go into those areas. And the other side of the aisle, some of the speakers, and some on our side, too, as well, believe and they will say strongly, and they have a right to their opinion, but have pushed that agenda to the extreme. And the people that are out in the field, they support that agenda. That is why those volunteers would be even further pushing that agenda. We think that that is wrong.

I look at past actions on private property rights and the inability of those same people that I discussed of yielding anything but to push right through.

The gentleman here that offers the amendment on private property rights, on the California desert bill, we had a thing in California where people were even asking to disk around their field because there is a fire season, and we were denied. We lost a whole bunch of homes because of it.

It is that reason why we question this amendment. In the future, if we can work closer together to come somewhere to the center of these things, then it would be frivolous to bring this up. But at this time we do not feel it is.

There is no definition of carefully trained. There is no definition of carefully verified. It would be those individuals with that specific agenda in mind that would be out there in the field that would also gather the data, which would be biased. And we object to that type of motivation.

So it is not just volunteers. It is the type of volunteers that would be worked in this group to push a specific agenda.

Mr. YATES. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, the supporters of banning American citizens from volunteering for the USGS are simply not being candid with the Members of this House. They say that the volunteers may be biased. Does that mean that people who they want to volunteer for the migratory bird count are not biased? Are the environmentalists who go out and count for migratory bird count, are they undercounting the birds so the shooting limit will be less? Are the gunners who go out and count for the migratory bird count, are they overcounting the birds so the limits will be higher, the seasons will be longer. You trust those people. But you do not trust the Boy Scouts who gave 1,000 hours in Wisconsin. You do not trust 32 veterinary students who volunteered the time of three full-time employees to do autopsies on animals. You do not trust them.

The gentleman from California [Mr. CUNNINGHAM] comes down here and talks about some conspiracy of bias, and he is sponsoring legislation and pushing for legislation to let us accept science from industry. Something is going on here. What is going on here is a very, very extreme agenda about taking American citizens who are interested in the environment out of the equation.

This amendment now says you must be qualified and supervised, you cannot go on to private land without the invitation of the owner. So it is not a property rights issue. It is not a competency issue. It is an extreme radical right-wing agenda about taking American citizens out of one part, one small part of the environmental movement, one small part of data gathering for the entire Federal Government.

Under the bill as written, it does not matter, as I said, if you have a Nobel laureate; you cannot gather this information. You cannot gather this information. Graduate students cannot gather this information. There is something terribly wrong here, because they are talking all around the amendment, but they will not talk to the amendment.

We look out here at the Patuxent environmental science group; 849 volunteers provide the information. They gather if for the scientists who put it to peer review. We are not going to allow them to do that under this legislation. The thousands of people that go on the Fourth of July butterfly count, the butterfly count across this Nation on the Fourth of July could not turn in their information to the USGS. The Christmas bird count, thousands and thousands of your citizens who go out every year could not turn in their information to the USGS under this amendment.

Is that really what you want to do? Do you want to single out the Boy Scouts, the Nobel laureates, the Fourth of July butterfly count, the Christmas bird count? I do not think that is what you want to do. What you really are trying to do is strangle, strangle our ability to gather information that has an impact on our ability to manage habitat, to manage species and try to help private citizens, governmental agencies, and corporate America make decisions about the use of their lands, the sustainability of their profit-making use of the land and the environmental use of that land.

And somehow this is what you have done. You have decided that you are going to take tens of thousands of Americans who are qualified, who are carrying out the best tradition of volunteerism. You do not like AmeriCorps. You do not like them if they are paid. And now you do not like them if they are volunteers. It is simply not fair to these Americans. It is simply not fair to our constituents.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

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

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise to support the amendment offered by Mr. GILCHREST that would return H.R. 1977 to its original language regarding the selection of personnel for resource research by the National Biological Survey. I believe that the language of the Appropriations Subcommittee had thoughtfully covered the concerns of all parties involved. Volunteers had to be properly

trained and supervised, and the information collected carefully verified.

I admit that to be supporting language that does anything less than gratefully thank volunteers for their indispensable assistance is certainly a first for me. We are talking here about citizens who care enough about an issue to give their time, energy, expertise, and dedicated effort for a task that is seldom easy. For example, to obtain information about the causes of the declining populations of canvasback ducks who winter in and around the Chesapeake Bay requires studies of their mortality, nutrition, activity, and habitat. How can we justify refusing the scientists the benefit of volunteer, unpaid assistants to help with this demanding work? In just makes no sense.

I would also like to state that I do not support an interruption in the listing and prelisting process under the Endangered Species Act, even though it is stated that it is only until the act is reauthorized. In addition, I believe that the funding level for the ESA is woefully short of being adequate. Again, I look to the reauthorization process and intend to share my concerns at that time. I do appreciate, however, that the Appropriations Committee has worked long and hard to balance conflicting interests and I accept the fact that several programs that I strongly support will have major changes. However, I think that this particular one, the use of trained and supervised volunteers, will have far-reaching negative and unintended consequences.

I urge this body to support the Gilchrest amendment.

□ 1430

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise today in favor of the Gilchrest amendment. Let me just state from the outset that we have seen the devolution of authority go back to the States with respect to a number of programs, one of the most critical of which is protecting our environment. To show the absurdity of the Republican effort to protect the environment, they say ''Let all thee States do it. Let us have a State by State approach.''

It really makes no sense, when you are trying to clean up the air, because you cannot draw State lines around our air quality. We cannot draw State lines around our water quality.

Now, with the amendment being proposed, they want to draw private property rights around migratory bird patterns. They want to draw property rights around fish species, like the fish only go to some person's property as opposed to someone else's. They want to say, ''Listen, if we want to put the power back into the locals' hands,'' that is what the big Republican mantra is, give it back to the locals; yet with the amendment being proposed, and hopefully we will support Gilchrest that would remedy it, they want to take the local initiative out of environmental protection.

I think this is the critical issue why we need to support the Gilchrest amendment, because we have seen the bumper stickers, ''Think globally, act locally.'' How can we expect people to take the initiative on the local level if we say to them, ''We are not going to allow you to participate in protecting your own backyard?'' In my State, people are passionate about conserving and protecting their environment. Yet, this proposal by the Republicans on the floor today would say volunteers cannot go out and try to protect their own environment.

Mr. Chairman, I hope that this House adopts the Gilchrest amendment and strikes the language that would bar volunteers from participating in protecting their own environments.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I would really like once again to reiterate some points. First of all, this is a Republican amendment, I would just like to make that point. I am a Republican. We are all working together here.

First of all, Mr. Chairman, no one wants to violate anybody's property rights at all. We do not want to do that. It is in the bill to protect property rights.

This agenda to have volunteers is not to make something out of nothing. We are not going to run around there and try to find some hidden way to keep people from using their property. This is about biological data. What is the potential use of collecting biological data? There are a lot of viruses out there that are becoming resistant to antibiotics now. There is endless potential for a variety of chemical agents, yet uncovered, to be able to avoid calamities and disasters with new diseases or present diseases.

This is about collecting biological data which will cure or help with heart problems, with cancer problems, with hypertension, with new viruses, with pain killers, with natural insecticides, with this plague that we call AIDS. This is biological data. We do not have enough money to pay for all of this information. We need well-trained, well-verified, good volunteers. I urge my colleagues to vote for the substitute amendment.

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

Mr. GILCHREST. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, in light of the fact that pro-choice and pro-life was brought up, perhaps we can assure our colleagues that we will see to it that the volunteers are equally divided between pro-choice and pro-life, understanding, of course, it is choice for the birds.

Mr. GILCHREST. That is a very good recommendation, and it is whether or not to eat the chicken eggs, or to hatch the chicken eggs, I guess. The question is collecting biological data, the health of the country, using well-trained volunteers. I urge my colleagues to support the Gilchrest amendment.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

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

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

Mr. VOLKMER. I yield to the gentleman from California.

Mr. FARR. Mr. Chairman, I would like to point out that this amendment is a compromise amendment. I cannot imagine why anybody would vote against it. It is not what a lot of people have indicated, an open door to volunteers being able to be utilized.

What the bill says, and I think that the author of the bill recognized it as a Republican amendment, but the bad side is also a Republican bill. That is that the bill says that none of the funds provided for resources research may be used to administer a volunteer program; and what the language says, ''unless that volunteer is properly trained and the information is carefully verified.'' So this is a half a loaf, it is a good amendment. I urge everybody on both sides of the aisle to support it.

Mr. VOLKMER. Mr. Chairman, the gentleman is alluding to the amendment of the gentleman from Maryland, and it is a Republican amendment. I hope everybody will support it.

Mr. Chairman, I have been here 18½ years. This is the weirdest debate that I have ever participated in. For an hour and a half, for an hour and a half, we have been talking about whether we can use volunteers or not. How much money are we saving, here? We are not saving a whole bunch of money, we are not spending a whole bunch of money, we are just asking the right, the gentleman from Maryland [Mr. GILCHREST] is, the right of people, taxpayers, the people that Members are supposed to be so proud of, and these are people that are out there working day and night, and they are taking their time off to go out and get information, information.

Are Members scared of information? That is what it sounds to me like, that the radical right is scared to death that they might find something out that they do not want to know about, so we put it away, do not find out about it. It is only volunteers. What my former President, my President, your President, Reagan pushed so hard for was voluntarism. Now we are saying no to voluntarism.

There might be something under that rock that we do not want to know about, or something in that water, ''Oh, oh, we do not want to know about it''; or something in the sky, what is it? No, it is not Superman. It might be a bird. We do not know, we do not want to know. Weird, weird. Oh, boy, scaredy folks. Be scared, the bogeyman might get you. The bogeyman might get you

right-wingers, watch out. These volunteers are bad, bad people. Watch out, folks. Be careful. Be careful. Step lightly.

The amendment of the gentleman from Maryland [Mr. GILCHREST] may pass and we may have somebody out there that finds something out that we really do not like. However, I think we can live with it. I think the country will survive. I do believe that we should, and I agree with Reagan, we should use volunteers. I do not see anything wrong with it.

I hope that this House has the sense enough to let volunteers do the work that Government agencies and Government money will not be spent for. I support the amendment offered by the gentleman from Maryland [Mr. GILCHREST] wholeheartedly.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I started out here to allow money in Fish and Wildlife to use the volunteers to count the birds, migratory birds, breeding birds. Of course, this was something the gentleman from Wisconsin [Mr. OBEY] is interested in, and all of us are interested in. I have been involved in that, too. We use Boy Scouts, we use 4–H Club members, we use all kinds of people. I do not want to lose sight of the original objective of what I was trying to achieve here.

Mr. Chairman, I will say, in fairness to the westerners, and I have recently spent 2 days in California in the mountains, and there is absolutely no indication, no boundary markers, nothing. If you look at a map, it is a section of private land, a section of public land, a section of private land, and it is a checkerboard, because, of course, that is the way it was laid out when the land was originally given to the railroads, so people who would be out there trying to do any kind of a count, whether it is a fauna or flowers or birds or whatever, would not really know whether they were on public lands or private lands. That was the concern that is expressed.

One last thing, Mr. Chairman. It illustrates the problem, and I hope the gentleman, Mr. GILCHREST, and the gentleman, Mr. MILLER, both of whom are members of the authorizing committee, will resolve this problem in their committee and bring us a piece of legislation. When that happens, all of this drops out. This illustrates the importance of the authorizers dealing with this. This is temporary legislation to deal with an immediate concern.

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

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

Mr. OBEY. Mr. Chairman, I very much appreciate the fact that the gentleman with his amendment tried to respond to concerns that I raised in the minority views in the report. It is a constructive effort. However, I would also say that I think that we obviously would prefer to make it even more constructive by adding the amendment offered by the gentleman from Maryland [Mr. GILCHREST] to that amendment.

Mr. REGULA. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] has 1 minute remaining.

Mr. YATES. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. GILCHREST] as a substitute for the amendment offered by the gentleman from Ohio [Mr. REGULA].

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

RECORDED VOTE

Mr. POMBO. Mr. Chairman, I deemed a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2 of rule XXIII, the Chair will reduce to 5 minutes the time for a recorded vote, if ordered, on the Regula amendment without intervening business on debate.

The vote was taken by electronic device, and there were—ayes 256, noes 168, not voting 10, as follows:

[Roll No. 500]

AYES—256

Abercrombie
Ackerman
Andrews
Bachus
Baesler
Baldacci
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Cunningham
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Ehlers
Ehrlich
Engel
English
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefley
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Houghton
Hoyer
Inglis
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
Kolbe
LaFalce
LaHood
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Weller
White
Whitfield
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—168

Allard
Archer
Armey
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bliley
Boehner
Bonilla
Brewster
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Danner
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Emerson
Ensign
Everett
Foley
Fowler
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Goodling
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilleary
Hoke
Hostettler
Hunter
Hutchinson
Hyde
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Knollenberg
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Quillen
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Roth
Royce
Salmon
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Traficant
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (FL)
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—10

Bono
Collins (MI)
Fields (TX)
Ford
Green
Hefner
Moakley
Reynolds
Tauzin
Towns

□ 1501

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Bono against.

Mr. MOORHEAD changed his vote from ''aye'' to ''no.''

Mr. MILLER of Florida and Mr. MINGE changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. DAVIS). The question is on the amendment offered by the gentleman from Ohio [Mr. REGULA], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. REGULA

Mr. REGULA. Mr. Chairman, I offer an amendment marked No. 2.

The Clerk read as follows:

Amendment offered by Mr. REGULA: On page 15, line 3, strike all beginning with ''*: Provided further,*'' down to and including ''subparagraph (B)'' on page 15, line 16.

Mr. REGULA. Mr. Chairman, my colleagues, this is a bipartisan amendment. It strikes the language in the Fish and Wildlife Service administrative provisions which amends the Emergency Wetlands Act of 1986 to allow the Fish and Wildlife Service to retain the refuge entrance fee collections.

Under the current law, 70 percent of these fee collections are distributed through the Migratory Bird Conservation Act to be used for land acquisitions approved by the Migratory Bird Conservation Commission. And I might add that my amendment that was just approved, as amended by the gentleman from Maryland [Mr. GILCHREST], provides funds to do the bird count.

We looked at the language. In effect what this does is allow the refuge entrance fee collections to be used to buy additional wetlands which, of course, provide habitat for migratory birds. It is supported by a wide range of groups who are interested in the preservation of wildlife, as well as the various sportsmen groups.

I think it is a good amendment. We have worked it out with the authorizers and I know that we have had support on both sides.

The amendment strikes language in the Fish and Wildlife Service administrative provisions which amends the Emergency Wetlands Act of 1986 to allow the Fish and Wildlife Service to retain all of the refuge entrance fees. Under current law, 70 percent of these fee collections are distributed to the migratory bird conservation account to be used for land acquisitions approved by the Migratory Bird Conservation Commission. Currently the Commission receives approximately $21 million from duck stamp receipts, $18 million from import duties, and $1.7 million from refuge entrance fees, which are all available for land acquisition through a permanent appropriation.

The committee had proposed language to allow the Fish and Wildlife Service to retain the $1.7 million which goes to the migratory bird conservation account since the current amount which the Fish and Wildlife Service retains does not cover the costs involved to collect the fees, and serves as a disincentive to increase future collections. The committee also noted the 5-year moratorium on land acquisition that was included in the budget resolution, and reduced funding in the bill for land acquisition by 78 percent or $184 million. The $41 million permanent appropriation out of the migratory bird conservation account for land acquisition would have been reduced by 4 percent or $1.7 million. However, in deference to the authorizing committee which raised an objection to this language in the Rules Committee, the amendment is being offered to strike the language.

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

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

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I applaud the leadership of the gentleman from Ohio [Mr. REGULA] and the leadership of the other side and the chairman of the authorizing committee [Mr. YOUNG of Alaska], for their work on behalf of resolving this issue which is extremely important to all of us in this country, especially the gentleman from Michigan [Mr. DINGELL] and I, who serve as representatives of this body on the Migratory Bird Commission.

This will allow us to continue to voluntarily set aside land to be used for our refuge system and for the migratory bird flyways of this country and throughout North America. In fact, if this amendment had not been ruled in order and accepted by the chairman, we could have seen 3,500 to 5,000 less acres set aside voluntarily in the next fiscal year.

I might add for my colleagues on both sides, this is a total voluntary program; no condemnation, no taking. This is done through voluntary purchases and setting aside of land to be used for the flyways of our migratory birds. Since the existence of this program, over 4 million acres of land have been set aside for this purpose.

It is supported by groups as diverse as the NRA to Ducks Unlimited to the Nature Conservancy. I applaud the leaders on both sides for this amendment, for accepting it, the gentleman from Illinois [Mr. YATES] and the gentleman from Alaska [Mr. YOUNG] and certainly the gentleman from Ohio [Mr. REGULA].

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

Mr. Chairman, I personally believe the original idea that the gentleman from Ohio [Mr. REGULA] had was much better than his amendment. It was a good idea. I think the Fish and Wildlife Service spends more money collecting fees than they now get in return.

But I am not going to oppose the amendment. I just want the Record to show that I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. REGULA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 23, line 19, strike ''$87,000,000'' and insert ''$70,220,000''.

Page 55, line 5, strike ''$384,504,000'' and insert ''$347,724,000''.

Page 55, line 22, strike ''$151,028,000'' and insert ''$124,247,000''.

Page 66, strike lines 11 through 15 and insert the following:

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title VI of the Elementary and Secondary Education Act of 1965, $81,341,000.

Mr. OBEY. Mr. Chairman, there are a lot of us on this side of the aisle who feel that many of the reductions that are being made in this bill to crucial environment programs, to crucial natural resources programs, are being made for the purpose of transferring these resources to the Ways and Means Committee to, in effect, finance a tax cut for lots of people making $200,000 a year or more. We do not happen to think that is the best use of money.

There is another program which is being savaged in this bill which is the Indian Education Act. This bill eliminates funding for Indian education. My amendment would simply restore funding for that program.

We would restore $80 million for the amendment and we would take it from sources that we think are much less damaged. For instance, we take it from the fossil fuels account, which is already very much over the authorized amount. It is $163 million over the amount provided in the authorized committee. So we think that $36 million reduction does no harm there and it takes it from other sources which we think do very much less harm.

Mr. Chairman, let me explain what it is we are doing. I had always thought that there was general recognition that the education of Indian children was significantly a Federal responsibility, because of the Federal trust status that many of our tribes have.

Now, the money in question, which I am trying to restore, will not go to tribes. The money that I am trying to restore will go to local school districts, will go to local public school districts. It will not go to tribal schools. And this money, if it is not provided, will, in fact, be lacking in those local school budgets and those local school districts will have to raise their own education budgets and their own property taxes to support education to the tune of about $80 million. I do not think they ought to have to do that.

Now, there would be arguments made that this program is duplicative. People will say, for instance, that after all, you have a lot of programs within the BIA to educate Indian children. But the fact is that BIA programs only educate 8 percent of Indian children. This program deals with the rest.

So you cannot fix this problem by relying on the BIA, because the BIA does not provide funding for this purpose.

□ 1515

People will say that impact aid will take up the slack, but, in fact, again, I would point out that impact aid payments flow only to about 700 school districts located on or near Federal reservations. The program does not serve members of State-recognized tribes or off-reservation Indians, and that would leave a substantial gap.

Now, we will also be told, well, title I funds can take care of this problem. The fact is, however, that title I stresses basic academic instruction, while Indian education programs focus heavily on students' culturally related academic needs, and there is a big, big difference.

So I want to make quite clear, and I do not think this is an especially complicated proposition, this is not a proposal which is going to make life easier for Indian tribes. This is not adding money into tribal budgets. This is simply protecting local school districts who have a right to expect that the Federal Government will live up to their responsibilities in educating Indian children.

Now, I must say I think that there is a broader issue involved here than just Indian education. I think that the Federal Government for a long time has been becoming Mr. Bugout When it comes to meeting its responsibilities for educating lots of people.

If this amendment does not pass, not only are we asking local school districts to pick up an obligation which belongs on Federal shoulders, but we are also in many other ways abandoning local school districts. Example: Immigrants who come into this country or refugees who come into this country.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. Obey] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, now, I have no objection to an open and fair immigration policy, but I do have an objection when those refugees come into this country, are then dropped on the local doorstep and the Federal Government forgets its obligation to then help train and educate those children. Those local school districts should not have to carry that burden alone.

All this amendment does with respect to Indian children is to recognize that the Federal Government should not be transferring large financial burdens back to local school districts to carry out what essentially is a Federal responsibility.

And I would urge support for the amendment.

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

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. VENTO. I want to commend the gentleman in the well for his work, for his statement and for his support. I think he points out here many of the poorest of the poor, and, you know, frankly, investing in people, and I think that obviously the native American plight in terms of education, in terms of development and skills and so forth has been something which I think is a growing awareness of the shortfall and the uneven nature of what has occurred.

What the gentleman seeks to do is simply to restore the funding, basically a million dollars below this level of funding, simply to restore that by taking the money out of energy programs.

Mr. Chairman, I think we can afford to go without that. I do not think we can afford to go without the investment in these kids that need this help in these areas. I might point out, many have pointed out the profits in terms of gaming and other factors, but in reservation after reservation and area after area, there are many that receive no benefits from that. These programs are absolutely essential for the type of qualitative education programs desperately needed in these areas where we have the greatest degree of poverty in this Nation, in the Indian communities of this Nation, Mr. Chairman.

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

Mr. Chairman and members of the committee, I understand the objective of the sponsor of this amendment. As a matter of fact, we will have an amendment shortly from the gentleman from Oklahoma [Mr. COBURN] to accomplish the education part of it. But in the amendment offered by the gentleman from Oklahoma [Mr. COBURN], we will take the money out of the administrative functions in the Forest Service, the administrators, and I think that to get the necessary funds that the amendment by the gentleman from Oklahoma [Mr. COBURN] takes it from an area that is less important to the people of this Nation than are the things that are being deleted by the Obey amendment.

I would point out that under the amendment by the gentleman from Wisconsin [Mr. OBEY], he would cut coal research, which we have already reduced 14 percent. He would cut oil technology, which is already reduced by 17 percent. He would cut natural gas research, which is reduced by 1 percent. And I might point out the budget that this body adopted proposed very large increases on natural gas research. He goes into fuel cell research.

The problem we have here is that what we have tried to do in the energy portions of this bill is maintain basic research because we are a very energy-driven Nation. Jobs are a way of life because of transportation, because of distances in this country, because automobiles are very much a part of our culture. It puts great demands on our energy resources. We use a lot of electricity, which puts demand on coal, and we have to do a lot of research to ensure that we can get clean-burning coal and use this vast store of coal that we have for the decades to come.

I am really concerned about taking any additional money out of fossil energy research programs, since we have already cut them nearly $40 million in order to meet our budget targets, and I think as we try to have energy security, as we try to maintain a degree of energy independence, as we just fought a war, lost American lives and at great expense, to protect our sources of fuel in the Middle East, that we need to keep these programs going that develop research potential for oil, natural gas, fuel cells, coal research.

If any of you have seen the *Apollo 13* movie or the story of *Apollo 13*, they were using fuel cells, and they lost a fuel cell, which almost resulted in a disaster. Fuel cell research is very important to the future, not only in space but on Earth.

So, while I sympathize with the gentleman's desire to put money back in Indian education, I think the proposal of the gentleman from Oklahoma [Mr. COBURN] to take the money from the Forest Service administrative function would be a better way to do it. For that reason, I would have to oppose this amendment and will support Mr. COBURN's amendment.

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

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

Mr. OBEY. I thank the gentleman for yielding.

I would simply point out that I happen to support these fossil energy programs, but I would simply take note of the fact that the number in this bill is some $163 million over the authorization number, and I am sure that many of the good conservatives on that side of the aisle do not want to see us violate authorization ceilings. So I think we are being very responsible in taking only $36 million out.

Mr. REGULA. Reclaiming my time, as I said at the outset of the debate, we have some very important policy decisions. We both agree, both sides, we need to put the money back in Indian education. The position of our side is that the money ought to come out of the Forest Service administrative account and not out of energy research. And obviously the gentleman from Wisconsin would prefer it out of energy research and the areas I mentioned.

I think if we vote, the vote will be essentially, if you vote down the Obey amendment and then you will vote for the Coburn amendment, you would indicate with that vote that you prefer to get the money for the Indian education program from administrative

services in the Forest Service, administrators, rather than take it out of energy research.

So, for my colleagues that are listening to this debate, I just wanted to try to get the choices out here clearly.

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

Do I understand the gentleman from Ohio to be in favor of restoring the money for Indian education, and the only question is where the money is to come from for the offset?

Mr. REGULA. If the gentleman will yield, that is correct.

Mr. YATES. You do favor the restoration of the money for Indian education?

Mr. REGULA. I think that we have been persuaded by circumstances, if the gentleman will yield, that we need to put some additional funding in Indian education.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. I happen to think the gentleman from Ohio and yourself have made an agreement here that we want to restore the moneys for Indian education. Is that correct?

Mr. REGULA. That is correct.

Mr. YOUNG of Alaska. There are other ways to restore this money other than taking it from the fossil fuel research. I will have amendments later on down the line that would save in the realm of $108 million that is unnecessary to spend at this time for the purchase of new vehicles and aircraft for agencies that have no reason to purchase them other than to have their own private fleet.

What I am suggesting is that there is plenty of room in this bill to transfer moneys into. I think the gentleman from Michigan will agree, and yourself and the gentleman from Ohio, this is a much higher priority than to purchase hardware for those that want their own little playground to play on with their own little play toys. So I am glad you have reached this agreement.

But I do not support the gentleman from Wisconsin taking it out of the fossil fuel research. I think in the meantime, before we get to title II, we can work out an amendment that can get the moneys to the American Indian education fund.

Mr. YATES. Does the gentleman propose to offer a substitute to the amendment offered by the gentleman from Wisconsin?

Mr. YOUNG of Alaska. Not at this time. I am going to be addressing it probably in title II concerning aircraft, concerning vehicles, and we can direct it at that time, I believe, maybe I am wrong, to the area which the gentleman from Michigan and yourself are seeking.

Mr. YATES. I just want to say, Mr. Chairman, I rise in support of the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

I do not know about all of the offsets that have been discussed here in place of those suggested by the gentleman from Wisconsin [Mr. OBEY], but I do know that the Indian children need the funds that have been taken away from the Office of Indian Education. It would have been easier, of course, if the bill had not taken $81 million away from the education of Indian children in the first place. This should be corrected.

I want to commend the gentleman from Wisconsin for correcting it. We have done enough to the Indian people in the course of the history of this country. We have a national trusteeship to make sure that this kind of treatment of the Indian people is not continued, and certainly when it is proposed to cut funds for education of the Indian children, we are abusing our responsibility.

Mr. REGULA. if the gentleman will yield, I want to say, the gentleman from Illinois, as chairman of this committee for many, many years was always very sensitive to Indian education and health.

Mr. YATES. That is correct.

Mr. REGULA. We have tried to maintain that tradition, given the constraints that we faced, and Indian education is one of the few programs that did not receive much in the way of reductions even though we had an overall 10 percent, and we agree with what you are saying, and that is why it is not a question here of the money. It is where we get it.

The gentleman from Wisconsin would take it out of the energy program research. The gentleman from Oklahoma [Mr. COBURN] would take it out of administrative programs and forestry. And it seems to me, at least, that it would be from the standpoint of national policy, I prefer to keep the energy research and reduce the forest administrative.

But I think we are in agreement on the objective.

Mr. YATES. I thank the gentleman.

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

Mr. Chairman, I rise in support of the Obey amendment. I suggest from time to time that we go down to the National Archives, just down the street, and read the treaties that we have signed with Germany and England, China, France, and the Indian tribes of this Nation. Those treaties are available for reading, and in almost every instance, when one reads the treaties with the Indian nations, we find the taking away of, very often, millions of acres of land, and almost in every instance the promise of one thing: Education.

□ 1530

And that is a treaty obligation and, I believe, a moral obligation, and that is why in the 19 years I have been here in Congress I have tried to move toward fulfillment on our part of the treaty obligations.

In the State of Michigan they took away everything in Michigan and promised education, and I have served on the former Education and Labor Committee for years, and I focused on Indian education. We have done a little better, but we have not done fully. We do have a moral and, I believe, a treaty obligation to the Indians in the area of education.

Now I have a question, if I may address it to the gentleman. In the Obey amendment we restore about $81 million for Indian education. How much money is restored in the Coburn amendment?

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

Mr. KILDEE. I yield to the gentleman from Oklahoma.

Mr. COBURN. In our amendment we restored the $52.5 million that goes for actual education, we eliminate the bureaucracy associated with the Indian education department, but maintain the funds to the school districts where the actual Indian education takes place, and, if I may continue in answer to that, in supporting my amendment in lieu of the amendment that we are now considering of Mr. OBEY's what my colleague will find is that we will be taking that from a source that is more readily available to us with less disconcerting changes for everyone, and so we were more likely to restore the funds for Indian education.

Mr. KILDEE. Well, first of all there is not $30 million of bureaucracy. There is at least $10 million for adult education here, which the gentleman does not restore, and adult education is a very, very significant part of the Indian education money and bureaucracy.

What is a bureaucracy my colleagues? My two sons are lieutenants in the Army. They are part of the administration of the Army. I guess we could call that bureaucracy and reduce the bureaucracy of the Pentagon. When it comes to Indians, we call it bureaucracy. When it is the military, it is part of the important administration which my two sons serve in. So it is very easy to give a bad name, and call it bureaucracy, but of the $30 million, over $10 million, almost $11 million, is for adult education. It is extremely important.

So I think the main issue here is not so much where we take the money for restoration, but how much money is restored. I say to my colleagues, ''You still are $30 million short in your restoration, and a good chunk of that $30 million is for adult education.''

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

Mr. KILDEE. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, my review of the Office of Indian Education would indicate that at all of its levels, at the very maximum eliminating totally its bureaucracy might save, just might save, $3 million. So the gentleman is correct to question the 30, and I say to the gentleman:

''Bureaucracy, by the way, is the administration of the program, so you

get rid entirely of the bureaucracy, and there is nobody there to run the programs, although I do want to make this point: The office that is proposed by the committee to be closed here, and I know they are coming around on this, this is the office where the money follows the study. The BIA education money, as the gentleman from Michigan so well knows, that money follows the Indian schools. This money follows the Indian students. So for those Indian students who go to school in a town just off the reservation, you eliminate this money, you eliminate that school district's opportunity to help, specially help, those Indian children.''

Mr. KILDEE. We have some public schools, I might add, that have about 38 percent Indian students, and they depend a great deal upon these dollars. They do not have excess funds. They are not all on reservations. So we are really not only taking away from the Indian students, but taking dollars away from those schools that are educating Indian students.

So I think the point here is the restoration is not total in the Coburn amendment. It is more fulsome in the Obey amendment.

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

Mr. Chairman, I would just like to make the point in closing on the discussion on this amendment that first of all the real issue is Indian children and their education. That is what we are talking about. That is what we are talking about restoring.

There is, in fact, $10 million spent on administration associated with this program. There are no ands, ifs, or buts about that, so therefore the choice is not $52 million or $80 million. The choice is $52 million or no money, and what I want, and I come from the third most populous native American district in this Congress, I want the people in my district to receive the funds for the children who are going to need this money.

Mr. Chairman, I very well understand how important this money is, but I also understand what our priorities are, and this debate is about priorities, and it is about lessening the cost of government and still delivering the product of government, and I would urge that we would defeat the Obey amendment so that we can consider my amendment.

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

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

Mr. RICHARDSON. Mr. Chairman, I ask for support for the Obey-Richardson-Clayton amendment, and let me say that what is right now on the floor is the Obey amendment. I have heard this Coburn amendment. Nothing has been offered, and I am not sure it is in order. Let me just say what we are doing with the decimation of the Office of Indian Education:

We are affecting 32 States. Any Member here that has a native American in their district is affected.

Now I am the former chairman of the Native American Subcommittee. The gentleman from American Samoa [Mr. FALEOMAVAEGA] is now the ranking member. He dealt with this issue for years. If the initiative of the Interior appropriations passes, 92 percent of Indian children in this country will not be served because they live off reservations.

One of the myths that we have about the Indian people in this country is that they all live on reservations. They do not. They live in cities. They live in our rural areas. They live in all of our districts.

So what we are doing, what the initiative of the appropriations was doing, was zeroing out the Office of Indian Education that serves 92 percent of Indian children, and what the gentleman from Wisconsin [Mr. OBEY] is trying to do, and the gentlewoman from North Carolina [Mrs. CLAYTON], and myself, and many others; and I think the gentleman from Oklahoma [Mr. COBURN] has some very good intentions; those of us that have Indian districts, is restore the funds for this vital program.

Now what is this money used for? It is used for formula grants. Seventy percent of funding is grants to local schools with Indian populations, special programs for Indian children, dropout prevention, programs for the gifted and talented students, programs for Indian adults. Less than 5 percent of these funds go toward administration.

Now let me just give my colleagues some statistics about Indian children in this country: 12.5 percent below the national average. Thirty-seven percent of Indian children live below poverty level. Only 50 percent of schools with a majority of Indian students have college prep programs compared to 76 percent of other public schools. Only 9 percent of native Americans have bachelor's degrees compared with 20 percent of other adults, and we are taking the money from the Naval Petroleum Reserve, the fossil energy R&D. It has a big budget, it got an increase, and that is important, but we are taking out $20 million or so from it. The Bureau of Mines is being phased out this year, but after this offset the Bureau is still going to have $70 million to shut down, so what we are doing is educating Indian children.

If this amendment passes, we are creating a travesty of the special relationship the Federal Government and we all have with the Indian people that have no lobbyists around here. They do not have anybody down the halls with their Gucci loafers saying, ''Restore Indian education.'' But these are the forgotten Americans. These are the first Americans, and all of a sudden in the name of budget cutting, because we want to increase fossil fuels, they are paying 92 percent of Indian children, and we cannot have these special programs for us. Yes, we have increased money on BIA schools, BIA schools that are not run terribly efficiently on the reservation. That is 8 percent.

So what we need to do is focus clearly on what the Obey amendment does. It restores the funds for these programs, and it takes it out of programs that have been working but clearly have been very generously funded in this subcommittee.

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

Mr. RICHARDSON. I yield to the gentleman from North Carolina.

Mr. ROSE. Mr. Chairman, I certainly agree with what the gentleman has said. I support Mr. OBEY'S amendment to restore funding for the Office of Indian Education. Elimination of the funding will mean over a $2 million loss to the State of North Carolina and over $1 million in my own congressional district. There are many members of the Lumbee Indian tribe in my district, the largest tribe east of the Mississippi, and the ninth largest in the United States. They have benefited greatly by the Indian education program. They have become doctors and lawyers. They have become productive, law-abiding citizens, teachers, many professionals, and I am proud of the contribution that the Indian Education Act has made to their lives.

I think our human resources are clearly just as important as our natural resources, and to cut this out to accomplish fiscal austerity on the backs of Indian children is in my opinion mean spirited and shortsighted. Please vote for the amendment proposed by the gentleman from Wisconsin [Mr. OBEY].

The CHAIRMAN. The time of the gentleman from New Mexico [Mr. RICHARDSON] has expired.

(On request of Mr. ROSE and by unanimous consent, Mr. RICHARDSON was allowed to proceed for 3 additional minutes.)

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

Mr. RICHARDSON. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, I appreciated listening to the gentleman's facts with regard to the plight of Indians, which is very real, and his facts are accurate. I do want to point out to my colleagues, however, that Indians have made extraordinary gains over the past approximately 15 years in educational achievement in the number of native Americans going to college and in college graduation rates, and in fact probably greater achievements than any other ethnic group in the United States. In my own State of Montana we have now reached the, some think, extraordinary situation where a higher percentage of native Americans now attend college than do the majority of Montanans, and so native Americans have turned the corner with regard to educational achievements, and we ought not abandon the Federal efforts that brought that about.

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

Mr. RICHARDSON. I yield to the gentleman from Arizona.

Mr. PASTOR. I represent the urban areas of Arizona, Phoenix, Tucson, and these areas are surrounded by Indian reservations, and because the economic opportunities on many of these reservations are very poor, lack of jobs, lack of opportunities, many of my native American constituents move into the urban areas. I have to tell my colleagues that they are people who do not have the highest education, do not have the talents to get the best-paying jobs, and so they tend to live in areas, in school districts, that do not have the highest resources, and that translates into that many of these young native Americans who are in our elementary schools or secondary schools have special needs, have special problems which the public school needs to address, and these moneys which service native Americans who are living in urban areas are much needed.

If there is one thing we need to do as adults, that is to ensure that our children are well educated, and these native Americans need these programs, need these resources, and I would think that all of us would want to ensure that the native Americans of this country would have the opportunities to better themselves.

So I would ask all of my colleagues to support the Obey amendment because it brings hope, it brings opportunities, to native Americans who want to better themselves, and they live in the urban areas.

□ 1545

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from South Dakota.

(Mr. JOHNSON of South Dakota asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of South Dakota. Mr. Chairman, I thank the gentleman for yielding. I rise in strong support of the Obey amendment.

The CHAIRMAN. The time of the gentleman from New Mexico [Mr. RICHARDSON] has expired.

(By unanimous consent, Mr. RICHARDSON was allowed to proceed for 1 additional minute.)

Mr. RICHARDSON. Mr. Chairman, I yield to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, in an entire State, the State of South Dakota, nine Indian reservations, it has become apparent to me the one successful strategy to combat poverty and break away from dependence of the Federal Government, in fact has been quality education. Eliminating the Office of Indian Education would have a profound negative impact in my State of South Dakota. We would lose over $2.6 million in formula and discretionary funds, 49 South Dakota school districts would be negatively impacted, and 17,800 native American children would lose educational opportunities. This is the one area where we should not be retreating.

Mr. Chairman, I again express my strong support for the amendment.

Mr. Chairman, I rise in support of the amendment before us proposed by the Representative from Wisconsin to restore funding for the Department of Education's Office of Indian Education, which has been targeted for elimination. Since 1972, the invaluable programs administered through the Office of Indian Education have helped over 1,200 school districts nationwide address the unique academic needs of millions of American Indian and Alaska Native children and adults. Mr. Chairman, 56 percent of the American Indian population in this country is age 24 or younger. Consequently, the need for improved educational programs and facilities, and for training the American Indian work force is pressing. I wish to use the remainder of my time to urge our continued bipartisan commitment to the Education Department's Office of Indian Education, and the hundreds of thousands of disadvantaged young people served annually by this Office.

American Indians have been, and continue to be, disproportionately affected by both poverty and low educational achievement. In 1990, over 36 percent of American Indian children ages 5–17 were living below the poverty level. The high school completion rate for Indian people aged 20 to 24 was 12.5 percent below the national average. American Indian students, on average, have scored far lower on the National Assessment for Education Progress indicators than all other students. In 1994, the combined average score for Indian students on the scholastic achievement test was 65 points lower than the average for all students. These statistics reflect the continued neglect of America's under-served Indian population and are unacceptable.

By eliminating the Office of Indian Education, there is little hope of breaking the cycle of low educational achievement, and the unemployment and poverty that result from neglected academic potential. This Office, unlike any other, provides educational services that directly address the unique learning needs and styles of Indian students, with sensitivity to Native cultures, ultimately promoting higher academic achievement. Eliminating the Office would have a particularly profound impact on Indian education in my State of South Dakota. More than $2.6 million in formula and discretionary funds assisted American Indian children and adults in South Dakota in fiscal year 1994. Grants were made directly to 49 South Dakota school districts. The education of almost 17,000 of our American Indian children in South Dakota would be significantly affected if the programs administered by the Office were eliminated. In addition, if funding were no longer available, every South Dakota school currently receiving a grant would have to release at least one staff person, resulting in almost 200 teachers and aides no longer working in Indian education in the State. This past year, almost $300,000 went to tribal schools to support innovative approaches to Indian education and more than $350,000 supported student fellows in teacher training programs in colleges throughout our State. The loss of these discretionary programs will not only adversely affect potential recipients of teacher training and professional development, but will virtually cut off those tribal communities which benefit from students returning to education professions on reservations.

In terms of local empowerment, Native Americans remain at a distinct disadvantage. While the growth rate of native populations is accelerating rapidly, the nearly 2 million American Indians living in the United States in 1990 represented an increase of 39 percent over the 1980 total, American Indians and Alaska Natives still comprise less than 1 percent of the total U.S. population. With more than 500 American Indian tribes and Alaska Native villages, the population is also highly diverse in terms of culture and need. Small in numbers, isolated and diverse, this is a population that clearly needs and deserves our special attention.

There are strong historical and moral reasons for continued support of this program. In keeping with our special trust responsibility to sovereign Indian nations, we need to promote the self-determination and self-sufficiency of Indian communities. Education is absolutely vital to this effort. The elimination of the Office of Indian Education would violate the Government's commitment and responsibility to Indian nations and only slow the progress of self-sufficiency.

This question of eliminating the Indian education programs is not just about dollars and programs for a population in need. It is also about helping communities and cultures to survive.

Mr. RICHARDSON. Mr. Chairman, in conclusion, let us invest in people and children. R&D for fossil energy can be done by the private sector, but let us not stop this investment in kids, in programs, and education. I urge support for the Obey-Richardson-Clayton amendment.

Mr. Chairman, I also want to respond to charges that our amendment restores unnecessary bureaucracy. Only $3.8 million of last years $83 million appropriated for title IX funding was spent on the Office of Indian Education and the National Advisory Council on Indian Education.

What Mr. COBURN's amendment, should it be offered, does not do is provide funding for special programs for Indian children and programs for Indian adult education. This is wrong.

The CHAIRMAN. The Committee will rise informally in order to receive a message.

## MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. HANSEN) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.