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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, THURSDAY, MAY 11, 2000 No. 58

House of Representatives

The House met at 10 a.m.

The Reverend Robert Rosenberg, Calvary Lutheran Church, Oshkosh, Wisconsin, offered the following prayer:

Almighty God, ruler of all things and all men, You have set all things to move in harmony; You desire that men dwell in unity and love.

Cause people everywhere to respect law and justice. Where people are unjust, inhuman, and cruel, send correction. Where they are at war, send peace.

Give to those whom You have placed in the seats of honor and power the blessing of sound judgment, the skill of making wise decisions, the patience to act in due time, and the tact for being mutually helpful.

May wisdom and knowledge be the stability of our time, and our deepest trust be in You, the Lord of nations and the King of kings. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. GEORGE MILLER) come forward and lead the House in the Pledge of Allegiance.

Mr. GEORGE MILLER of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The 1-minutes will be at the end of the legislative business today.

WELCOMING THE REVEREND ROBERT ROSENBERG AS GUEST CHAPLAIN

(Mr. PETRI asked and was given permission to address the House for 1 minute.)

Mr. PETRI. Mr. Speaker, I rise today to recognize the Reverend Robert Rosenberg, who has just delivered the opening prayer.

Pastor Rosenberg is a resident of Oshkosh, Wisconsin, which is in my district, and has been the pastor of the Calvary Lutheran Church in Oshkosh since 1973.

He graduated from Iowa's Wartburg College and its Theological Seminary in 1965. Pastor Rosenberg is active in the community. He serves on the Board of Directors of the Big Brothers and Big Sisters of Oshkosh, and is also the volunteer chaplain for the Oshkosh Police Department. He and his wife have three children.

We appreciate Pastor Rosenberg's giving the prayer today.

AMENDMENT PROCESS FOR H.R. 4205, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

(Mr. GOSS asked and was given permission to address the House for 1 minute.)

Mr. GOSS. Mr. Speaker, today a ''Dear Colleague'' letter will be sent to all Members informing them that the Committee on Rules is planning to meet the week of May 15 to grant a rule which may limit the amendment process on H.R. 4205, the National Defense Authorization Act for fiscal year 2001.

Any Member who wishes to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment by 5 p.m. on Monday, May 15, to the Committee on Rules in room H–312 of the Capitol.

Amendments should be drafted to the text of the amendment in the nature of a substitute reported by the Committee on Armed Services on May 10. That amendment in the nature of a substitute is available at the Committee on Armed Services and will be posted on their web site by 12 noon tomorrow.

Members should use the Office of Legislative Counsel to ensure their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

CONSERVATION AND REINVESTMENT ACT OF 1999

The SPEAKER. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 701.

☐ 1006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, with Mr. LATOURETTE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on the legislative day of Wednesday, May 10, 2000, amendment No. 18, printed in House Report 106–612, by the gentleman

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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from Wisconsin (Mr. KIND) had been withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 9 offered by the gentleman from Pennsylvania (Mr. PETERSON); amendment No. 10 offered by the gentleman from Georgia (Mr. CHAMBLISS); amendment No. 11 offered by the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE); amendment No. 12 offered by the gentleman from Washington (Mr. HASTINGS); amendment No. 13 offered by the gentleman from New York (Mr. SWEENEY); and amendment No. 14 offered by the gentleman from Idaho (Mr. SIMPSON).

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

AMENDMENT NO. 9 OFFERED BY MR. PETERSON OF PENNSYLVANIA

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. PETERSON of Pennsylvania:

Page 18, after line 15, insert the following:

SEC. . FEDERAL ACQUISITION OF LANDS ONLY WITHIN DESIGNATED BOUNDARIES.

Notwithstanding any other provision of this Act, the amendments made by this Act, or any other provision of law, amounts made available by this Act (including the amendments made by this Act) may not be used for any acquisition by the Federal Government of an interest in lands except lands located within exterior boundaries designated before the date of the enactment of this Act of an area designated by or under Federal law for a particular conservation or recreation use, including lands within such boundaries of a unit of—

(1) the National Park System;

(2) the National Wilderness Preservation System;

(3) the National Wildlife Refuge System;

(4) the National Forest System;

(5) the national system of trails established by the National Trails System Act (16 U.S.C. 1241 et seq.);

(6) federally administered components of the National Wild and Scenic Rivers System; or

(7) national recreation areas administered by the Secretary of Agriculture.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 310, not voting 16, as follows:

[Roll No. 166]

AYES—108

Aderholt
Archer
Armey
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Berry
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Buyer
Cannon
Chabot
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cubin
DeLay
DeMint
Dickey
Doolittle
Duncan
Emerson
Everett
Fossella
Gekas
Gibbons
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hostettler
Hulshof
Hutchinson
Istook
Johnson, Sam
King (NY)
Kingston
Knollenberg
LaHood
Largent
Latham
Lewis (CA)
Linder
Manzullo
McKeon
Miller, Gary
Myrick
Nethercutt
Ney
Norwood
Nussle
Ose
Oxley
Paul
Peterson (PA)
Petri
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (TX)
Stearns
Stenholm
Stump
Sununu
Sweeney
Terry
Thomas
Thornberry
Tiahrt
Toomey
Walden
Watkins
Watts (OK)
Weldon (FL)
Wicker
Young (FL)

NOES—310

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickering
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shows
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stupak
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—16

Burton
Campbell
Coble
Cummings
DeGette
Hunter
Jefferson
Kasich
Lofgren
Lucas (OK)
Sherwood
Skelton
Spence
Thompson (MS)
Weldon (PA)
Wise

□ 1029

Mrs. MALONEY of New York, Mrs. NORTHUP, and Messrs. TRAFICANT, HOEFFEL, CHAMBLISS, BATEMAN, TANCREDO, MCHUGH, SKEEN, and ROTHMAN changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BURTON of Indiana. Mr. Chairman, I was unavoidably detained for rollcall No. 166. Had I been present, I would have voted ''aye.''

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 497, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 10 OFFERED BY MR. CHAMBLISS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. CHAMBLISS:

Page 19, line 3, strike ''without further appropriation'' and insert ''subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter''.

Page 30, line 12, strike ''without further appropriation'' and insert '', subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter''.

Page 48, line 8, strike ''without further appropriation, in each fiscal year'' and insert '', subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter''.

Page 56, line 6, strike ''without further appropriation'' and insert '', subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter,''.

Page 63, line 5, strike ''without further appropriation'' and insert '', subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter''.

Page 64, line 17, strike ''without further appropriation'' and insert ''subject to appropriations for fiscal years before fiscal year 2005 and without further appropriation for fiscal year 2005 and each fiscal year thereafter''.

Page 70, line 10, strike ''without further appropriation'' and insert ''subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter''.

Page 71, line 20, strike ''without further appropriation'' and insert '', subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter''.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 142, noes 281, not voting 11, as follows:

[Roll No. 167]

AYES—142

Archer
Armey
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Berry
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Burton
Calvert
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cox
Cubin
Cunningham
Deal
DeLay
DeMint
Dickey
Dicks
Dixon
Doggett
Doolittle
Duncan
Emerson
Ewing
Gekas
Gibbons
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hoyer
Hulshof
Hutchinson
Isakson
Istook
Jackson (IL)
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Linder
Luther
Manzullo
McKeon
Miller (FL)
Miller, Gary
Minge
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ose
Oxley
Packard
Paul
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Regula
Rogers
Rohrabacher
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shows
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Toomey
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Wicker
Wolf
Young (FL)

NOES—281

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dingell
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hyde
Inslee
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Morella
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Rush
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—11

Buyer
Campbell
Coble
Cummings
DeGette
Hunter
Jefferson
Lofgren
Lucas (OK)
Sherwood
Wise

□ 1038

Messrs. SKEEN, LUTHER, MINGE, MORAN of Virginia, and PORTMAN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MRS. CHENOWETH-HAGE

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mrs. CHENOWETH-HAGE:

Page 23, in line 18, strike 'except that a coastal political' and all that follows down through line 3 on page 24.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 166, noes 259, not voting 9, as follows:

[Roll No. 168]

AYES—166

Aderholt
Archer
Armey
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bereuter
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Bryant
Burton
Buyer
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde

Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Manzullo
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Young (FL)

NOES—259

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Callahan
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shimkus
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—9

Campbell
Coble
DeGette
Greenwood
Jefferson
Lofgren
Lucas (OK)
Sherwood
Wise

□ 1048

Mr. REYNOLDS and Mr. WELLER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. HASTINGS OF WASHINGTON

The CHAIRMAN pro tempore (Mr. LATOURETTE). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. HASTINGS), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. HASTINGS of Washington:

Page 31, after line 24, insert:

''(3) APPORTIONMENT FOR MAINTENANCE.—Not less than 50 percent of the Federal portion shall be used by the Secretary of the Interior and the Secretary of Agriculture only for purposes of carrying out maintenance operations on Federal lands managed by such Secretaries.''.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 169, noes 256, not voting 9, as follows:

[Roll No. 169]

AYES—169

Aderholt
Archer
Armey
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Bryant
Burton
Buyer
Calvert
Camp
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Ganske
Gibbons
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Istook
Jefferson
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Manzullo
McCollum
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Reynolds
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wolf
Young (FL)

NOES—256

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Callahan
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver

Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wilson
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—9

Campbell
Coble
DeGette
Dickey
Lofgren
Lucas (OK)
Sherwood
Weller
Wise

□ 1056

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. SWEENEY

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. SWEENEY), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. SWEENEY:

Page 36, after line 13, insert:

''(D) No State political subdivision has transmitted to the Secretary administering the acquisition a copy of a resolution adopted by the governing body of such subdivision disapproving of such acquisition within 90 days after receiving notice of the proposed acquisition under subparagraph (C)(iii).

Page 41, line 8, after the period insert: ''The State shall notify each affected political subdivision of each land acquisition proposal included in the State action agenda. Such notice shall include a citation of the statutory authority for the acquisition, if such authority exists, and an explanation of why the particular interest proposed to be acquired was selected.''.

Page 42, after line 9, insert:

(c) LOCAL GOVERNMENT VETO.—Section 6(f) (16 U.S.C. 4601–8) is amended by adding the following at the end thereof:

''(9) No funds made available under this Act may be used by a State to acquire any land or interest in land if the political subdivision of the State in which the land or interest in land is located has transmitted to the State agency administering the proposed acquisition a copy of a resolution adopted by the governing body of such subdivision disapproving of such acquisition within 90 days after receiving notice of the proposed acquisition under subsection (d)(2).''.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 187, noes 238, not voting 9, as follows:

[Roll No. 170]

AYES—187

Aderholt
Archer
Armey
Baca
Bachus
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Engel
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Gallegly
Ganske
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Manzullo
Martinez
McCollum
McHugh
McInnis
McIntosh
McKeon
Meeks (NY)
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOES—238

Abercrombie
Ackerman
Allen
Andrews
Baird
Baker
Baldacci
Baldwin
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Porter
Price (NC)
Rahall
Ramstad
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—9

Campbell
Coble
DeGette
Gekas
Lofgren
Lucas (OK)
Rangel
Sherwood
Wise

□ 1104

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. WATTS for Oklahoma. Mr. Chairman, I was unavoidably detained today, and missed recorded vote No. 172 on the Calvert amendment to H.R. 701. Had I been present, I would have voted ''aye'' on this amendment.

AMENDMENT NO. 14 OFFERED BY MR. SIMPSON

The CHAIRMAN pro tempore (Mr. LATOURETTE). The unfinished business is the demand for a recorded vote on amendment No. 14 offered by the gentleman from Idaho (Mr. SIMPSON) on which further proceeding were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SIMPSON:

Page 36, strike the close quotation marks and the second period at line 16, and after line 16 insert the following:

''(h) STATE APPROVAL OF CERTAIN LAND ACQUISITION REQUIRED.—The Federal portion may not be used by the Secretary of the Interior or the Secretary of Agriculture to acquire any interest in land located in a

State in which 50 percent or more of the land in the State is owned by the Federal Government if the acquisition would result in a net increase in the total acreage in the State owned by the Federal Government, unless the acquisition is specifically approved by the law of the State.''.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 157, noes 266, not voting 11, as follows:

[Roll No. 171]

AYES—157

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Berry
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fletcher
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Goodling
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Manzullo
Martinez
McHugh
McKeon
Metcalf
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Peterson (PA)
Pickering
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (FL)

NOES—266

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—11

Campbell
Coble
DeGette
Ford
Frank (MA)
Hinchey
Lofgren
Lucas (OK)
Millender-McDonald
Sherwood
Wise

□ 1114

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1115

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent to strike the last word so I can engage in a colloquy with the chairman of this committee, and also ask for his forgiveness on that last vote.

The CHAIRMAN pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CALLAHAN. Mr. Chairman, I rise today to engage the distinguished chairman of the committee in a colloquy, and thank the gentleman.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I am pleased to engage the gentleman from Alabama. Although he voted against me on that last amendment, I do want to thank him for his cosponsorship in support of this bill.

Mr. CALLAHAN. Mr. Chairman, reclaiming my time, I thank the gentleman for his remarks. And the gentleman and I have spoken previously regarding my specific concerns about 701, but I would like this opportunity to engage once again and highlight those concerns to our colleagues; although CARA will be extremely beneficial to the wildlife and conservation in the State of Alabama as written, there is a provision that is included in this Senate companion legislation, which I strongly support.

This provision allows for funding parity between oil- and gas-producing states and those that do not engage in these activities. As currently written, States in the Gulf of Mexico which do not support oil and gas exploration and production stand to disproportionately benefit from formulas for State-side allocations.

In some cases, these are States that not only do not support those OCS activities, but actively oppose exploration of these resources in their region.

I believe this is inherently unfair to the citizens of the States like Alabama, that do support OCS activities and provide the necessary infrastructure and oversight for these activities.

Mr. YOUNG of Alaska. Mr. Chairman, if the gentleman will continue to yield, I want to thank my friend for his remarks, and I appreciate his concerns about this issue.

The gentleman and I have spoken on this subject previously, and I know it is an important issue for him as the citizens for Alabama. As I mentioned to him previously, I will continue to work to find an acceptable resolution with him and other interested Members, but I believe the right time to address this issue is during the conference with our colleagues in the other body.

The gentleman from Alabama has my assurance that we will keep his concerns in mind as we move this important legislation through the process.

Mr. CALLAHAN. Mr. Chairman, I greatly appreciate the gentleman's willingness to address this issue in the future and his willingness to discuss it here. Again, I would like to reiterate my support for CARA. I thank the distinguished Committee on Resources chairman for his continuing efforts with respect to my concerns.

The CHAIRMAN pro tempore. It is now in order to consider Amendment No. 19 printed in House Report 106–612.

AMENDMENT NO. 19 OFFERED BY MR. CALVERT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. CALVERT:

Page 44, after line 11, insert the following:

SEC. . LIMITATION ON USE OF FUNDS FOR CONDEMNATION.

Title I is further amended by adding at the end the following:

''LIMITATION ON USE OF FUNDS FOR CONDEMNATION

''SEC. 15. None of the amounts made available by this title may be used for adverse condemnation of property.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from California (Mr. CALVERT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

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

Mr. Chairman, let me start out by saying that I fully support the Land and Water Conservation Fund. This fund is one of the most successful conservation programs in history. The Land and Water Conservation Fund has helped support everything from parks to playgrounds, wilderness to wetlands, open trails to open spaces.

Nevertheless, I want to ensure that landowners are not forced to sell their property and that all land owners are treated fairly in the process.

My amendment ensures that landowners are not forced to sell their property, and that all landowners are treated fairly in the process. CARA provides for $900 million to be appropriated annually for Land and Water Conservation Fund for the purposes of purchasing land. Private landowners are understandably nervous that such a huge sum of money available, their land may be easily condemned for public use.

My amendment helps alleviate these concerns by providing an effective check against overzealous agency acquisitions. With regard to the bill that we are looking at today, there is a loophole, not Federal ''willing seller'' portion. In its present form, the willing seller provision in the Federal portion of this bill allows acquisition of property if the owner is willing, or by an Act of Congress. By allowing for an Act of Congress, this bill creates a loophole through which Federal agencies could trample on the private property rights.

In addition, CARA contains no private property rights protection for funds funded to State and local governments.

Let me be clear, this amendment only applies to adverse condemnation or an unwillingly seller. Friendly condemnations, willing sellers, will be allowed.

Some argue that my amendment would infringe on States' rights by not allowing the State to condemn. Let me address this point for a moment. As we all know, the 10th amendment to the Constitution states ''powers not delegated to the Federal Government are reserved to the States''; however, the fifth amendment states that no private property shall be taken without just compensation. Clearly, our founding fathers directed the Federal Government to protect private property rights.

Mr. Chairman, I support allowing States the maximum amount of flexibility, whether we are talking about welfare or education or labor laws. I voted for the 1996 Welfare Reform law. I have cosponsored Dollars to the Classrooms, but, Mr. Chairman, the protection of private property rights is a distinct and clear Constitutional responsibility of the Federal Government.

No matter how noble the objective, we should not abdicate our constitutional responsibility to protect private property rights.

Further, this amendment applies only to funds provided to the State via the Land and Water Conservation Fund, a Federal fund. In addition, States will use this money to respond to Federal requirements, such as the Endangered Species Act.

Without my amendment, Federal agencies could coerce States and local governments to condemn property in order to satisfy Federal land acquisition laws.

Members should listen to the concerns of their constituents, especially their farmers, who are justifiably concerned that this bill will create an even bigger government. I cannot support a bill which does not take their concerns into account.

This amendment is straightforward. It goes to the core of the willing seller issue. It comes down to the fact that the government should not be able to force taxpaying citizens off their land, land that has sometimes been owned by generations of families.

I do not think anyone believes this should take place. My amendment goes a long way in preventing this from happening. I encourage all of my colleagues to support this amendment, which goes a long way in protecting rights of Americans.

Mr. Chairman, I urge my colleagues to vote yes on my amendment. It is a vote to protect average Americans and maintain the sanctity of property private rights.

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

The CHAIRMAN pro tempore. Does the gentleman from Louisiana (Mr. TAUZIN) seek the time in opposition?

Mr. TAUZIN. Mr. Chairman, I seek the time in opposition.

Mr. Chairman, for purposes of controlling time, I yield 5 minutes to my friend, the gentleman from California (Mr. GEORGE MILLER).

The CHAIRMAN pro tempore. Without objection, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from California (Mr. GEORGE MILLER) each will control 5 minutes.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

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

Mr. Chairman, let me first assure my friend, the gentleman from California (Mr. CALVERT) that his language was considered in the negotiations on this bill. Language protecting willing sellers was eventually adopted in this bill. It is contained in the bill today.

It is done in a better way than the language the gentleman proposes, however, and that is why I suggest you reject the gentleman's amendment.

Under current law, agencies can condemn property through adverse condemnation proceedings. They can also take your property through regulation, that is called inverse proceedings. So there are two ways that property can be taken.

CARA changes that. CARA says, and let me quote the language to my colleagues, on page 31, line 18, Willing Seller Requirement: The Federal portion may not be used to acquire any property unless (A) the owner of the property concurs in the acquisition or (B) the acquisition of the property is specifically approved by an act of Congress.

In other words, the bill provides that unless a seller is willing to sell the property, the only way the government can take that property is to come to Congress and get a specific line item authorization authorizing the taking of that property through adverse proceedings.

Now, the reason we chose this language instead of the language my friend, the gentleman from California (Mr. CALVERT), is offering, is for two reasons: Number one, this language does not interfere with State law, and the gentleman from California (Mr. CALVERT) wants to. I do not think we should. I do not think we can.

When a State takes Federal money under our program, it has to match it with State money. And if a State law allows condemnation, that is a State's business. When a State uses its money in that mix, or the Federal money, it is all fungible. Any attempt to interfere with that is meaningless and would be inconsequential. It would not have any effect anyhow. But the attempt to interfere with the State law in this Federal statute is, I think, something we ought to avoid.

If my colleague does not like his State's laws on condemnation, he should appeal to his legislature in Sacramento and get those laws change, as we appeal to ours in Baton Rouge and arrange for our laws on condemnation.

Again, this CARA statute protects willing sellers, but it does it in a way that is even better for willing sellers than the Calvert amendment, and here is how. There is no such thing a non-adverse condemnation. All condemnations are done in an adverse fashion, unless it is through regulation.

In an adverse condemnation, sometimes willing sellers get together and ask the court to help them. They want to sell the property, but they want to do it through a condemnation proceeding in order that they can get best value, or perhaps there is some dispute over the property ownership or some limitations on the property that have to be settled by the court. So condemnation proceedings are used very often by willing sellers to get the job done in the best way for the willing seller. The Calvert language would eliminate that capability, that process for willing sellers.

Let me say it again. Under the bill, the willing seller can object and the condemnation is over. There is no taking of his property under any circumstances under the bill's language, unless the willing seller agrees or unless my colleagues and I, and all of us in Congress, after all kinds of notice to everyone locally and federally, eventually agree in a line item to do otherwise.

So, in essence, the current bill is stronger for the landowner, gives the willing seller more options than the Calvert language, and so the Calvert language ought to be defeated.

Mr. CALVERT. Mr. Chairman, I yield myself 15 seconds.

The language in my amendment does not eliminate a willing seller entering into a voluntary condemnation. In my previous life, I negotiated those agreements frequently. This does not do that.

Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Chairman, I thank the gentleman for yielding me the time.

If someone loaded a gun and handed it to somebody and then pointed that person at a target, the person providing the gun could not plead innocent when the other individual pulled the trigger. But that is what the authors of this bill are suggesting, that they are innocent of any condemnation because they are not the ones that are going to pull the trigger.

Now, it is true that language in this bill that directed the Secretary to establish a process for condemnation has been removed, and I offered an amendment to do that in the committee. And I applaud the chairman for having done that. However, if we go to page 33, subparagraph (iv), it directs the Secretary to identify properties that are proposed to be acquired from willing sellers and to specify a need for which adverse condemnation is being requested.

That is what this bill does, it tells the Secretary of the Interior, the Secretary of Agriculture to go out and find property that they want to condemn and then provide a list to the Congress so the Congress can act on it.

Now, this bill leaves open two loopholes; one, that loophole, but the second loophole is the local government loophole. Federal rules and regulations virtually compel State and local governments to condemn private land in order to meet those requirements. And so the authors of this bill cannot stand back and say, after they have given the loaded gun, this bill, to local governments, they cannot stand back and say, well, we are innocent bystanders in the process.

So we need to close this local government loophole. We need to close this back-door loophole that directs the Secretary to do that.

The great irony of this is that the lands we are talking about are the lands that so many have come down here to talk in favor of, and that is farmland. Many people have talked about the need to maintain open space and green space, and I support that, and I support the use of the Land and Water Conservation Fund, through easements, to do that. But this bill virtually says that we are going to require the purchase of those lands. And I can tell my colleagues this. Those lands are in better shape, that they provide more habitat for wildlife than they ever will once they are acquired by the Federal Government.

So the authors cannot stand aside and say this bill does not provide condemnation. It does. It directs the Secretary to identify lands for condemnation. It creates a huge loophole for local governments to be able to accomplish that task. And the only way to close it is to close it with the amendment offered by the gentleman from California, and I urge its support.

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

Let me refer to the section of law that the gentleman referred to, on page 32 and 33. The only reason it is there is to make sure we all get notice so that Congress knows if any agency wants to take any property and there is an unwilling seller. That way the Congress ends up making that decision under the bill. We end up deciding in a line item whether we are going to authorize any agency to move or not.

The bill, in essence, says, and let me say it again, willing sellers have total control of any proceeding, unless Congress, by direct action in a direct separate line item, appropriates and authorizes a taking. The notice is simply to make sure we know what is going on. It is a good provision of the law, not a bad one.

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

□ 1130

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think the gentleman from Louisiana (Mr. TAUZIN) has clearly made the case. The rights of landowners are dramatically, dramatically improved under this legislation in the event that an agency would seek condemnation. The rights of the Members of Congress are dramatically improved under this legislation. The rights of the mayors and the city councils, the boards of supervisors, county government are dramatically improved. The governor, for the first time, has full notification. Every political subdivision in and around the considered land has full notification.

None of that is required under today's law. And why is that there? Because people concerned about these issues in the negotiating sessions and in the committee expect a very deep and serious concern about what is a very serious power of the Government to condemn.

But the fact of the matter is, in some instances, very, very rarely, the Federal Government may resort to condemnation. My colleagues would not think for a minute of putting this requirement on the U.S. Army as they want to deal with Ft. Irwin and they want to start acquiring property lands for bombing ranges. My colleagues would not think for a minute of putting this in the Department of Highways as they acquire land for the development of highways. They would not think for a minute of putting this in the Department of Energy if they were seeking to locate a lab or expand one of our national labs that we have in California.

But they sure as heck want to make sure that the property owners, them as Members of Congress, their local officials are not identified and aware of that. And then the Secretary has to say why, and this is the superior route, that there is not an alternative, that there is not comparable lands.

All of those things today at the insistence of people advocating the rights of private individuals.

The other thing the gentleman does here in his amendment is he now steps over and tells the States what to do. I mean, this is a real mixed bag here. I can understand the concerns of the gentleman on the Fed, but he also now moves on to the States.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I ask the gentleman from California (Mr. CALVERT), does he know what the problem with his language is? First of all, he is going to really muck up California law, because our State Constitution has had a longstanding and a well-litigated understanding of what adverse condemnation is.

What the gentleman does, this is how he mucks up the legislation, and I do not think that was his intent, but he does it, he does not delete language in this legislation, he just adds to it.

So with the provision that the gentleman from Louisiana (Mr. TAUZIN) pointed out on page 31, starting with line 18, where the gentleman describes how land can be acquired, the gentleman then comes at the end of the bill and says ''none of the amounts

made available by this title may be used for adverse condemnation.''

Now, the word the gentleman is adding in here which has never been put into law is what is ''adverse.'' They are going to have to have a finding of fact every time a person wants to sell property. Because most property, as the gentleman knows, is done by paper condemnation. That is, it is an advantage to the seller to go through a paper condemnation.

Is that paper condemnation adverse or not? If it is adverse, they cannot use these funds. And what the gentleman is doing, I think he is trampling not only on well-established law of this country both at the Federal level and at the local level, but he is also trampling on the rights of property owners who may want to sell under adverse conditions.

The gentleman defines that as ''may not be used.''

In the bill, it says ''any property unless the owner of the property concurs with the acquisition or the acquisition of that property is specified by an act of Congress.''

The gentleman has the adverse condemnation as an issue of fact of what is adverse or not adverse.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LATOURETTE). The Chair would remind all Members that comments made during the debate should be directed to the Chair and not to other Members in the second person.

Mr. CALVERT. Mr. Chairman, I yield myself 15 seconds to only say that the coercive power of the Government to recommend condemnation in itself has a destructive effect on the value of property.

Mr. Chairman, I yield 1¼ minutes to the gentleman from Georgia (Mr. KINGSTON).

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

Mr. Chairman, I think to understand the Calvert amendment, what we really need to do is go back to the basic philosophy of the bill, which is to say that the $5.4 trillion debt ridden national government is going to take $3 billion a year and give that to the State governments and other Federal government for land buying. Even though the State governments have a 70-billion surplus, we are going to take our money and give it to these cash-risk States.

Now, what the Calvert amendment does say is, okay, even under that crazy logic, let us try to put some common sense in it and say that, under this any-willing-buyer clause, they need to make sure that it really means any willing buyer. Because the bill clearly says, or, if by act of Congress, Congress decides to buy something, it does not matter if they are willing or not, they are going to come after them. The Calvert amendment addresses that, number one.

Number two, what it says is that the State governments are not governed by the any-willing-buyer provision.

All the Calvert amendment says is that, since we are giving the money to the State governments and it is Federal money that they will be using to purchase this land, we are simply saying that they should have to go by the any-willing-buyer provision.

This is a private property issue. This is a fundamental Constitutional right of Americans. This is a no-brainer. I do not think we should even have a vote on it. I encourage people just to accept this amendment and let us move on.

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

Mr. Chairman, let me say simply to my friend the gentleman from California (Mr. CALVERT) that the line he refers to on page 33 is a notice requirement of the lands that are requested of Congress to act upon, the lands in which in fact Congress is being asked to appropriate money and to take.

In those cases, it helps us to know what they want to do. They cannot do it without Congress knowing. They have got to notify us. That is all this section does. Even if the language of the gentleman was adopted, Congress would have the right, as the gentleman knows, next year to approve an expropriation of some property with Federal money. It is not going to stop that.

The bill protects willing sellers completely, gives them the right to use this process to get the best deal. It is a much better version of what the gentleman is trying to do than the language he has submitted.

I urge Members to reject this amendment.

Mr. CALVERT. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from California (Mr. CALVERT) has 2¼ minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 1 minute remaining. The gentleman from Louisiana (Mr. TAUZIN) still has 15 seconds remaining.

Mr. CALVERT. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. POMBO).

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

Mr. Chairman, I would have to say to my friend the gentleman from Louisiana (Mr. TAUZIN) that I wish the property rights language in the bill did what he says it does. Because he knows that we both worked extremely hard to try to get to that point and, unfortunately, that is not where we are.

The language that is actually in the bill when it comes to condemnation leaves one very big loophole, and that is that unless it is authorized by an act of Congress, which is a huge loophole. What it says is that under the generic authorization of the National Park Service, the Bureau of Land Management, the Forest Service, it allows condemnation. Therefore, condemnation is allowed in the bill.

That is identified in the bill on page 33 when it talks about taking land by adverse condemnation. It is identified in the bill. It is quite clear why this was put in. I was part of the negotiations, and we all know why it was put in, because it was insisted that the Government be allowed that their right of condemnation be protected. And that is why it is in the bill.

Now, what the gentleman from California (Mr. CALVERT) is doing is he is saying that if the States are going to take land that they should not be allowed to take the land by condemnation.

The fifth amendment of the Constitution was put in place to protect the property rights of individuals. It is a Federal issue. And there is no way around that. It is our responsibility to stand up for the property owners.

The CHAIRMAN pro tempore. The gentleman from California (Mr. GEORGE MILLER) has 1 minute remaining. The gentleman from Louisiana (Mr. TAUZIN) has 15 seconds remaining and the right to close. The gentleman from California (Mr. CALVERT) has three-quarters of a minute remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield my remaining time to the gentleman from Louisiana (Mr. TAUZIN).

Mr. CALVERT. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, this is a simple amendment which requires that a seller be a willing seller. This is as simple as that. Everyone here agrees that that is what they want. They want willing sellers. Well, then, I would suggest that they accept this amendment.

The fact that a list can be made up of sellers' property somewhere, trust me, will have an adverse effect on the values of that property. And then to have the Government come back and negotiate to acquire that property from a so-called willing seller in itself is quite remarkable in this country.

I think that this is a workable way to resolve this issue. I would hope that my colleagues would support this, and this would make it I think a much better bill.

Mr. TAUZIN. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, let me first answer my friend the gentleman from California (Mr. POMBO). Look at page 31. It provides that the money may be not expended except for those acquisitions that are specifically referred to and approved in an act of Congress. The bill requires that every act of purchase be specifically identified in an appropriation by an act of Congress, in fact, in a line item specifically referred to, not in any kind of a report language but in the bill, in the act of Congress.

Secondly, the bill contains a statement of our basic property rights in the fifth amendment that no property can be taken without compensation. But do not be kidded about that. It is in the bill.

Third, let me read the clear language of the bill. The clear language of the bill ''willing seller requirement: The

Federal portion may not be used to acquire any property unless (a) the owner of the property concurs in the acquisition,'' and that means the owner can object to any condemnation, ''or, Congress itself decides to take the property.''

Congress always has that right whether the amendment of the gentleman passes or not. What we have done is given the willing seller total control of the situation unless Congress supersedes it with a direct appropriation and taking. The willing seller has total control, can object to the condemnation or use it if it helps him get a better selling price.

The amendment should be rejected.

The CHAIRMAN pro tempore. All time for debate has expired.

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

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

Mr. CALVERT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. DICKS. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Mr. Chairman, I have a point of clarification related to title II of the bill.

Mr. Chairman, as the gentleman and I both know, this bill makes available $450 million each year for Federal land acquisitions under the Land and Water Conservation Fund. While I am reticent about doing this through a permanent appropriation, I am pleased that the legislation specifies that these funds may only be expended for purchases which are included in a list of acquisitions which is approved by Congress in an annual appropriations bill.

There is some confusion, however, about how the final list of land acquisitions will be determined. Under this bill, the process begins with a list submitted by the Secretaries of Interior and Agriculture. It is my understanding, however, that the list transmitted to the Congress is just the executive branch's proposal. The Committee on Appropriations would be obliged to review this list but then would recommend to the House those acquisitions which it considered to be the highest priority in the amounts that it considered prudent. It could add projects, delete projects, or change amounts allocated to any project based on its best judgment.

In short, my reading is that the Secretary's list is just a proposal and that the committee has broad authority in making recommendations to the House on how the $450 million for land acquisition will be allocated among competing needs.

Is this also the understanding of the gentleman?

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

Mr. DICKS. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, the gentleman is correct. The list the administration is required to submit each year through CARA is only a request.

□ 1145

The Committee on Appropriations will have the final say for Federal Land and Water Conservation projects and acquisitions when it decides whether or not to approve each new tract requested by Federal LWCF acquisition.

The CHAIRMAN pro tempore (Mr. LATOURETTE). It is now in order to consider amendment No. 20 printed in House Report 106–612.

AMENDMENT NO. 20 OFFERED BY MR. HILL OF MONTANA

Mr. HILL of Montana. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. HILL of Montana:

At the end of title II (page 44, after line 11) add the following (and make appropriate conforming amendments):

SEC. . REQUIREMENTS FOR ACQUISITION OF LANDS IN MONTANA WITH FEDERAL PORTION.

Section 7 (16 U.S.C. 460l–9) is further amended by adding at the end the following:

''(h) REQUIREMENTS FOR ACQUISITION OF LANDS IN MONTANA.—

''(1) IN GENERAL.—The Federal portion may not be used by the Secretary of the Interior or the Secretary of Agriculture to acquire lands in the State of Montana until the Secretary of the Interior and the Secretary of Agriculture issue a plan in accordance with this subsection.

''(2) PLAN REQUIREMENTS.—The Secretary of the Interior and the Secretary of Agriculture shall jointly develop and issue a plan for acquisition and disposal of lands in the State of Montana that will result in consolidation of private lands and Federal public lands. The plan shall be designed to ensure that—

''(A) acquisitions of lands with the Federal portion consolidate Federal ownership of lands in Montana under the administrative jurisdiction of the Department of the Interior and the Department of Agriculture; and

''(B) any increase in the total acreage of lands in Montana under the administrative jurisdictions of those Departments that results from acquisitions of lands with the Federal portion is de minimis.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Montana (Mr. HILL) and a Member opposed, each will control 5 minutes.

The Chair recognizes the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Chairman, I yield myself 3 minutes. This is an amendment, Mr. Chairman, that addresses a problem that is specific to Montana. Like most of the western States, much of the State of Montana is owned by the Federal Government. But what is unique to the problem in the State of Montana is that this land is owned in a checkerboard ownership pattern. The consequence of that is it makes it virtually impossible for us to manage the private and the public lands in the State of Montana.

It makes it very difficult to deal with the environmental impacts of activity on those lands; it makes it very difficult to manage the resources on those lands, it creates a lot of conflicts in the land as private landowners seek access through public lands to get to their land, or the public seeks access across private lands to get to public lands. Montana today ranks last in the Nation in per capita income. That is a decline from, at one time we were 12th in the Nation not long ago. This is substantially a consequence of the change in the management of the public lands. What this amendment does is it requires the secretaries of agriculture and interior to develop a long-range plan, to identify what lands they want to purchase or exchange, what lands should be available for sale. It allows them to bring mineral interests into that equation. And it directs them to do that in a way that would have a de minimis impact on how much of the Federal lands there are in Montana.

There are about 93 million acres in Montana. 19 million of those are owned by the U.S. Forest Service. That is an area that is approximately equal to the State of Maine. 8 million of those acres are owned by the BLM. That is equivalent to the combined areas of Connecticut and Massachusetts. 1.2 million acres is owned by the National Park Service, another 600,000 by the Fish and Wildlife Service. That is about a third of Montana that is directly owned.

In addition to that, the Federal Government manages through the BIA another 11.8 million acres of trust lands, Indian trust lands. But on top of all that, the BLM owns subsurface interests in the State of Montana of another 37.8 million acres. To put that into perspective, the Federal Government controls lands in the State of Montana that is about equal to all of the New England States added together. It is owned in a checkerboard pattern.

I have helped support efforts before this Congress to use the LWCF to purchase lands. I have worked with the ranking member and the chairman on exchange bills, and I have worked hard to accomplish the goals of trying to find a way to consolidate lands to improve the management. But Montanans believe that the Federal Government controls and owns more land in the State of Montana than they ought to. They also believe that we need to consolidate those lands to improve its management and to create opportunities to lift us from the bottom of the economic barrel. Montana is a very special place. I am privileged to have

the opportunity to represent it. But as we just acquire lands which, is what the bill before us now would do, it erodes our tax base, it undermines our economy. I would urge my colleagues to support it.

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

Mr. TAUZIN. Mr. Chairman, I seek the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Louisiana (Mr. TAUZIN) is recognized for 5 minutes.

Mr. TAUZIN. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. GEORGE MILLER) and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Mr. Chairman, I yield myself such time as I may consume. Let me first thank my friend for the great work he did at the committee level and with all of us in trying to negotiate as many pro-property rights provisions in this bill as I think we have been able to negotiate.

Let me secondly concede to him that the checkerboard land ownership pattern in the west is something that, frankly, I hope this bill helps in a big way to end and to ease.

Third, to indicate to him that he knows that I have favored, in fact we have included language in the bill that will encourage land swaps and surplus land sales as opposed to new acquisitions in States that are already heavily owned. But what is good for Montana may not be exactly as good for Nevada, or Nevada as good for Montana, but the problems are common in all those States in terms of the high percentage of State and federally-owned property.

That is why when the bill was written, we set as a top priority that the government must seek, number one, to consolidate Federal land holdings in the States with checkerboard Federal land patterns. That it must, two, consider the use of equal value land exchanges where feasible and suitable as an alternative to land acquisition. That it must consider easements over acquisitions wherever possible. And even on page 33, we require the secretary to submit to us annually a list of those lands that the secretary has identified as surplus and eligible for disposal.

There is a lot of language in the bill that moves in the direction the gentleman wants without setting up a special case of no net gain for one State. I would encourage, therefore, that this amendment be rejected, because, in fact, the bill provides relief for all States commonly situated rather than setting up a special plan for Montana with, in effect, a no net gain provision.

Again, I sympathize with the gentleman's problems in those States as we all have and we have written language, I think, that addresses in a large way a resolution of many of those problems. I urge a rejection of this amendment.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume. The gentleman from Montana and I have talked about this problem for some time. Again, this is a problem that I think Members from other parts of the country have to be sensitive to. But the idea of prohibiting any Federal land acquisition until this study is done and that the outcome of the study has to be a de minimis change.

As the gentleman knows when he did the Gallatin, we worked very hard on the Gallatin exchange because we were exchanging some really good timberlands for some cutover lands that needed a lot of rehabilitation and restoration, stream restoration and all those other things. The Federal Government ended up with a lot more land than it gave because of the value of those lands. I do not know if that is de minimis or not. I do not think we should get into that argument.

Mr. Chairman, I would be glad to give him the study. If he wants a study of land patterns and land ownerships and disposals and all the rest of it, that would be fine. Right now I do not know of any plans for Federal acquisition, unless there is something right on the edge of Yellowstone that has to do with some church-owned property that may be for sale, some of the farmers think we should buy because the bison would go there.

I do not know that much about it. He does not have any bills in and I do not think we have any other bills in front of our committee. If he wants to have the department make a full-blown study here and tell the people of Montana what their plans are, I do not have any problem with that. But prohibiting this, in all likelihood, he does not need the prohibition and he could still get the study done.

Mr. HILL of Montana. Mr. Chairman, will the gentleman yield?

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

Mr. HILL of Montana. Mr. Chairman, I think I identified that the Federal Government controls or owns about 79 million acres. Actually the BLM has done a study. They identified 75,000 acres that potentially would be available. 75,000 out of 79 million. The reason that they do not have any incentive to offer any more lands is because they can just continue to purchase them. I am as guilty as others. I have supported land acquisitions and exchanges that have added to the total amount of land. But at some point, we cannot just consolidate the public land. We also need to work to consolidate the private land holdings because those resources are important to the economy and the opportunities of the people of the State of Montana. The bill does not do that.

Mr. GEORGE MILLER of California. Let me reclaim my time. The man sitting next to the gentleman has the authority to do this. If the study has been done and you want to review it and you want some action on the study, the committee is available for that. I do not pretend to speak for the chairman. But putting in this prohibition just is not going to work.

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

First, at the end I will ask the chairman, of course, to do the study. But beyond the study is the emphasis that the secretaries need to have, that any plan has to put the emphasis on consolidation of private lands and eliminating public lands. I want to make one other point here. That is, that while the bill provides for exchanges of land, the bill, CARA, does not provide for the exchanges of mineral interests in the land. This amendment would provide that. I pointed out to Members that there are 37 million acres in the State of Montana where the BLM has subsurface rights but not surface rights. Those subsurface interests also ought to be incorporated into any effort to consolidate lands.

There are many things that I like about this bill. I have expressed concerns about the lack of sufficient protection for property rights. But I also believe the bill does not go far enough to set forward a plan on when do we buy land, why should we buy land, how is that going to impact the communities that are associated with that. That is what this amendment would do.

Yes, this amendment is specific to Montana. But there was an amendment earlier where the gentleman from California had a provision in this bill that was specific to his district for a specific need. I am simply suggesting that Montana deserves an equal standing. This bill addressed a specific concern in Louisiana, coastal areas and provides $1.5 billion for that purpose, $1.6 billion for California, $800 million for Alaska.

I do not think that it is unfair for the people of Montana to ask that they be treated equitably in this bill addressing a unique problem with a specific solution and a mechanism to do that that protects the important wildlife values, the important environmental values, but also recognizing the importance of the economic benefits and opportunities to the people of Montana.

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

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

Mr. GEORGE MILLER of California. Mr. Chairman, the gentleman may be able to have his cake and eat it too. As the gentleman from Louisiana (Mr. TAUZIN) has read the language, it is highly unlikely that there is going to be condemnation or Federal purchases in Montana.

The CHAIRMAN pro tempore. The time of the gentleman from Montana (Mr. HILL) has expired.

Mr. GEORGE MILLER of California. Mr. Chairman, is there a way to get the gentleman 30 seconds so he could respond?

The CHAIRMAN pro tempore. The gentleman from Louisiana (Mr. TAUZIN) has 30 seconds remaining.

Mr. TAUZIN. Mr. Chairman, I yield the balance of my time to the gentleman from Montana (Mr. HILL).

Mr. GEORGE MILLER of California. Mr. Chairman, if the gentleman will yield, in all likelihood you are not going to have Federal land acquisitions. So if you struck section 1, then you would get your cake and eat it, too, because you get your study under the terms and conditions that you have set forth.

MODIFICATION TO AMENDMENT NO. 20 OFFERED BY MR. HILL OF MONTANA

Mr. HILL of Montana. Mr. Chairman, I ask unanimous consent to strike section 1 and offer the amendment with that section struck.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. YOUNG of Alaska. Mr. Chairman, reserving the right to object, I do not believe I will object. We are looking at the language right now. I think my staff agrees with it. The gentleman means paragraph 1, is that not correct?

Mr. HILL of Montana. If the gentleman will yield, that is correct.

Mr. YOUNG of Alaska. It would be paragraph 1.

Mr. GEORGE MILLER of California. If the gentleman will yield, where it says ''in general.'' Lines 7 through 12.

Mr. HILL of Montana. Yes, that is my unanimous consent request.

Mr. TAUZIN. Mr. Chairman, reserving the right to object just to make sure. If what remains of the bill is section 2, the language says that not only do you get a study, it has to result in a certain outcome. I just want to point that out in terms of the negotiations here. I realize that the gentleman is saying our friend from Montana ought to have his study, but I would caution the chairman to look at the language in section 2 that says the study has to produce a specific outcome.

Mr. YOUNG of Alaska. If the gentleman will yield, I am going to suggest because there is some type of cooperation occurring here, if the gentleman will assure me that he is going to enthusiastically support the bill, I am willing to accept that part of the provision with the understanding that you and I are going to work together.

Mr. HILL of Montana. You would have to strike the provision enthusiastically.

Mr. YOUNG of Alaska. I will ask you directly, quietly.

Mr. HILL of Montana. As I have told the chairman in the past, if I can have this provision in the bill, that I would be willing to support the bill.

Mr. YOUNG of Alaska. And be willing to work with me to try to make sure that this is balanced out correctly?

Mr. HILL of Montana. I would commit to that.

Mr. YOUNG of Alaska. Is that agreeable to the gentleman from California?

Mr. GEORGE MILLER of California. Yes.

Mr. YOUNG of Alaska. In that case we will accept his original proposal striking and accept the rest of the amendment.

The CHAIRMAN pro tempore. If the horse trading is done and we could back up for a second.

Mr. YOUNG of Alaska. I know we are on television, but I will trade horses anyplace in the street, believe me.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 20 offered by Mr. HILL of Montana:

In the matter proposed, strike out line 7 through line 12.

The CHAIRMAN pro tempore. Is there objection to the modification?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

The question is on the amendment offered by the gentleman from Montana (Mr. HILL), as modified.

The amendment, as modified, was agreed to.

□ 1200

The CHAIRMAN pro tempore (Mr. LATOURETTE). It is now in order to consider amendment No. 21 printed in House report 106–612.

AMENDMENT NO. 21 OFFERED BY MR. BUYER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. BUYER:

Page 45, line 5, strike ''wildlife conservation organizations,''.

Page 47, line 1, strike ''wildlife conservation organizations, and outdoor recreation and conservation education entities''.

Page 68, strike line 23 and all that follows down through line 11 on page 69.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Indiana (Mr. BUYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BUYER).

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

Mr. Chairman, I rise to offer an amendment to the Conservation and Reinvestment Act. My amendment would keep the private transactions of nonprofit, nongovernmental conservation groups a private matter by stopping government money from going to these groups for the purpose of purchasing conservation easements.

We all share the goal of promoting conservation of our natural resources, and we all understand the importance of passing these resources from one generation to the next. But private environmental groups do not need the Federal Government's support. Nonprofit groups are already acquiring land for preservation purposes without government support. Private organizations are raising hundreds of millions of dollars each year which donors can take as a deduction on Federal taxes. In fact, according to the IRS and Philanthropic Research, Incorporated, the 10 largest environmental nongovernmental organizations have a combined annual revenue of over $1 billion.

Now, what these groups do with the money they raise is their own business. If they want to purchase conservation easements, that is great. But they should not expect the Government to fund their activities. As currently written, CARA allows nonprofit environmental groups to acquire land, hold title and enforce easements, while Washington picks up half the tab.

The funding of private groups for conservation easements is an unnecessary expansion of government. At a time when we should be holding the line on the amount of money that Washington spends and the influence it has over our people, it makes no sense to create a $100 million program to fund work that is already being done in the private sector. Moreover, Federal support of conservation easements is a back-door way of the Government to control even more land and exercise land use policies in a quasi-governmental function.

The Federal Government already owns 670 million acres of land, about one-third of the land in the United States, land that it cannot properly maintain. Federal funding of private groups' land acquisition is another way for government to promote restrictions on land use without actually having to purchase the land.

Now, there is a bit of confusion based on what has been shared among Members between the minority and the majority about what is actually in the bill and how it mirrored exactly what was taken out of the 1996 farm bill, Freedom to Farm. I would like to clarify. The 1996 farm bill included a program, the Farmland Protection Program, or FPP, intended to keep farmland in agricultural production. The program featured Federal funds to assist with the purchase of easements that would permanently restrict the use of land agriculture. Under the program, private nonprofit groups could receive Federal funds if they were partnered with a government entity and only for the purpose of keeping farmland in agricultural production. The money flows from the Federal Government to the State or local government entity, which in turns channels it to the private partnering groups. Under the FPP, there is no direct pipeline to these groups from the Federal Treasury.

Now, what is in CARA that is different from the Freedom to Farm? Under title VII of CARA, there are two significant and troubling differences. First, under the CARA provision, private, nonprofit groups do not have to be partnered with a government entity.

This means that for the first time, these groups have a direct pipeline to the Federal Treasury for the purposes of acquiring easements. The second difference and significant difference is that under CARA, the easements have been expanded to include general conservation purposes, such as wildlife preservation as opposed to simply keeping farmland in agricultural production.

A second area of confusion is about the impact that our amendment would have on private, nonprofit groups under FPP. Some of the groups are concerned that our amendment would take away funding that they currently receive or jeopardize future funding under the FPP. This notion is mistaken. Our amendment only impacts CARA. If adopted, our amendment would not take away any of the nonprofit groups' funding under the FPP or impose further restrictions on their activities. We simply are preventing them from building a direct pipeline to government money under CARA and from using money for nonagricultural purposes. Under our amendment, these groups could still receive Federal funds if they partnered with a government entity.

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

Mr. UDALL of Colorado. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, this amendment is intended to prohibit nonprofit organizations from using funds under the bill to acquire conservation easements. This would be exactly the wrong thing to do. Let me talk a little bit about what is going on in Colorado.

In Colorado, we have the Colorado Cattlemen's Agricultural Land Trust, which helps ranchers and other property owners to avoid the need to sell their lands to developers. In fact, if we look at their brochure that they put out, that gives a lot of great examples of easement purchases, and they specifically talk about the fact that cattlemen formed the trust so that easements could be held by private parties. They want private sector control. This amendment would eliminate that possibility.

We also have organizations like the Continental Trails Alliance, which can acquire easements instead of having to purchase full fee interests in lands and that makes them able to make effective use of their limited funds.

When we look throughout the country, we have soccer clubs and other nonprofit groups that are acquiring easements that makes it much more feasible for those communities to provide recreation areas for soccer and for open-space recreation and to help deal with the sprawl that is consuming so much of our precious open space.

So this bill helps these groups carry out these vital activities. This amendment would make it much more difficult, if not impossible, for them to do that. For that reason, we should reject the amendment.

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

The CHAIRMAN pro tempore. The gentleman from Indiana (Mr. BUYER) has 1½ minutes remaining.

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

Mr. UDALL of Colorado. Mr. Chairman, I would inquire as to the time remaining.

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. UDALL) has 3½ minutes remaining.

Mr. UDALL of Colorado. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me this time.

I represent probably one of the most productive agricultural communities in the United States. Our county alone produces 55 crops. We do about $2.4 billion in sales. This is the County of Monterey and the Salinas Valley, also known as Steinbeck country because that is the area that John Steinbeck wrote about.

What is happening with the land use pressures in California where we have 33 million people in the State; we are growing very fast, and for these productive agricultural lands, the farmers are getting together. As the gentleman from Colorado (Mr. UDALL) indicated, we also have the California Cattlemen's Association, which has created a private nonprofit to allow the transfer of a lot of easements, because that way the land still stays in private ownership, only what one is selling is the development rights.

Now, what the gentleman's amendment would do is just prohibit these wonderfully new inventive tools that have been used by the private sector, by willing sellers. Nobody comes in and takes these things. Why they are so creative is that it allows the family that owns the land to have some income that relieves some of the pressures for ownership and some of the liabilities for ownership so that they are not taxed on best use and all of that. The gentleman's amendment would just not allow these people to be recompensated for those efforts.

Now, what happens in land use, it is sort of like when one is trying to build housing. We do not just do this with one single source of revenue. What happens in California is that a lot of these, particularly in the farmland areas, is it is private money coming out of farmland trust. People give private contributions. It comes out of foundation money, conservative organizations like Hewlett and Packard Foundations. These are private sources money which are matched, oftentimes with local, like county money or State money that comes; we just passed a bond act in California that authorizes this.

The gentleman is saying that we cannot pool any of that money with Federal money under this program and allow this to continue. I know what the gentleman is getting at, is that these organizations should not be compensated as real estate agents, but frankly, they are doing the real estate business under willing sellers. I think it is a bad amendment.

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

I would say to the gentleman, I come from a district that represents 20 counties of Indiana, one of the largest districts that is to the east of the Mississippi, with a strong agricultural base. I would disagree with the gentleman's assertion that somehow this prevents private organizations from purchasing lands, purchasing those easements and doing what they want with it.

What I am saying is, if the sponsors of this bill sell the bill to the Members of this body by saying oh, what we have done is just took exactly what was in Freedom to Farm and placed in the bill, and I am going to clarify this with the chairman, then we have a problem.

The CHAIRMAN. The time of the gentleman from Indiana (Mr. BUYER) has expired.

The gentleman from Colorado (Mr. UDALL) has 1½ minutes remaining.

Mr. UDALL of Colorado. Mr. Chairman, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, whoever is running this mike, they better start learning how to run it.

Mr. Chairman, I want to clarify one thing. We believe, from the letters of the Committee on Agriculture, it was exactly the same, because we sent this bill to the committee and they worked on the committee through the exchange of letters.

Now, if there is a misinterpretation, I do apologize, and I do believe the staff screwed up. But we are going to work on that part to make it work, that last provision.

Now, the rest of the amendment disturbs me. This is my part of this bill, the wildlife restoration part. And what the gentleman does is eliminate the ability of Ducks, Unlimited, eliminate the ability of Safari International, the ability of those organizations that believe in wildlife restoration in participating in that program, with the gentleman's amendment.

So I respectfully ask the gentleman to consider that, and let us work on that provision which, if the gentleman thinks I misled, I apologize, but I did not do it intentionally, because it came out of another committee. We will work on that provision as we go through this process. I will do that. But those other two provisions I adamantly oppose, and anybody who understands Ducks, Unlimited and Safari, they are the biggest contributors to wildlife restoration and sustainable yield of those species. I have to oppose the amendment as proposed, but I will

work with the gentleman on that last provision.

Mr. BUYER. Mr. Chairman, if the gentleman will yield, I thank the gentleman from Alaska.

Mr. UDALL of Colorado. Mr. Chairman, I yield myself the remainder of my time.

I would echo what the chairman has suggested, but again I emphasize that this amendment would eliminate the opportunity for the private sector to be involved. In fact, CARA is constructed in a way that the private sector is fully involved in the holding of conservation easements.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Indiana (Mr. BUYER).

The amendment was rejected.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 22 printed in House Report 106–612.

AMENDMENT NO. 22 OFFERED BY MRS. CHENOWETH-HAGE

Mrs. CHENOWETH-HAGE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mrs. CHENOWETH-HAGE:

Page 46, strike line 5, and all that follows down through line 19 on page 47 (all of 302(d)).

The CHAIRMAN. Pursuant to House Resolution 497, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment strikes a provision in title III of the bill which opens the door for funding to go to organizations which engage in ''public outreach'' and species reintroduction and numerous other uses not currently in law. The amendment would keep in place current law.

So, Mr. Chairman, I am really especially concerned that this definition will allow for the great expansion of the management of non-game species that is contained in the present bill before the House. It will also allow funding for very highly controversial measures such as wolf and grizzly bear introduction as is occurring in my State of Idaho. But most egregious is the term ''public outreach,'' which makes organizations who engage in advocacy and lobbying eligible to receive funds under the Pittman-Pobertson act. This means that extreme organizations will be eligible for funds to actively lobby and advocate against activities such as hunting and recreational access.

Now, again, Mr. Chairman, I would like to quote from Mr. Ray Arnett, who is the former President of the National Wildlife Federation and former Director of the California Fish and Wildlife Service. He said in his letter that CARA is a very dangerous bill. He said,

> Every owner of a ranch or a farm or wood lot or a game preserve will be at risk of being targeted by not only agencies, but organizations working in tandem with environmental anti-hunting, animal rights pressure groups.

□ 1215

Ironically, since they hold the most desirable properties, the private landowners, who have been the most diligent caretakers of their holdings, will be on the top of the list for land grabs and government takeovers under this bill.

CARA is destined to be a disaster for one of its intended beneficiaries, and that is, the sporting community of hunters and fishermen who are the true and most able conservationists in America. The unprecedented flood of money provided by CARA will enable buying and turning over to the government the private lands historically and currently used for hunting and fishing. This will subject the properties' sporting use to the whim of public opinion and a bureaucracy increasingly hostile to sport hunting, fishing, trapping, and gun ownership.

CARA, he said, fits perfectly into the plans of the anti-hunting Animal Protection Institute, since it will provide the very revenue source outside of the sportsman-paid excise taxes to fund Pittman-Robertson.

There is no question that animal rights advocates will target for acquisition fish and game clubs, leases, and other private land where the taking of renewable wildlife resources is permitted. Once the land is purchased and under government control, these well-funded anti-sportsmen groups will lobby Congress and government agencies for the elimination of any consumptive use of wildlife resources. This is a correction that needs to be made to this bill.

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

Mr. YOUNG of Alaska. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. LATOURETTE). The gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes in opposition.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentlewoman's amendment, if it had been narrow, would have been somewhat easier to look at and maybe understand, but it is so broad that it concerns me, because she strikes all the definitions, including the definition of ''wildlife-associated recreation.''

In our negotiations, I worked very hard to include in that hunting and fishing to be considered as one of the recreation activities to occur on these lands. Under her amendment, by striking the definitions, it would give the Department of the Interior, the Secretary of the Interior, the ability to define what could occur on these lands. That is why I am worried about the amendment. It is so broad, it strikes everything. This, very frankly, is not the intent.

I am a hunter. I am a fisherman. I am a person who participates in the outdoors for a great many hours. Every hunting group that has any recognition at all supports this bill. The one group that does not support it is the animal rights group. There is a little contradictory work there. In fact, I am going over here in a little while to talk to the Safari Club that is actively involved in promoting this legislation. Members may not like that, but that is the fact of life, because they are the best conservation organization in existence in this world today, and I will say that without any reservation, and they are supporting this overwhelmingly.

I also recognize the importance and definition of activities that can include archery ranges and things like that. If we strike all these definitions, we really go to the problem of letting, again, the Secretary of the Interior make those decisions. I think that is incorrect.

Mr. Chairman, I yield 2½ minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, I oppose the amendment. I want to express the same sorts of concerns that my colleague, the chairman, the gentleman from Alaska (Mr. YOUNG) expressed.

It seems that while this proposed amendment may be intended to prevent title III funds from being used for public outreach, species reintroduction, and other uses not currently authorized in the law, it actually could have the opposite effect, is what the gentleman is suggesting.

By deleting all the definitions in the title, that being title III, but maintaining the rest of the title, it establishes a new wildlife conservation program for the States with a variety of terms of reference that are not defined, including wildlife conservation project, wildlife recreation project, wildlife education project.

The way I see it, if the amendment was passed the administration could write new regulations interpreting these provisions in any way they want. Potentially, they could determine that these projects could include public outreach or species reintroduction, which I think are the very things that the sponsor is attempting to prevent.

Mr. Chairman, again, I think this would be ill-advised. I am opposed to the amendment.

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

Mr. UDALL of Colorado. I yield to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I think the legislative process

and particularly the committee process is designed to draft legislation so that ambiguities are spelled out and worked out so that the bill as we enact it, as it becomes the law of this country, we can understand what it means.

I think what the problem with this amendment is, and some of those that we have been speaking on today, I believe they are kind of reckless.

This amendment deletes definitions. There is a whole section on definitions. If Congress has not defined what it means by the use of those funds, it leaves it up to others to define. As the gentleman from Colorado (Mr. UDALL) and the gentleman from Alaska (Mr. YOUNG) said, it leaves it up to the States to define it, it leaves it up to the Secretary of the Interior to define it, it leaves it up to an uncertain process.

Frankly, when it comes to dealing with land, management of land, acquisition of land certainty is key. By this amendment, we eliminate the line that says, ''The term 'wildlife conservation and restoration program' means a program developed by a State Fish and Wildlife Department and approved by the Secretary.'' They delete that, so they can do it any way they want. They do not need it approved by the Secretary.

It goes on to say, ''The term 'wildlife-associated recreation' shall be construed to mean a project intended to meet the demand for outdoor activities associated with wildlife, including but not limited to hunting, fishing, wildlife observation, photography, such projects as construction or deconstruction of wildlife viewing areas, et cetera,'' they delete all that. They leave it up to vagaries and uncertainty. That is not good law. Bad amendment.

Mrs. CHENOWETH-HAGE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this bill is sound, this amendment is sound. Let me just read what I believe is reckless in terms of what is included in the term ''conservation.''

Normally, we would think of conservation as Teddy Roosevelt would, caring for the resources. But actually, here there are so many ambiguities in here that the term ''conservation'' means ''a standard that is desirable to sustain healthy populations, including all activities associated with scientific resource management.'' Whose science? That includes ''research, census, monitoring of populations,'' but another key word, Mr. Chairman, ''acquisition,'' acquisition. This falls under the definition of ''conservation.''

So, Mr. Chairman, my amendment is simply put together to clear up the ambiguities. The term ''conservation'' has been widely used and widely understood, but it is being exceedingly broadened in this new bill. I would urge the support of this amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment was written with the cooperation of not only the staff but cooperation of the outdoors coalition. It was written and reviewed. They are supporting this, those people who directly use this.

I have things in here that a lot of people would not vote for. I have trapping, hunting, fishing. Those are the things I would like to see left in this bill because it is part of wildlife rehabilitation and wildlife restoration.

Again, I suggest, respectfully, the amendment as offered is so broad it defeats all the purposes that we have worked for to try to have the wildlife included in this bill.

The CHAIRMAN pro tempore (Mr. QUINN). All time has expired on the discussion of the amendment.

The question is on the amendment offered by the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

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

Mrs. CHENOWETH-HAGE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentlewoman from Idaho will be postponed.

It is now in order to consider amendment No. 23 printed in House Report 106–612.

AMENDMENT NO. 23 OFFERED BY MR. UDALL OF COLORADO

Mr. UDALL of Colorado. Mr. Chairman, I offer an amendment.

The Chairman pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. UDALL of Colorado:

Page 70, line 14, strike ''and''.

Page 70, strike the period on line 17 and all that follows through line 22 and insert the following:

'', and

''(3) the Urban and Community Forestry Assistance Program established under section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).''.

Page 10, line 21, after ''note)'' insert '', the Urban and Community Forestry Assistance Program established under section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105),''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Colorado (Mr. UDALL) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am offering this amendment not just on my own behalf, but on behalf of a number of other Members, including the gentlewoman from North Carolina (Mrs. CLAYTON), the gentleman from New York (Mr. CROWLEY), and the gentlewoman from California (Mrs. NAPOLITANO).

Mr. Chairman, the amendment is simple. It would add authority for the Secretary of Agriculture to use funds under the bill for urban and community forestry, in addition to the authority the bill provides for funding the farmland protection and forest legacy programs.

The amendment would not require a specific level of funding, it would merely require and allow the Secretary to have the discretion to provide the program with some of the funds available under Title VII of the bill.

The urban and community forestry program helps communities protect their air and water, save energy, increase property values, and create healthy environments by enabling the Forest Service to provide technical and financial assistance to local governments and to nonprofit organizations in partnership with the State forestry agencies.

The program helps urban communities with tree planting and urban planning. It helps suburban communities like mine respond to the problems of growth and sprawl, and it helps rural communities, as well. For example, in the last fiscal year, the program assisted more than 50 projects in Colorado. It helped dozens of communities of all sizes, from Lyons, Larkspur, and Leadville, to Dacono, Denver, and Dinosaur, and many others across our State.

Besides local governments, such as Jefferson, Gunnison, and Eagle Counties, and many cities and towns, its partners included dozens of groups like Volunteers for Outdoor Colorado; Trees, Water, and People; the Denver Urban Resources Partnership; garden clubs, schools, and many others too numerous to list.

The story is the same all across the country. In fact, nationally, more than 10,000 communities and some 7,000 volunteer organizations participate annually.

The program operates on a partnership basis and Federal funds are heavily leveraged. In fact, $4 of private donations and in-kind contributions are involved for each dollar provided by the Federal government.

We are still not meeting all of the needs out there. In fact, the Forest Service tells me that they have eight times more requests for assistance than they have resources to provide. So I think it just makes good sense to give the Department of Agriculture the ability to use some of these funds that would be made available by this bill to continue this important work.

In short, I think adding this program would add a useful element to this good bill.

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

The CHAIRMAN pro tempore. For what purpose does the gentleman from Alaska (Mr. YOUNG) rise?

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alaska (Mr. YOUNG) is recognized in opposition for 10 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, for the purpose of discussion, I yield such time as he may consume to the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Chairman, I rise in opposition to the amendment, not because I do not feel that this is a good program, because it is, and I have supported it in the past. At the same time, we have heard over the last 2 days repeatedly about the delicate balance that exists in this bill, and how important it is to hold the bill together and not accept any of the amendments.

I had amendments that added money to urban parks, and all my friends voted against it. I had amendments that added money to endangered species recovery, and all my friends voted against it, including the chairman and those that are in favor of this particular amendment. They were all opposed to all the good things that we were trying to do to this bill.

I would ask for a no vote on this particular amendment, because if there is such a delicate balance and if it is so important not to accept any amendments, then we should not accept this amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would tell the gentleman, I am going to support the amendment, and the good gentlewoman from North Carolina (Mrs. CLAYTON).

I think what we have to do is plant more trees. We also have to harvest them at the appropriate time, but there have to be more trees planted, because our forestry in the urban areas and in the rural areas is in decline because management has been very poor.

I have to lecture a little bit here. There is a concept that trees last forever. They do not. We ought to recognize that, because they do the best to clean the air up. They are the one, true purifier of our air, and dead trees or old trees that have reached their maturity and have begun to die do not clear the air.

I do not know how many read in the paper, we have a fire now in the Los Alamos area where there is a fire threatening our nuclear capability. We have to recognize that nature is well and good, but it is not necessarily as good as we can be in managing our forests.

I have traveled to Sweden, I have traveled overseas, where they today have managed their forests over the years because they recognize the value of live trees and what they do and how they clean the air and how they help mankind live.

□ 1230

So I am in strong support of this amendment, and I want to tell the gentleman, we will be willing to accept the amendment. And because the gentleman is running the time, I guess he will not object to his own amendment. But I do want to suggest to my colleagues that we have to look at the big picture. This is part of the big picture.

As far as the delicate balance, I have to tell the gentleman from California Mr. POMBO), my good friend, we have adopted five of the amendments that have been proposed to us. We have listened to the gentleman from Ohio Mr. REGULA). We accepted one of his amendments. We have taken one from the gentleman from Montana Mr. HILL), the gentleman from New York Mr. BOEHLERT), and the gentleman from Indiana (Mr. SOUDER). So we have adopted amendments.

So this debate has been very good, because we have listened to both sides. And where the amendments really can make sense, we have accepted them. But, again, I congratulate the gentleman from Colorado Mr. UDALL) and the gentlewoman from North Carolina (Mrs. CLAYTON) on this amendment because I think it adds to the bill, and I hope the people of America recognize the importance of sound management, planting of new trees for the betterment of those people who live in the urban areas as well as the rural areas.

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

Mr. UDALL of Colorado. Mr. Chairman, I yield myself such time as I may consume only to, I think, summarize what the gentleman said: We have to plant before we can harvest, and I continue looking forward to working with the gentleman from Alaska (Mr. YOUNG.)

Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman from Colorado for yielding me this time, and I thank the gentleman from Alaska (Chairman YOUNG) for his recognition and support of making a good bill even better. And to the gentleman from California (Mr. POMBO), my colleague and my friend from the Committee on Agriculture, we will have another day to work together. We are friends, and I hope he continue to support this program.

Mr. Chairman, I rise to urge the support of the amendment offered by the gentleman from Colorado Mr. UDALL) and myself and others, and also rise in support of the base bill.

This amendment, I think, enhances the base bill. The Urban and Community Forest Program has been in existence since 1978. This program has been widely used throughout the United States, assisting 80 percent of all Americans. Assistance is provided by the program for both urban and rural areas, as well as suburban communities and small towns that fall in between.

As our rural areas and small towns, communities, cities have developed, the Urban and Community Forest Program has become an integral part of building and sustaining them. Important connections existing between the liveability of communities and the service functions provided by trees, forests and related green space. These connections includes improved air and water quality, control of storm runoffs, sufficient soil aeration and energy conservation.

These connections are important due to increasing demands on natural resources by developers, as evidenced by tremendous urban sprawl, along with pressure to develop rural areas. Without property conservation, our quality of life will be greatly diminished throughout all of our communities.

USDA's Forest Service works with State forestry agencies, local tribal governments, and the private sector in urban and rural settings to conserve and manage natural resources. Let me cite a few examples of how this program has assisted some communities.

In 1999, Elizabethtown, North Carolina, which has a population of 3,839 citizens, forestry funds were used to implement a highly visible tree-planting project to develop a community forestry program.

''Hand Made in America,'' a nonprofit organization in western North Carolina, formed a partnership with six small mountain towns and two private colleges creating a collaborative effort to plant trees in an endeavor to achieve sustainable communities.

The South Carolina School for the Blind established a quarter-mile natural trail. The natural trail has Braille signs, wildlife footprints, bird sounds, and three natural wildlife habitat areas to teach plant science, animal characteristics and natural resource management.

The City of Herndon, Virginia is using a $2,500 public-private partnership grant for tree planting to encourage homeowners to properly plant and maintain trees.

Mr. Chairman, these are excellent examples of how the Urban and Community Forest Program is working to improve the quality of life in both rural areas as well as urban areas.

I urge my colleagues to support this program. It is good both for urban and rural America.

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

Mr. UDALL of Colorado. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I have come today to the floor to urge my colleagues to support the amendment offered by the gentleman from Colorado (Mr. UDALL), which simply restores the Urban and Community Forestry Program. This is, indeed, a bipartisan bill and I am very thankful to the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) for their hard work on it.

In fact, this program restores the green infrastructure that is disappearing so dramatically in our cities and in our towns throughout America. And we are really substituting cement and asphalt for trees and greenery.

The Urban and Community Forestry Program would also make it possible

for youth at risk to learn how to clean up their communities and educate their parents and neighbors about conservation practices like waste removal, recycling, planting, et cetera. We must continue to teach our youth and involve them so that we can continue growing these green trees for effectively preserving the natural environment.

Studies have shown that preventing the spread of deforestation in our cities decreases energy and storm water runoff costs, increases air quality and improves the liveability of our communities and our neighborhoods. It does attract businesses who love to have their employees in a greener community, the better employees.

Mr. Chairman, this also is the only current Federal program that can so comprehensively help improve the environmental quality of urban Americans. Note that this is not an increase in funding authorization of the CARA bill. Instead, it simply allows the program to receive some of the funds already earmarked for the USDA bill. This is almost a four-to-one match, the one Federal program dollar with in-kind and donated services.

More than ever, we need to not only sustain but also encourage the livelihood of projects like the Urban and Community Forestry Program. I would like to thank my colleague, the gentleman from Colorado (Mr. UDALL) for introducing this amendment, and I encourage all my colleagues in this House to support the inclusion of the Urban and Community Forestry Assistance Program in this final version of H.R. 701.

Mr. UDALL of Colorado. Mr. Chairman, may I inquire how much time we have remaining.

The CHAIRMAN pro tempore (Mr. QUINN). The gentleman from Colorado (Mr. UDALL) has 2½ minutes remaining, and the gentleman from Alaska (Mr. YOUNG) has 6½ minutes remaining.

Mr. UDALL of Colorado. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from Colorado (Mr. UDALL), my good friend, for yielding me this time.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Colorado, my good friend and colleague. This amendment would provide a dedicated stream of funds for the Urban and Community Forestry Program, a valuable yet underfunded program.

As the only Member from the New York State delegation on the Committee on Resources, and representative of the most urban district on the committee, I have realized that the Urban and Community Forestry Program is vital to the regreening of our Nation's cities.

In my home State of New York, over the last 4 years, the Urban and Community Forestry Program has provided more than $1 million to contain and prevent further tree loss associated with the Asian longhorned beetle, an invasive species that has destroyed thousands of trees throughout both New York City and Chicago metropolitan areas.

The Urban and Community Forestry Program has provided technical assistance to help local officials plant and care for trees that are resistant to the beetle to prevent future outbreaks in the City of New York and throughout the United States.

The Urban and Community Forestry Program currently assists over 13 major U.S. metropolitan areas, including Denver, Atlanta, Boston, Buffalo, Chicago, East St. Louis, New York, Philadelphia, San Francisco, Seattle, and South Florida. With additional assistance, this worthwhile program could provide even more assistance.

Additionally, the Urban and Community Forestry Program has provided technical assistance to help community groups plant trees, restore riverbanks, improve watersheds and provide conservation education that makes our urban communities a better place to live and to work.

Therefore, I am pleased to stand with the gentleman from Colorado (Mr. UDALL) and the gentlewoman from California (Mrs. NAPOLITANO) in strong support of this amendment. Again, I thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) for this landmark legislation.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to say one thing to the gentleman from New York (Mr. CROWLEY) and compliment him on his statement. But this is the difference between some of our agencies' attitudes than what the City of New York has done. Because we have the same problem with beetles. We have 47,000 acres of beetles in the Kenai Peninsula that kills every tree down there and we are trying to eliminate the beetle on Federal land, eliminate the beetles and harvest that timber before it burns up our community, and the Federal Government says we cannot do that. To me, that does not make a whole lot of sense.

But I compliment the people in New York for recognizing that if we do not get rid of those beetles, they will keep going and going and going and create a deforested area, which occurred in my district. So I compliment the gentleman from New York.

Mr. Chairman, I do, as I mentioned before, support this amendment, and I urge my colleagues for a loud ''yes'' voice vote in accepting the amendment.

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

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman from Alaska (Mr. YOUNG) for working with me on this amendment. I urge support of it, and I yield back the balance of my time.

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

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

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceeding on the amendment offered by the gentleman from Colorado (Mr. UDALL) will be postponed.

It is now in order to consider the amendment that is numbered 24 in House Report 106–612.

AMENDMENT NO. 24 OFFERED BY MR. GIBBONS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. GIBBONS: At the end of the bill, add the following:

TITLE —PUBLIC LAND MANAGEMENT

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Public Land Management Act of 2000''.

SEC. ___02. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the large amount of federally controlled land in the United States and the lack of an adequate private land ownership base has had a negative impact on the overall economic development of rural counties and communities and severely degraded the ability of local governments to provide necessary services;

(2) in resource management plans, the Bureau of Land Management has identified for disposal land that is difficult and costly to manage and that would more appropriately be in non-Federal ownership;

(3) implementation of Federal land management plans has been impaired by the lack of necessary funding to provide the needed improvements and the lack of land management programs to accomplish the goals and standards set out in the plans; and

(4) the lack of a private land tax base prevents most local governments from providing the appropriate infrastructure to allow timely development of land that is disposed of by the Federal Government for community expansion and economic growth.

(b) PURPOSES.—The purposes of this title are to provide for—

(1) the orderly disposal and use of public land; and

(2) the maintenance and repair of Federal facilities on public land.

SEC. ___03. DEFINITIONS.

In this title:

(1) CURRENT LAND USE PLAN.—The term ''current land use plan'', with respect to an administrative unit of the Bureau of Land Management, means the management framework plan or resource management plan applicable to the unit that was approved most recently before the date of enactment of this Act.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) SPECIAL ACCOUNT.—The term ''Special Account'' means the account established by section ___06.

(4) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means the elected governing body of any city or county in a State.

SEC. ___04. DISPOSAL AND EXCHANGE.

(a) DISPOSAL.—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable law and subject to valid existing rights, the Secretary may dispose of public land under current land use plans maintained under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713)

(b) RECREATION AND PUBLIC PURPOSE CONVEYANCES.—

(1) IN GENERAL.—Not less than 30 days before offering land for sale or exchange under subsection (a), the State or the unit of local government in the jurisdiction of which the land is located may elect to obtain the land for local public purposes under the Act entitled ''An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes'', approved June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(2) RETENTION BY SECRETARY.—If the State or unit of local government elects to obtain the land, the Secretary shall retain the land for conveyance to the State or unit of local government in accordance with that Act.

(c) WITHDRAWAL.—Subject to valid existing rights, all Federal land selected for disposal under subsection (d)(1) is withdrawn from location and entry under the mining laws and from operation under the mineral leasing and geothermal leasing laws until the Secretary terminates the withdrawal or the land is patented.

(d) SELECTION.—

(1) IN GENERAL.—The Secretary and the State and unit of local government that has jurisdiction over land identified for disposal under subsection (a) shall jointly select land to be offered for sale or exchange under this section.

(2) COORDINATION.—The Secretary shall coordinate land disposal activities with the unit of local government under the jurisdiction of which the land is located.

(3) LOCAL LAND USE PLANNING AND ZONING REQUIREMENTS.—The Secretary shall dispose of land under this section in a manner that is consistent with local land use planning and zoning requirements and recommendations.

(e) SALES OFFERING, PRICE, PROCEDURES, AND PROHIBITIONS.—

(1) OFFERING.—The Secretary shall make the first offering of land as soon as practicable after land has been selected under subsection (d).

(2) SALE PRICE.—

(A) IN GENERAL.—The Secretary shall make all sales of land under this section at a price that is not less than the fair market value of the land, as determined by the Secretary.

(B) AFFORDABLE HOUSING.—Subparagraph (A) does not affect any authority of the Secretary to make land available at less than fair market value for affordable housing purposes under any other provision of law.

(3) COMPETITIVE BIDDING.—

(A) IN GENERAL.—The sale of public land selected under subsection (d) shall be conducted in accordance with sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1719).

(B) EXCEPTIONS.—The exceptions to competitive bidding requirements under section 203(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713(f)) shall apply to sales under this title in cases in which the Secretary determines that application of an exception is necessary and proper.

(C) NOTICE OF COMPETITIVE BIDDING PROCEDURES.—The Secretary shall also ensure adequate notice of competitive bidding procedures to—

(i) owners of land adjoining the land proposed for sale;

(ii) local governments in the vicinity of the land proposed for sale; and

(iii) the State in which the land is located.

(4) PROHIBITIONS.—A sale of a tract of land selected under subsection (d) shall not be undertaken if the Federal costs of sale preparation and processing are estimated to exceed the proceeds of the sale.

(f) DISPOSITION OF PROCEEDS.—

(1) LAND SALES.—Of the gross proceeds of sales of land under this section during a fiscal year—

(A) 5 percent shall be paid to the State in which the land is located for use in the general education program of the State;

(B) 45 percent shall be paid directly to the local unit of government in the jurisdiction of which the land is located for use as determined by the unit of local government, with consideration given to use for support of health care delivery, law enforcement, and schools; and

(C) 50 percent shall be deposited in the Special Account.

(2) LAND EXCHANGES.—

(A) IN GENERAL.—In a land exchange under this section, the non-Federal party shall provide direct payment to the unit of local government in the jurisdiction of which the land is located in an amount equal to 15 percent of the fair market value of the Federal land conveyed in the exchange.

(B) TREATMENT OF PAYMENTS AS COST INCURRED.—If any agreement to initiate the exchange so provides, a payment under subparagraph (A) shall be considered to be a cost incurred by the non-Federal party that shall be compensated by the Secretary.

(C) PENDING EXCHANGES.—This title, other than subsections (a) and (b) and this section, shall not apply to any land exchange for which an initial agreement to initiate an exchange was signed by an authorized representative of the exchange proponent and an authorized officer of the Bureau of Land Management before the date of enactment of this Act.

(g) ADDITIONAL DISPOSAL LAND.—Public land identified for disposal under a replacement of or amendment to a current land use plan shall be subject to this title.

SEC. ___05. MAINTENANCE AND REPAIR ON FEDERAL LANDS.

The Secretary shall use amounts available under section ___06(c)(1)(B) for repair and maintenance on Federal lands managed by the Secretary of Agriculture or the Secretary of the Interior.

SEC. ___06. SPECIAL ACCOUNT.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account to be used in carrying out this title.

(b) CONTENTS.—The Special Account shall consist of—

(1) amounts deposited in the Special Account under section ___04(f)(1)(B);

(2) donations to the Special Account; and

(3) appropriations to the Special Account.

(c) USE.—

(1) IN GENERAL.—Amounts in the Special Account shall be available to the Secretary until expended, without further Act of appropriation, to pay—

(A) subject to paragraph (2), costs incurred by the Bureau of Land Management in arranging sales or exchanges under this title, including the costs of land boundary surveys, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), appraisals, environmental and cultural clearances, and public notice;

(B) costs incurred in carrying out section ___05;

(C) the cost of carrying out any necessary revision or amendment of a current land use plan of the Bureau of Land Management that relates to land sold, exchanged, or acquired under this title; and

(D) related costs determined by the Secretary.

(2) LIMITATIONS.—

(A) COSTS IN ARRANGING SALES OR EXCHANGES.—Costs charged against the Special Account for the purposes described in paragraph (1)(A) shall not exceed the minimum amount practicable in view of the fair market value of the Federal land to be sold or exchanged.

(B) ACQUISITION.—Not more than 50 percent of the amounts deposited in the Special Account in any fiscal year may be used in that fiscal year or any subsequent fiscal year for the purpose described in paragraph (1)(B).

(3) PLAN REVISIONS AND AMENDMENTS.—The process of revising or amending a land use plan shall not cause delay or postponement in the implementation of this title.

(d) INTEREST.—All funds deposited in the Special Account shall earn interest in the amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Such interest shall be added to the principal of the account and expended in accordance with subsection (c).

(e) COORDINATION.—The Secretary shall coordinate the use of the Special Account with the Secretary of Agriculture, the States, and units of local government in which land or an interest in land may be acquired, to ensure accountability and demonstrated results.

SEC. ___07. REPORT.

The Secretary, in cooperation with the Secretary of Agriculture, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a biennial report that describes each transaction that is carried out under this title.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Nevada (Mr. GIBBONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

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

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

Mr. GIBBONS. Mr. Chairman, this amendment is part of the big picture of sound land management. This is a common sense, bipartisan amendment which addresses the large amount of federally controlled land in the United States.

In no way, Mr. Chairman, would this amendment change CARA. All it would say is if the Federal Government is going to spend approximately $1 billion per year on land acquisition, then there should be a simple, fair and thoughtful way for the Federal Government to sell its unwanted land.

In my State, where almost 90 percent of the land is government-owned, our rural counties have been placed under tremendous financial strain due to the lack of private property taxes as a tax base. This has severely degraded the ability of these local governments to provide necessary services such as school repairs, police and fire protection, medical service and infrastructure improvements.

This amendment provides a mechanism to sell back lands that the Bureau of Land Management, that in their own land management plans, has identified to be unwanted, difficult, costly or unnecessary to manage. Currently, there is no effective means by which the BLM can, in a timely and efficient manner, sell government land that they do not want.

First, the Secretary and the State and the counties that have jurisdiction over government land identified for disposal can choose, jointly, the mechanism of disposal, be it offered for competitive sale or exchange. Additionally, this amendment allows States and counties to file for an R&PP to obtain the land for local public use or recreational purposes before it is offered for sale.

The Secretary will also have to coordinate land disposal activities which affect counties so they take into account local land use planning and zoning recommendations. It is important to note that the public and the government will be justly compensated for land disposed under this amendment. This amendment instructs the Secretary to sell the land at a price that is not less than the fair market value as determined by the Secretary.

Additionally, the sale of this public land must be conducted through a competitive bidding process that allows fair and equal footing to all interested parties.

Also of note is that a proposed sale of land will be terminated, should it be determined that the Federal cost of sale preparation and processing are going to be more than the proceeds of the sale.

This amendment also sets up a distribution of the monies generated by the sale of land. The money will be divided into three categories: A small percentage will go to the State in which the land is located for use in their general education fund. A percentage will go to the county for use in health care, law enforcement and schools, and the remaining funds shall be used by the Federal Government to repair and maintain existing government lands.

□ 1245

This amendment creates a fair and equitable mechanism to dispose of unwanted Federal property, and without it, the Federal Government will continue to own more land without being able to give up any, even the stuff they say they do not want. Mr. Chairman, I respectfully encourage favorable consideration of this amendment.

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

The CHAIRMAN pro tempore (Mr. QUINN). Does the gentleman from Louisiana (Mr. TAUZIN) seek the time in opposition?

Mr. TAUZIN. Mr. Chairman, I seek the time in opposition.

Mr. Chairman, for purposes of controlling time, I yield 2½ minutes to the gentleman from California (Mr. GEORGE MILLER).

The CHAIRMAN pro tempore. Without objection, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from California (Mr. GEORGE MILLER) each will control 2½ minutes.

There was no objection.

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

Mr. Chairman, let me urge the Members to reject this amendment. While many parts of this actual bill are worthwhile, the bill is before our committee. The committee has filed a bill similar to this, I think, before the committee and, therefore, it is under consideration of the committee. And I am sure the chairman of the Committee on Resources would be more than willing to work with the gentleman in regards to working on that bill.

The problem is adopting this bill in this package means that we would be making a lot of decisions that the committee would probably want to look at. For example, in this bill there are exceptions in the land sales from fair market value for perhaps socially good purposes, low-income housing, but nevertheless there are exceptions from receiving fair market value in this act. There is even an exception on page 6 that allows the Secretary to determine that he can waive the competitive bidding requirements for the sale of public lands. I am not sure that is a good idea.

We ought to have a good discussion and a debate as to why that would be necessary and why the Secretary should ever waive competitive bidding when we are selling public lands.

Mr. Chairman, in addition, on page 7, for example, there is a distribution of the proceeds, which splits it half and half, 50 percent to the Federal Government, 50 percent to the local government and to the State in which the land is located. These are Federal lands and perhaps the money ought to be split up between the State and local governments and the Federal Government, but that is the kind of discussion that ought to be raised in the committee as this bill was addressed and as we debate for pros and cons of it.

I would urge the rejection of the amendment. At the request of the gentleman from California (Mr. DOOLITTLE) in the committee, we included language on page 33 of the bill that requires the Secretary of the Interior to actually transmit with the list transmitted under subsection (a), a separate list of those lands under the administrative jurisdiction of the Secretary that have been identified in applicable land management plans as surplus and eligible for disposal as provided by law.

There are laws now covering the disposal of public lands and we dispose of public lands pursuant to those laws. We actually even update each list to be transmitted as land management plans are amended and revised. So we have added language at the request of the gentleman from California (Mr. DOOLITTLE) to literally make sure that we have a list of disposal lands available.

I would simply urge that this bill be considered in the full committee where it belongs and all of these intricate provisions debated in full committee. This amendment should be rejected.

Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I really would simply just concur with what the gentleman from Louisiana (Mr. TAUZIN) has said. To set up the regime to do as the amendment suggested is something we may want to do, but I do not think that that is what the amendment does. In fact, it is much broader than those lands which are identified. I think that this legislation as it is currently written, the CARA bill, will, in fact, increase the inventory of those lands as we go through the process with the Secretary of the Interior, and then maybe at that point the gentleman could decide if the gentleman wants to auction those off according to how the gentleman from Nevada (Mr. GIBBONS) has written his amendment.

Mr. Chairman, I concur with the notion that I think the committee ought to direct some time, as I said to the gentleman from Montana (Mr. HILL) in his amendment, direct some time to see how to do this and get on with it, maybe even more so in a State like the gentleman from Nevada (Mr. GIBBONS), which is growing so rapidly. We are seeing more and more proposals come for land transfers, exchanges and the rest of it, because the cities' needs, airports and all the rest of it, are growing so rapidly that this may be absolutely worthy of our consideration in the committee to develop it, because some of our western States are starting to fill up and the land base that was there at one time may not serve the best needs of this State or even of this country.

I know sometimes it is harassing to say that we would reconsider the land bases that exist today, because it should always be that way. The fact is no, we should, we should reconsider it in light of what is taking place in the western United States, but I would hope that we would reject this amendment. I would hope that the committee might use this as a way to initiate some of the questions that have been avoided for many, many years about lands that may have little value to the Federal Government, that may have great value to localities in terms of their needs.

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

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

Mr. Chairman, I would only suggest to those Members in the audience here today, colleagues, to look at this picture, because it clearly shows the State of Nevada has almost no room for the people who live there today. With almost nearly 90 percent of the State owned by the Federal Government, acquisitions of more land, if you are

going to spend a billion dollars a year in land acquisition, this amendment is clearly the correct amendment to add to a bill that is acquiring land to put the other side of the coin in it for disposal.

Indeed, the amendment does specify very clearly which land can be used for disposal, and that is at the Secretary's discretion. It is under public law, under public land in their plans, maintained under section 202 of FLPMA.

Mr. Chairman, this bill is a good amendment to the bill of CARA. It certainly brings, I think, a common sense, fair and balanced approach to this. It sets up a process of procedure whereby we can have an orderly disposal of land that the Federal Government has already identified that it wants to dispose of but does not have a clear means of disposal, and whenever there is an exchange process, that is the discretion given to the Secretary to make those determinations of whether or not a competitive bidding process should be set aside in order for an exchange process to take place. That is why we have to have that discretion for the Secretary under this amendment.

Mr. Chairman, I think this amendment is one which clearly identifies a needed revision to this bill. I would urge all of my colleagues at this time to support this amendment.

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

The CHAIRMAN pro tempore (Mr. QUINN). All time has expired.

The question is on the amendment offered by the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from Nevada (Mr. GIBBONS) will be postponed.

It is now in order to consider amendment No. 25, printed in House Report 106–612.

AMENDMENT NO. 25 OFFERED BY MR. OSE

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. OSE:

At the end of the bill, add the following:

TITLE —RESTRICTIONS ON FEDERAL USES OF FUNDS

SEC. 01. ELIMINATION OF FEDERAL EXPENDITURE OF FUNDS FROM LAND AND WATER CONSERVATION FUND.

Notwithstanding section 5 of the Land and Water Conservation Fund Act of 1965, as amended by this Act, or any other provision of that Act—

(1) all of the amounts made available for each fiscal year to carry out that Act shall be available only for grants to States in accordance with that Act; and

(2) amounts provided to a State under that Act may be used only to provide assistance in accordance with that Act to—

(A) entities that are incorporated cities under the laws of the State; and

(B) counties having a population of 1,000,000 or more.

SEC. 02. LIMITATION ON EXPENDITURES.

(a) IN GENERAL.—Amounts otherwise available under this Act for a fiscal year may not be obligated or expended and shall be returned to the general fund of the Treasury unless by the beginning of such fiscal year—

(1) sufficient amounts are available to make all payments authorized for the fiscal year under—

(A) chapter 69 of title 31, United States Code (relating to payments in lieu of taxes); and

(B) section 401 of the Act of June 15, 1935 (49 Stat. 383; 16 U.S.C. 715s) (relating to refuge revenue sharing);

(2) all payments authorized for prior fiscal years under the laws referred to in paragraph (1) have been made; and

(3) each of the Committees on Appropriations, Resources, and Agriculture of the House of Representatives and each of the Committees on Appropriations, Energy and Natural Resources, and Agriculture, Nutrition, and Forestry of the Senate certifies that all backlogged maintenance and repair has been completed at each National Park, National Monument, and National Forest, and on all lands managed by the Bureau of Land Management.

(b) LIMITATION ON APPLICATION.—Subsection (a) does not prohibit payments under the laws referred to in subsection (a)(1) (relating to payments in lieu of taxes and refuge revenue sharing).

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from California (Mr. OSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. OSE).

MODIFICATION TO AMENDMENT NO. 25 OFFERED BY MR. OSE

Mr. OSE. Mr. Chairman, I ask unanimous consent that my amendment be modified on page 1, line 19 by deleting the number 1 million and inserting in its place the number 100,000.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 25 offered by Mr. OSE:

Line 19, strike out ''1,000,000'' and insert ''100,000''.

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from California (Mr. OSE)?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from California (Mr. OSE) for 5 minutes.

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

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

Mr. Chairman, I rise today in support of my amendment. The eight counties in my district are quite diverse. Some are highly urbanized, such as Sacramento County. Some are decidedly rural, such as Sutter County and Colusa County. There are obvious challenges in the urban counties to provide an appropriate amount of parks and open space. Fortunately, the economy is booming in urban counties. Retail sales are rising, home prices are rising, jobs are plentiful, business is good.

Conversely, many of my rural counties are suffering from and must confront the challenge that comes from the loss of revenue resulting from Federal ownership of land. In addition, these same counties are suffering from low commodity prices, static or falling retail sales. Frankly, Main Street in some instances is dying, and unemployment remains high.

My challenge is to find a way to help the urban counties and their cities with the difficult task of urban park development and maintenance. My challenge with the rural counties is to prevent a further erosion in the revenue stream that is used to support local schools, law enforcement, and road maintenance, to name a few of the services provided by local government that contribute so much to the quality of life in rural America.

This amendment accomplishes that task by setting up standards that provide urban areas the opportunity to participate in this program that CARA represents while keeping rural counties from being subjected to the adverse consequences of further expansion of government-owned land. This is a real issue affecting real people.

I know that the distinguished gentleman from Alaska (Chairman YOUNG) is familiar with this problem because he actually grew up in my district as a youngster, and his two brothers and their families actually live in my district today.

Absent full payment of PILT on current Federal landholdings, absent a requirement of first taking care of that which the Federal Government already owns before adding more to it, we consign rural America to a repeat of the slow strangulation we witnessed throughout many of America's rural areas during certain periods of the 1970s, 1980s and 1990s.

This is a good amendment that improves the bill. I ask my colleagues for their support.

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

The CHAIRMAN pro tempore. Is there a Member who claims the time in opposition to the amendment?

Mr. GEORGE MILLER of California. Mr. Chairman, I claim the time in opposition to the amendment, and I yield 2½ minutes to the gentleman from Louisiana (Mr. TAUZIN).

The CHAIRMAN pro tempore. Without objection, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from California (Mr. GEORGE MILLER) each will control 2½ minutes.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

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

Mr. Chairman, this amendment, first of all, strips away all funding for the National Parks and the National Wildlife Refuges and the National Forests

from the bill. Keep that in mind. It is all gone.

The amendment also allows only incorporated cities and counties with more than I think 100,000 people to qualify, especially when one has to be incorporated to qualify. I do not know about my colleagues, but I have got a lot of unincorporated communities that are quite urban.

I have got a community near New Orleans called Metairie, which is as urban as any community in the country, certainly not rural America. It is located between New Orleans and the airport. If one ever comes to New Orleans and drives through Metairie, one knows one is not driving through the country. One is driving through a very urban area, but it is unincorporated. I think it is one of the big unincorporated areas of America. It would not qualify under this bill.

So I think my colleagues have got to look at what this amendment does if it were adopted and realize that it has two main purposes; and that is to limit the support in this bill to incorporated communities only. That is going to leave out some very important places in America that are just as qualified for assistance as any other place, such as Metairie, Louisiana.

Secondly, it does strip away all the national funding for the National Parks, the Wildlife Refuges and the National Forests.

So I urge that this amendment be rejected.

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

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

Mr. Chairman, the distinguished gentleman from Louisiana (Mr. TAUZIN) has clearly read the amendment. I would appreciate the opportunity to correct one misinterpretation. In terms of the incorporated cities, there is an effort to put the impetus of urban park development on those; and the modification that we just added, reducing the population threshold in the unincorporated areas to 100,000, is designed to provide counties such as the one the gentleman described and from which I come from, that being Sacramento, to have the opportunity to participate.

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

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

Mr. TAUZIN. Mr. Chairman, the problem is that the amendment specifies entities that are incorporated and counties having a population of 100,000 or more. So I think the problem is we have got a situation where one has got to be incorporated and be a county of 100,000 or more.

Mr. OSE. Mr. Chairman, reclaiming my time, I read that differently. It is designed to be either.

Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. HERGER).

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Mr. HERGER. Mr. Chairman, I rise in strong support of the Ose amendment, which ensures that the Federal Government makes good on its obligation to our rural communities.

Lands owned by the Federal Government cannot be taxed by local governments. In some counties in Northern California, the congressional district I represent, the Federal Government owns up to 75 percent of the available land. In other areas of California, the State and Federal Government ownership reaches 90 percent.

These counties already struggle to fund critically important public services, public education, law enforcement, search and rescue operations, waste disposal, and a variety of other public health and safety programs. Yet this bill proposes almost $1 billion per year for 15 years for even more Federal land acquisition, imposing even greater hardships on the citizens of these counties.

Mr. Chairman, where does it stop? PILT is intended to compensate counties for this lost revenue, but each year it is desperately underfunded. Nationally, it receives only 41 cents on the dollar. H.R. 701 would provide only a portion of the total that is needed to fully fund the Federal commitment, and it would take even more land from the American citizens and the county tax rolls, further limiting their ability to meet their needs.

This amendment seeks to correct that inequity by ensuring that the Federal Government fulfills its obligation before it takes even more away from the families of rural America. I urge the Members to support this Ose amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume, and I rise in strong opposition to this amendment for its elimination of the Federal Land and Water Conservation Act and for the straitjacket that it puts local communities in when exercising their own judgment.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to this amendment because I think it is an amendment of unintended consequences.

I represent San Benito County, California. It is a county of about 40,000 people. Probably the greatest recreational asset in that county is a national monument governed by the National Park Service. The monument is trying to expand, and has, with willing sellers, if we appropriate the money.

The County Board of Supervisors, and there are only two towns in the entire county, they look at this asset as being one of the economic engines. Because what happens is that people come there and stay at hotels and pay the local hotel tax and pay the local sales tax. Because it is Federal land, as the gentleman knows, and I appreciate his efforts to try to make them even increase more, it pays payment-in-lieu taxes.

So what the gentleman's amendment does is, it says a county like this cannot use any of these funds to further that economic engine, which frankly is an employment and tourism destination area. And where does it draw from? It draws from the Silicon Valley, which is not far from there. This is one of the main assets that the valley has to attract people to be there. So there are all kinds of unintended consequences by this amendment.

Also there is the problem of the maintenance backlog. This national park monument was hit by the El Nino floods. Got wiped out. Maintenance is all bringing that back together. Under the gentleman's amendment they could not use the money for that. So the unintended consequences here is that the gentleman hurts very rural counties where the Federal asset is an economic engine driver.

A lot of these amendments offered today would never be offered by colleagues if it was military land, which is also Federal land, which is also off the tax rolls. But somehow what we do in these amendments is we always attack the Land and Water Conservation Fund and say we are going to separate that fund out and do things and require things to be done to that land that we would never require for any other kind of Federal land.

So this amendment of unintended consequences hurts the very rural county that I represent. I do not think the gentleman intends to do that, but the only way to stop it is to reject the amendment.

The CHAIRMAN pro tempore (Mr. QUINN). The question is on the amendment, as modified, offered by the gentleman from California (Mr. OSE).

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

Mr. OSE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, further proceedings on the amendment offered by the gentleman from California (Mr. OSE) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 19 offered by the gentleman from California (Mr. CALVERT); amendment No. 22 offered by the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE); amendment No. 23 offered by the gentleman from Colorado (Mr. UDALL); amendment No. 24 offered by the gentleman from Nevada (Mr. GIBBONS); and amendment No. 25 offered by the gentleman from California (Mr. OSE).

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

AMENDMENT NO. 19 OFFERED BY MR. CALVERT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 261, not voting 15, as follows:

[Roll No. 172]

AYES—158

Aderholt
Archer
Armey
Baca
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Berry
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burton
Buyer
Calvert
Camp
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Condit
Cook
Cox
Crowley
Cubin
Cunningham
Danner
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Everett
Ewing
Fossella
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Manzullo
Martinez
McHugh
McInnis
McKeon
Metcalf
Mica
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Norwood
Nussle
Ose
Oxley
Packard
Paul
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Walden
Wamp
Watkins
Weldon (FL)
Wilson
Young (FL)

NOES—261

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baker
Baldacci
Baldwin
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Callahan
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Goss
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stupak
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—15

Campbell
Coble
Combest
DeGette
Doyle
Evans
Lofgren
Lucas (OK)
McCarthy (MO)
McIntosh
Sherwood
Watts (OK)
Weller
Wicker
Wise

□ 1327

Mr. HOLDEN and Mrs. MCCARTHY of New York changed their vote from ''aye'' to ''no.''

Mr. MORAN of Kansas and Mr. MICA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FLETCHER. Mr. Chairman, on rollcall No. 172, I inadvertently pressed the ''nay'' button. I meant to vote ''aye.''

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each remaining amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 22 OFFERED BY MRS. CHENOWETH-HAGE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 22 offered by the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded has been ordered.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 317, not voting 10, as follows:

[Roll No. 173]

AYES—107

Aderholt
Archer
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Burton
Buyer
Calvert
Cannon
Chabot
Coburn
Combest
Cook
Cubin
Danner
DeLay
DeMint
Doolittle
Duncan
Emerson
Everett
Fowler
Gibbons
Goode
Goodlatte
Goodling
Graham
Granger
Gutknecht
Hall (TX)
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Istook
Johnson, Sam
Kingston
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Manzullo
McHugh
McKeon
Metcalf
Miller, Gary
Nethercutt
Norwood
Nussle
Paul
Peterson (PA)
Pickering
Pombo
Radanovich
Reynolds
Riley
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Walden
Watkins
Watts (OK)
Weldon (FL)
Wicker
Young (FL)

NOES—317

Abercrombie
Ackerman
Allen
Andrews
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cooksey

Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shows
Shuster
Sisisky
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—10

Campbell
Chenoweth-Hage
Coble
DeGette
Lofgren
Lucas (OK)
McCarthy (MO)
McIntosh
Sherwood
Wise

□ 1335

Mr. JONES of North Carolina changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. CHENOWETH-HAGE. Mr. Chairman, on rollcall No. 173 I was inadvertently detained. Had I been present, I would have voted ''yes.''

AMENDMENT NO. 23 OFFERED BY UDALL OF COLORADO

The CHAIRMAN pro tempore (Mr. QUINN). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. UDALL) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 306, noes 116, not voting 12, as follows:

[Roll No. 174]

AYES—306

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baker
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berkley
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Callahan
Camp
Cannon
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Danner
Davis (IL)
Davis (VA)
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gonzalez
Gordon
Goss
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—116

Aderholt
Archer
Armey
Bachus
Ballenger
Barrett (NE)
Bereuter
Berry
Bilbray
Blunt
Boehner
Bonilla
Brady (TX)
Burr
Burton
Buyer
Calvert
Canady
Castle
Chabot
Chambliss
Chenoweth-Hage
Coburn
Combest
Cubin
Cunningham
Davis (FL)
Deal
DeLay
DeMint
Doolittle
Dreier
Dunn
Emerson
Everett
Ewing
Fowler
Franks (NJ)
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Green (WI)
Hansen
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hoekstra
Hostettler
Houghton
Hunter
Istook
Jenkins
Johnson, Sam
King (NY)
Kingston
Knollenberg
Largent
Latham
Lee
Manzullo
McHugh
McKeon
Miller, Gary
Nethercutt
Northup
Norwood
Nussle
Packard
Paul
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Quinn
Radanovich
Riley
Roemer
Rogan
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (TX)
Souder
Spence
Stump
Sununu
Sweeney
Talent
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Walden
Watkins
Watts (OK)
Wicker

NOT VOTING—12

Berman
Campbell
Coble
DeGette
Foley
Hobson
Lofgren
Lucas (OK)
McCarthy (MO)
McIntosh
Sherwood
Wise

□ 1344

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

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FOLEY. Mr. Chairman, on rollcall No. 174, I was inadvertently detained. Had I been present, I would have voted ''yes.''

Ms. LEE. Mr. Chairman, on rollcall vote No. 174, the amendment offered by my colleagues Mr. UDALL and Ms. CLAYTON, I inadvertently voted ''no.''

I intended to vote ''yes.''

AMENDMENT NO. 24 OFFERED BY MR. GIBBONS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 250, not voting 14, as follows:

[Roll No. 175]

AYES—170

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Berkley
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Calvert
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Everett
Fletcher
Fossella
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Lazio
Lewis (CA)
Lewis (KY)
Linder
Manzullo
Martinez
McCollum
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Paul
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (FL)

NOES—250

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Callahan
Camp
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
McCarthy (NY)
McCrery
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—14

Boucher
Campbell
Coble
DeGette
Goodling
Hinchey
Lofgren
Lucas (OK)
Matsui
McCarthy (MO)
McIntosh
Sanchez
Sherwood
Wise

□ 1350

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25, AS MODIFIED, OFFERED BY MR. OSE

The CHAIRMAN pro tempore (Mr. QUINN). The pending business is the demand for a recorded vote on amendment No. 25 offered by the gentleman from California (Mr. OSE), as modified, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 56, noes 365, not voting 13, as follows:

[Roll No. 176]

AYES—56

Armey
Barton
Boehner
Burton
Buyer
Calvert
Cannon
Chenoweth-Hage
Cook
Cubin
DeLay
Dickey
Doolittle
Dreier
Gibbons
Goodling
Granger
Hastings (WA)
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Johnson, Sam
Largent
Lewis (CA)
Linder
Manzullo
McKeon
Nethercutt
Norwood
Ose
Pombo
Pryce (OH)
Radanovich
Regula
Rohrabacher
Royce
Ryun (KS)
Salmon
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Skeen
Smith (TX)
Stump
Thomas
Thornberry
Tiahrt
Traficant
Weldon (FL)
Wilson

NOES—365

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Callahan
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost

Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shows
Shuster
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Archer
Campbell
Coble
Cramer
DeGette
LaTourette
Lofgren
Lucas (OK)
McCarthy (MO)
McIntosh
Saxton
Sherwood
Wise

□ 1359

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1400

The CHAIRMAN pro tempore (Mr. QUINN). It is now in order to consider amendment No. 26 printed in House Report 106–612.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 26 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, I offer an amendment in the nature of a substitute made in order under the rule.

The CHAIRMAN pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute No. 26 offered by Mr. THORNBERRY:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Conservation and Reinvestment Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definitions.
Sec. 4. Annual reports.
Sec. 5. Conservation and Reinvestment Act Fund.
Sec. 6. Limitation on use of available amounts for administration.
Sec. 7. Recordkeeping requirements.
Sec. 8. Maintenance of effort and matching funding.
Sec. 9. Sunset.
Sec. 10. Protection of private property rights.
Sec. 11. Signs.

TITLE I—IMPACT ASSISTANCE AND COASTAL CONSERVATION

Sec. 101. Impact assistance formula and payments.
Sec. 102. Coastal State conservation and impact assistance plans.

TITLE II—LAND AND WATER CONSERVATION FUND REVITALIZATION

Sec. 201. Amendment of Land and Water Conservation Fund Act of 1965.
Sec. 202. Extension of fund; treatment of amounts transferred from Conservation and Reinvestment Act Fund.
Sec. 203. Availability of amounts.
Sec. 204. Allocation of Fund.
Sec. 205. Use of Federal portion.
Sec. 206. Allocation of amounts available for State purposes.
Sec. 207. State planning.
Sec. 208. Assistance to States for other projects.
Sec. 209. Conversion of property to other use.
Sec. 210. Water rights.

TITLE III—WILDLIFE CONSERVATION AND RESTORATION

Sec. 301. Purposes.
Sec. 302. Definitions.
Sec. 303. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
Sec. 304. Apportionment of amounts transferred from Conservation and Reinvestment Act Fund.
Sec. 305. Education.
Sec. 306. Prohibition against diversion.

TITLE IV—URBAN PARK AND RECREATION RECOVERY PROGRAM AMENDMENTS

Sec. 401. Amendment of Urban Park and Recreation Recovery Act of 1978.
Sec. 402. Purpose.
Sec. 403. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
Sec. 404. Definitions.
Sec. 405. Eligibility.
Sec. 406. Grants.
Sec. 407. Recovery action programs.
Sec. 408. State action incentives.
Sec. 409. Conversion of recreation property.
Sec. 410. Repeal.

TITLE V—HISTORIC PRESERVATION FUND

Sec. 501. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
Sec. 502. State use of historic preservation assistance for national heritage areas and corridors.

TITLE VI—FEDERAL AND INDIAN LANDS RESTORATION

Sec. 601. Purpose.
Sec. 602. Treatment of amounts transferred from Conservation and Reinvestment Act Fund; allocation.
Sec. 603. Authorized uses of transferred amounts.
Sec. 604. Indian tribe defined.

TITLE VII—FARMLAND PROTECTION PROGRAM AND ENDANGERED AND THREATENED SPECIES RECOVERY

SUBTITLE A—FARMLAND PROTECTION PROGRAM

Sec. 701. Additional funding and additional authorities under farmland protection program.
Sec. 702. Funding.

Subtitle B—Endangered and Threatened Species Recovery

Sec. 711. Purposes.
Sec. 712. Treatment of amounts transferred from Conservation and Reinvestment Act Fund.
Sec. 713. Endangered and threatened species recovery assistance.
Sec. 714. Endangered and Threatened Species Recovery Agreements.
Sec. 715. Definitions.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) The term ''coastal population'' means the population of all political subdivisions, as determined by the most recent official data of the Census Bureau, contained in whole or in part within the designated coastal boundary of a State as defined in a State's coastal zone management program under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 and following).

(2) The term ''coastal political subdivision'' means a political subdivision of a coastal State all or part of which political subdivision is within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)).

(3) The term ''coastal State'' has the same meaning as provided by section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(4) The term ''coastline'' has the same meaning that it has in the Submerged Lands Act (43 U.S.C. 1301 and following).

(5) The term ''distance'' means minimum great circle distance, measured in statute miles.

(6) The term ''fiscal year'' means the Federal Government's accounting period which begins on October 1st and ends on September 30th, and is designated by the calendar year in which it ends.

(7) The term ''Governor'' means the highest elected official of a State or of any other political entity that is defined as, or treated as, a State under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4

and following), the Act of September 2, 1937 (16 U.S.C. 669 and following), commonly referred to as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Act, the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 and following), the National Historic Preservation Act (16 U.S.C. 470h and following), or the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note).

(8) The term ''leased tract'' means a tract, leased under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources, which is a unit consisting of either a block, a portion of a block, a combination of blocks or portions of blocks, or a combination of portions of blocks, as specified in the lease, and as depicted on an Outer Continental Shelf Official Protraction Diagram.

(9) The term ''Outer Continental Shelf'' means all submerged lands lying seaward and outside of the area of ''lands beneath navigable waters'' as defined in section 2(a) of the Submerged Lands Act (43 U.S.C. 1301(a)), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(10) The term ''political subdivision'' means the local political jurisdiction immediately below the level of State government, including counties, parishes, and boroughs. If State law recognizes an entity of general government that functions in lieu of, and is not within, a county, parish, or borough, the Secretary may recognize an area under the jurisdiction of such other entities of general government as a political subdivision for purposes of this title.

(11) The term ''producing State'' means a State with a coastal seaward boundary within 200 miles from the geographic center of a leased tract other than a leased tract or portion of a leased tract that is located in a geographic area subject to a leasing moratorium on January 1, 1999 (unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999).

(12) The term ''qualified Outer Continental Shelf revenues'' means (except as otherwise provided in this paragraph) all moneys received by the United States from each leased tract or portion of a leased tract lying seaward of the zone defined and governed by section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)), or lying within such zone but to which section 8(g) does not apply, the geographic center of which lies within a distance of 200 miles from any part of the coastline of any coastal State, including bonus bids, rents, royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases issued pursuant to the Outer Continental Shelf Lands Act. Such term does not include any revenues from a leased tract or portion of a leased tract that is located in a geographic area subject to a leasing moratorium on January 1, 1999, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999.

(13) The term ''Secretary'' means the Secretary of the Interior or the Secretary's designee, except as otherwise specifically provided.

(14) The term ''Fund'' means the Conservation and Reinvestment Act Fund established under section 5.

SEC. 4. ANNUAL REPORTS.

(a) STATE REPORTS.—On June 15 of each year, each Governor receiving moneys from the Fund shall account for all moneys so received for the previous fiscal year in a written report to the Secretary of the Interior or the Secretary of Agriculture, as appropriate. The report shall include, in accordance with regulations prescribed by the Secretaries, a description of all projects and activities receiving funds under this Act. In order to avoid duplication, such report may incorporate by reference any other reports required to be submitted under other provisions of law to the Secretary concerned by the Governor regarding any portion of such moneys.

(b) REPORT TO CONGRESS.—On January 1 of each year the Secretary of the Interior, in consultation with the Secretary of Agriculture, shall submit an annual report to the Congress documenting all moneys expended by the Secretary of the Interior and the Secretary of Agriculture from the Fund during the previous fiscal year and summarizing the contents of the Governors' reports submitted to the Secretaries under subsection (a).

SEC. 5. CONSERVATION AND REINVESTMENT ACT FUND.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund which shall be known as the ''Conservation and Reinvestment Act Fund''. In each fiscal year after the fiscal year 2000, the Secretary of the Treasury shall deposit into the Fund the following amounts:

(1) OCS REVENUES.—An amount in each such fiscal year from qualified Outer Continental Shelf revenues equal to the difference between $2,825,000,000 and the amounts deposited in the Fund under paragraph (2), notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338).

(2) AMOUNTS NOT DISBURSED.—All allocated but undisbursed amounts returned to the Fund under section 101(a)(2).

(3) INTEREST.—All interest earned under subsection (d) that is not made available under paragraph (2) or (4) of that subsection.

(b) TRANSFER FOR EXPENDITURE.—In each fiscal year after the fiscal year 2001, the Secretary of the Treasury shall transfer amounts deposited into the Fund as follows:

(1) $1,000,000,000 to the Secretary of the Interior for purposes of making payments to coastal States under title I of this Act.

(2) To the Land and Water Conservation Fund for expenditure as provided in section 3(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6(a)) such amounts as are necessary to make the income of the fund $900,000,000 in each such fiscal year.

(3) $350,000,000 to the Federal aid to wildlife restoration fund established under section 3 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669b).

(4) $125,000,000 to the Secretary of the Interior to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 and following).

(5) $100,000,000 to the Secretary of the Interior to carry out the National Historic Preservation Act (16 U.S.C. 470 and following).

(6) $200,000,000 to the Secretary of the Interior and the Secretary of Agriculture to carry out title VI of this Act.

(7) $100,000,000 to the Secretary of Agriculture to carry out the farmland protection program under section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note) and the Forest Legacy Program under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

(8) $50,000,000 to the Secretary of the Interior to carry out subtitle B of title VII of this Act.

(c) SHORTFALL.—If amounts deposited into the Fund in any fiscal year after the fiscal year 2000 are less than $2,825,000,000, the amounts transferred under paragraphs (1) through (7) of subsection (b) for that fiscal year shall each be reduced proportionately.

(d) INTEREST.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest moneys in the Fund in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of the Treasury, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

(2) USE OF INTEREST.—Except as provided in paragraphs (3) and (4), interest earned on such moneys shall be available, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, for obligation or expenditure under—

(A) chapter 69 of title 31 of the United States Code (relating to payment in lieu of taxes), and

(B) section 401 of the Act of June 15, 1935 (49 Stat. 383; 16 U.S.C. 715s) (relating to refuge revenue sharing).

In each fiscal year such interest shall be allocated between the programs referred to in subparagraph (A) and (B) in proportion to the amounts authorized and appropriated for that fiscal year under other provisions of law for purposes of such programs.

(3) CEILING ON EXPENDITURES OF INTEREST.—Amounts made available under paragraph (2) in each fiscal year shall not exceed $200,000,000.

(4) TITLE III INTEREST.—All interest attributable to amounts transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of title III of this Act (and the amendments made by such title III) shall be available, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, for obligation or expenditure for purposes of the North American Wetlands Conservation Act of 1989 (16 U.S.C. 4401 and following)

(e) REFUNDS.—In those instances where through judicial decision, administrative review, arbitration, or other means there are royalty refunds owed to entities generating revenues under this title, such refunds shall be paid by the Secretary of the Treasury from amounts available in the Fund.

SEC. 6. LIMITATION ON USE OF AVAILABLE AMOUNTS FOR ADMINISTRATION.

Notwithstanding any other provision of law, of amounts made available by this Act (including the amendments made by this Act) for a particular activity, not more than 2 percent may be used for administrative expenses of that activity. Nothing in this section shall affect the prohibition contained in section 4(c)(3) of the Federal Aid in Wildlife Restoration Act (as amended by this Act).

SEC. 7. RECORDKEEPING REQUIREMENTS.

The Secretary of the Interior in consultation with the Secretary of Agriculture shall establish such rules regarding recordkeeping by State and local governments and the auditing of expenditures made by State and local governments from funds made available under this Act as may be necessary. Such rules shall be in addition to other requirements established regarding recordkeeping and the auditing of such expenditures under other authority of law.

SEC. 8. MAINTENANCE OF EFFORT AND MATCHING FUNDING.

(a) IN GENERAL.—Except as provided in subsection (b), no State or local government shall receive any funds under this Act during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for programs for which funding is provided

under this Act will be less than its expenditures were for such programs during the preceding fiscal year. No State or local government shall receive any funding under this Act with respect to a program unless the Secretary is satisfied that such a grant will be so used to supplement and, to the extent practicable, increase the level of State, local, or other non-Federal funds available for such program. In order for the Secretary to provide funding under this Act in a timely manner each fiscal year, the Secretary shall compare a State or local government's prospective expenditure level to that of its second preceding fiscal year.

(b) EXCEPTION.—The Secretary may provide funding under this Act to a State or local government not meeting the requirements of subsection (a) if the Secretary determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the State or local government.

(c) USE OF FUND TO MEET MATCHING REQUIREMENTS.—All funds received by a State or local government under this Act shall be treated as Federal funds for purposes of compliance with any provision in effect under any other law requiring that non-Federal funds be used to provide a portion of the funding for any program or project.

SEC. 9. SUNSET.

This Act, including the amendments made by this Act, shall have no force or effect after September 30, 2020.

SEC. 10. PROTECTION OF PRIVATE PROPERTY RIGHTS.

(a) SAVINGS CLAUSE.—Nothing in the Act shall authorize that private property be taken for public use, without just compensation—

(1) as provided by the Fifth and Fourteenth amendments to the United States Constitution; and

(2) determined based on an independent appraisal of the property, that is—

(A) paid for by the Federal Government; and

(B) performed by an appraiser approved by the property owner and the head of the Federal agency taking the action that constitutes a taking of the property.

(b) REGULATION.—Federal agencies, using funds appropriated by this Act, may not apply any regulation on any lands until the lands or water, or an interest therein, is acquired, unless specifically authorized to do so by another Act of Congress.

(c) PROTECTION OF RIGHTS IN NON-FEDERAL PROPERTY FROM FEDERAL ACQUISITION OF NEARBY LANDS.—The right of an owner of non-Federal real property to use and enjoy that property shall not be diminished based on the property being—

(1) within the boundaries of a Federal unit as a consequence of the acquisition of lands for that unit with amounts made available by this Act; or

(2) adjacent to Federal lands acquired with amounts made available by this Act.

SEC. 11. SIGNS.

(a) IN GENERAL.—The Secretary shall require, as a condition of any financial assistance provided with amounts made available by this Act, that the person that owns or administers any site that benefits from such assistance shall include on any sign otherwise installed at that site at or near an entrance or public use focal point, a statement that the existence or development of the site (or both), as appropriate, is a product of such assistance.

(b) STANDARDS.—The Secretary shall provide for the design of standardized signs for purposes of subsection (a), and shall prescribe standards and guidelines for such signs.

TITLE I—IMPACT ASSISTANCE AND COASTAL CONSERVATION

SEC. 101. IMPACT ASSISTANCE FORMULA AND PAYMENTS.

(a) IMPACT ASSISTANCE PAYMENTS TO STATES.—

(1) GRANT PROGRAM.—Amounts transferred to the Secretary of the Interior from the Conservation and Reinvestment Act Fund under section 5(b)(1) of this Act for purposes of making payments to coastal States under this title in any fiscal year shall be allocated by the Secretary of the Interior among coastal States as provided in this section in each such fiscal year. In each such fiscal year, the Secretary of the Interior shall, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, disburse such allocated funds to those coastal States for which the Secretary has approved a Coastal State Conservation and Impact Assistance Plan as required by this title. Payments for all projects shall be made by the Secretary to the Governor of the State or to the State official or agency designated by the Governor or by State law as having authority and responsibility to accept and to administer funds paid hereunder. No payment shall be made to any State until the State has agreed to provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this title, and provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal revenues paid to the State under this title.

(2) FAILURE TO HAVE PLAN APPROVED.—At the end of each fiscal year, the Secretary shall return to the Conservation and Reinvestment Act Fund any amount that the Secretary allocated, but did not disburse, in that fiscal year to a coastal State that does not have an approved plan under this title before the end of the fiscal year in which such grant is allocated, except that the Secretary shall hold in escrow until the final resolution of the appeal any amount allocated, but not disbursed, to a coastal State that has appealed the disapproval of a plan submitted under this title.

(b) ALLOCATION AMONG COASTAL STATES.—

(1) ALLOCABLE SHARE FOR EACH STATE.—For each coastal State, the Secretary shall determine the State's allocable share of the total amount of the revenues transferred from the Fund under section 5(b)(1) for each fiscal year using the following weighted formula:

(A) 50 percent of such revenues shall be allocated among the coastal States as provided in paragraph (2).

(B) 25 percent of such revenues shall be allocated to each coastal State based on the ratio of each State's shoreline miles to the shoreline miles of all coastal States.

(C) 25 percent of such revenues shall be allocated to each coastal State based on the ratio of each State's coastal population to the coastal population of all coastal States.

(2) OFFSHORE OUTER CONTINENTAL SHELF SHARE.—If any portion of a producing State lies within a distance of 200 miles from the geographic center of any leased tract, the Secretary of the Interior shall determine such State's allocable share under paragraph (1)(A) based on the formula set forth in this paragraph. Such State share shall be calculated as of the date of the enactment of this Act for the first 5-fiscal year period during which funds are disbursed under this title and recalculated on the anniversary of such date each fifth year thereafter for each succeeding 5-fiscal year period. Each such State's allocable share of the revenues disbursed under paragraph (1)(A) shall be inversely proportional to the distance between the nearest point on the coastline of such State and the geographic center of each leased tract or portion of the leased tract (to the nearest whole mile) that is within 200 miles of that coastline, as determined by the Secretary for the 5-year period concerned. In applying this paragraph a leased tract or portion of a leased tract shall be excluded if the tract or portion is located in a geographic area subject to a leasing moratorium on January 1, 1999, unless the lease was issued prior to the establishment of the moratorium and was in production on January 1, 1999.

(3) MINIMUM STATE SHARE.—

(A) IN GENERAL.—The allocable share of revenues determined by the Secretary under this subsection for each coastal State with an approved coastal management program (as defined by the Coastal Zone Management Act of 1972 (16 U.S.C. 1451)), or which is making satisfactory progress toward one, shall not be less in any fiscal year than 0.50 percent of the total amount of the revenues transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of this title for that fiscal year under subsection (a). For any other coastal State the allocable share of such revenues shall not be less than 0.25 percent of such revenues.

(B) RECOMPUTATION.—Where one or more coastal States' allocable shares, as computed under paragraphs (1) and (2), are increased by any amount under this paragraph, the allocable share for all other coastal States shall be recomputed and reduced by the same amount so that not more than 100 percent of the amount transferred by the Secretary of the Treasury to the Secretary of the Interior for purposes of this title for that fiscal year under section 5(b)(1) is allocated to all coastal States. The reduction shall be divided pro rata among such other coastal States.

(c) PAYMENTS TO POLITICAL SUBDIVISIONS.—In the case of a producing State, the Governor of the State shall pay 50 percent of the State's allocable share, as determined and disbursed under subsection (b), to the coastal political subdivisions in such State. Such payments shall be allocated among such coastal political subdivisions of the State according to an allocation formula analogous to the allocation formula used in subsection (b) to allocate revenues among the coastal States, except that a coastal political subdivision in the State of California that has a coastal shoreline, that is not within 200 miles of the geographic center of a leased tract or portion of a leased tract, and in which there is located one or more oil refineries shall be eligible for that portion of the allocation described in subsection (b)(1)(A) and (b)(2) in the same manner as if that political subdivision were located within a distance of 50 miles from the geographic center of any leased tract.

(d) TIME OF PAYMENT.—Payments to coastal States and coastal political subdivisions under this section shall be made not later than December 31 of each year from revenues received during the immediately preceding fiscal year.

SEC. 102. COASTAL STATE CONSERVATION AND IMPACT ASSISTANCE PLANS.

(a) DEVELOPMENT AND SUBMISSION OF STATE PLANS.—Each coastal State seeking to receive grants under this title shall prepare, and submit to the Secretary, a Statewide Coastal State Conservation and Impact Assistance Plan. In the case of a producing State, the Governor shall incorporate the plans of the coastal political subdivisions into the Statewide plan for transmittal to the Secretary. The Governor shall solicit

local input and shall provide for public participation in the development of the Statewide plan. The plan shall be submitted to the Secretary by April 1 of the calendar year after the calendar year in which this Act is enacted.

(b) APPROVAL OR DISAPPROVAL.—

(1) IN GENERAL.—Approval of a Statewide plan under subsection (a) is required prior to disbursement of funds under this title by the Secretary. The Secretary shall approve the Statewide plan if the Secretary determines, in consultation with the Secretary of Commerce, that the plan is consistent with the uses set forth in subsection (c) and if the plan contains each of the following:

(A) The name of the State agency that will have the authority to represent and act for the State in dealing with the Secretary for purposes of this title.

(B) A program for the implementation of the plan which, for producing States, includes a description of how funds will be used to address the impacts of oil and gas production from the Outer Continental Shelf.

(C) Certification by the Governor that ample opportunity has been accorded for public participation in the development and revision of the plan.

(D) Measures for taking into account other relevant Federal resources and programs. The plan shall be correlated so far as practicable with other State, regional, and local plans.

(2) PROCEDURE AND TIMING; REVISIONS.—The Secretary shall approve or disapprove each plan submitted in accordance with this section. If a State first submits a plan by not later than 90 days before the beginning of the first fiscal year to which the plan applies, the Secretary shall approve or disapprove the plan by not later than 30 days before the beginning of that fiscal year.

(3) AMENDMENT OR REVISION.—Any amendment to or revision of the plan shall be prepared in accordance with the requirements of this subsection and shall be submitted to the Secretary for approval or disapproval. Any such amendment or revision shall take effect only for fiscal years after the fiscal year in which the amendment or revision is approved by the Secretary.

(c) AUTHORIZED USES OF STATE GRANT FUNDING.—The funds provided under this title to a coastal State and for coastal political subdivisions are authorized to be used only for one or more of the following purposes:

(1) Data collection, including but not limited to fishery or marine mammal stock surveys in State waters or both, cooperative State, interstate, and Federal fishery or marine mammal stock surveys or both, cooperative initiatives with universities and private entities for fishery and marine mammal surveys, activities related to marine mammal and fishery interactions, and other coastal living marine resources surveys.

(2) The conservation, restoration, enhancement, or creation of coastal habitats.

(3) Cooperative Federal or State enforcement of marine resources management statutes.

(4) Fishery observer coverage programs in State or Federal waters.

(5) Invasive, exotic, and nonindigenous species identification and control.

(6) Coordination and preparation of cooperative fishery conservation and management plans between States including the development and implementation of population surveys, assessments and monitoring plans, and the preparation and implementation of State fishery management plans developed by interstate marine fishery commissions.

(7) Preparation and implementation of State fishery or marine mammal management plans that comply with bilateral or multilateral international fishery or marine mammal conservation and management agreements or both.

(8) Coastal and ocean observations necessary to develop and implement real time tide and current measurement systems.

(9) Implementation of federally approved marine, coastal, or comprehensive conservation and management plans.

(10) Mitigating marine and coastal impacts of Outer Continental Shelf activities including impacts on onshore infrastructure.

(11) Projects that promote research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources.

(d) COMPLIANCE WITH AUTHORIZED USES.—Based on the annual reports submitted under section 4 of this Act and on audits conducted by the Secretary under section 7, the Secretary shall review the expenditures made by each State and coastal political subdivision from funds made available under this title. If the Secretary determines that any expenditure made by a State or coastal political subdivision of a State from such funds is not consistent with the authorized uses set forth in subsection (c), the Secretary shall not make any further grants under this title to that State until the funds used for such expenditure have been repaid to the Conservation and Reinvestment Act Fund.

TITLE II—LAND AND WATER CONSERVATION FUND REVITALIZATION

SEC. 201. AMENDMENT OF LAND AND WATER CONSERVATION FUND ACT OF 1965.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 and following).

SEC. 202. EXTENSION OF FUND; TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 2(c) is amended to read as follows:

''(c) AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.—In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to subsections (a) and (b) of this section, there shall be covered into the fund all amounts transferred to the fund under section 5(b)(2) of the Conservation and Reinvestment Act of 2000.''.

SEC. 203. AVAILABILITY OF AMOUNTS.

Section 3 (16 U.S.C. 460l–6) is amended to read as follows:

''APPROPRIATIONS

''SEC. 3. (a) IN GENERAL.—There are authorized to be appropriated to the Secretary from the fund to carry out this Act not more than $900,000,000 in any fiscal year after the fiscal year 2001. Amounts transferred to the fund from the Conservation and Reinvestment Act Fund and amounts covered into the fund under subsections (a) and (b) of section 2 shall be available to the Secretary in fiscal years after the fiscal year 2001, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, to carry out this Act.

''(b) OBLIGATION AND EXPENDITURE OF AVAILABLE AMOUNTS.—Amounts available for obligation or expenditure from the fund or from the special account established under section 4(i)(1) may be obligated or expended only as provided in this Act.''.

SEC. 204. ALLOCATION OF FUND.

Section 5 (16 U.S.C. 460l–7) is amended to read as follows:

''ALLOCATION OF FUNDS

''SEC. 5. Of the amounts made available for each fiscal year to carry out this Act—

''(1) 50 percent shall be available for Federal purposes (in this Act referred to as the 'Federal portion'); and

''(2) 50 percent shall be available for grants to States.''.

SEC. 205. USE OF FEDERAL PORTION.

Section 7 (16 U.S.C. 460l–9) is amended by adding at the end the following:

''(d) USE OF FEDERAL PORTION.—

''(1) APPROVAL BY CONGRESS REQUIRED.—The Federal portion (as that term is defined in section 5(1)) may not be obligated or expended by the Secretary of the Interior or the Secretary of Agriculture for any acquisition except those specifically referred to, and approved by the Congress, in an Act making appropriations for the Department of the Interior or the Department of Agriculture, respectively.

''(2) WILLING SELLER REQUIREMENT.—The Federal portion may not be used to acquire any property unless—

''(A) the owner of the property concurs in the acquisition; and

''(B) acquisition of that property is specifically approved by an Act of Congress.

''(3) CERTIFICATION BY GAO REQUIRED.—Of the amounts in the Federal portion that are transferred from the Conservation and Reinvestment Act Fund and available for a fiscal year to the Secretary of the Interior or to the Secretary of Agriculture, respectively, 25 percent may not be obligated or expended and shall be returned to the general fund of the Treasury unless, before the commencement of the fiscal year, the Comptroller General of the United States submits to the President and the Congress a finding that the operational maintenance backlog of the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management of the Department of the Interior or the United States Forest Service of the Department of Agriculture (as applicable) as of the beginning of the preceding fiscal year has been reduced by at least 5 percent.

''(e) LIST OF PROPOSED FEDERAL ACQUISITIONS.—

''(1) RESTRICTION ON USE.—The Federal portion for a fiscal year may not be obligated or expended to acquire any interest in lands or water unless the lands or water were included in a list of acquisitions that is approved by the Congress. This list shall include an inventory of surplus lands under the administrative jurisdiction of the Secretary of the Interior and the Secretary of Agriculture for which there is no demonstrated compelling program need.

''(2) TRANSMISSION OF LIST.—(A) The Secretary of the Interior and the Secretary of Agriculture shall jointly transmit to the appropriate authorizing and appropriations committees of the House of Representatives and the Senate for each fiscal year, by no later than the submission of the budget for the fiscal year under section 1105 of title 31, United States Code, a list of the acquisitions of interests in lands and water proposed to be made with the Federal portion for the fiscal year.

''(B) In preparing each list, the Secretary shall—

''(i) seek to consolidate Federal landholdings in States with checkerboard Federal land ownership patterns;

''(ii) use equal value land exchanges, where feasible and suitable, as an alternative means of land acquisition;

''(iii) use permanent conservation easements, where feasible and suitable, as an alternative means of acquisition;

''(iv) identify those properties that are proposed to be acquired from willing sellers, and not use adverse condemnation; and

''(v) establish priorities based on such factors as important or special resource attributes, threats to resource integrity, timely availability, owner hardship, cost escalation, public recreation use values, and similar considerations.

''(3) INFORMATION REGARDING PROPOSED ACQUISITIONS.—Each list shall include, for each proposed acquisition included in the list—

''(A) citation of the statutory authority for the acquisition, if such authority exists; and

''(B) an explanation of why the particular interest proposed to be acquired was selected, including an explanation of the priorities under paragraph (2)(B)(iv) that were applied in making the selection.

''(f) NOTIFICATION TO AFFECTED AREAS REQUIRED.—The Federal portion for a fiscal year may not be used to acquire any interest in land unless the Secretary administering the acquisition, by not later than 30 days after the date the Secretaries submit the list under subsection (e) for the fiscal year, provides notice of the proposed acquisition—

''(1) in writing to each Member of and each Delegate and Resident Commissioner to the Congress elected to represent any area in which is located—

''(A) the land; or

''(B) any part of any federally designated unit that includes the land;

''(2) in writing to the Governor of the State in which the land is located;

''(3) in writing to each State political subdivision having jurisdiction over the land; and

''(4) by publication of a notice in a newspaper that is widely distributed in the area under the jurisdiction of each such State political subdivision, that includes a clear statement that the Federal Government intends to acquire an interest in land.

''(g) COMPLIANCE WITH REQUIREMENTS UNDER FEDERAL LAWS.—

''(1) IN GENERAL.—The Federal portion for a fiscal year may not be used to acquire any interest in land or water unless the following have occurred:

''(A) All actions required under Federal law with respect to the acquisition have been complied with.

''(B) A copy of each final environmental impact statement or environmental assessment required by law, and a summary of all public comments regarding the acquisition that have been received by the agency making the acquisition, are submitted to the Committee on Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House of Representatives and of the Senate.

''(C) A notice of the availability of such statement or assessment and of such summary is provided to—

''(i) each Member of and each Delegate and Resident Commissioner to the Congress elected to represent the area in which the land is located;

''(ii) the Governor of the State in which the land is located; and

''(iii) each State political subdivision having jurisdiction over the land.

''(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply to any acquisition that is specifically authorized by a Federal law.''.

SEC. 206. ALLOCATION OF AMOUNTS AVAILABLE FOR STATE PURPOSES.

(a) IN GENERAL.—Section 6(b) (16 U.S.C. 460l–8(b)) is amended to read as follows:

''(b) DISTRIBUTION AMONG THE STATES.—(1) Sums in the fund available each fiscal year for State purposes shall be apportioned among the several States by the Secretary, in accordance with this subsection. The determination of the apportionment by the Secretary shall be final.

''(2) Subject to paragraph (3), of sums in the fund available each fiscal year for State purposes—

''(A) 30 percent shall be apportioned equally among the several States; and

''(B) 70 percent shall be apportioned so that the ratio that the amount apportioned to each State under this subparagraph bears to the total amount apportioned under this subparagraph for the fiscal year is equal to the ratio that the population of the State bears to the total population of all States.

''(3) The total allocation to an individual State for a fiscal year under paragraph (2) shall not exceed 10 percent of the total amount allocated to the several States under paragraph (2) for that fiscal year.

''(4) The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter to the State for planning, acquisition, or development projects as hereafter described. Any amount of any apportionment under this subsection that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and the two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2), but without regard to the 10 percent limitation to an individual State specified in paragraph (3).

''(5)(A) For the purposes of paragraph (2)(A)—

''(i) the District of Columbia shall be treated as a State; and

''(ii) Puerto Rico, the Virgin Islands, Guam, and American Samoa—

''(I) shall be treated collectively as one State; and

''(II) shall each be allocated an equal share of any amount distributed to them pursuant to clause (i).

''(B) Each of the areas referred to in subparagraph (A) shall be treated as a State for all other purposes of this Act.''.

(b) TRIBES AND ALASKA NATIVE CORPORATIONS.—Section 6(b)(5) (16 U.S.C. 460l–8(b)(5)) is further amended by adding at the end the following new subparagraph:

''(C) For the purposes of paragraph (1), all federally recognized Indian tribes and Native Corporations (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), shall be eligible to receive shares of the apportionment under paragraph (1) in accordance with a competitive grant program established by the Secretary by rule. The total apportionment available to such tribes and Native Corporations shall be equivalent to the amount available to a single State. No single tribe or Native Corporation shall receive a grant that constitutes more than 10 percent of the total amount made available to all tribes and Native Corporations pursuant to the apportionment under paragraph (1). Funds received by a tribe or Native Corporation under this subparagraph may be expended only for the purposes specified in paragraphs (1) and (3) of subsection (a).''.

(c) LOCAL ALLOCATION.—Section 6(b) (16 U.S.C. 460l–8(b)) is amended by adding at the end the following:

''(6) Absent some compelling and annually documented reason to the contrary acceptable to the Secretary of the Interior, each State (other than an area treated as a State under paragraph (5)) shall make available as grants to local governments, at least 50 percent of the annual State apportionment, or an equivalent amount made available from other sources.''.

SEC. 207. STATE PLANNING.

(a) STATE ACTION AGENDA REQUIRED.—

(1) IN GENERAL.—Section 6(d) (16 U.S.C. 460l–8(d)) is amended to read as follows:

''(d) STATE ACTION AGENDA REQUIRED.—(1) Each State may define its own priorities and criteria for selection of outdoor conservation and recreation acquisition and development projects eligible for grants under this Act so long as it provides for public involvement in this process and publishes an accurate and current State Action Agenda for Community Conservation and Recreation (in this Act referred to as the 'State Action Agenda') indicating the needs it has identified and the priorities and criteria it has established. In order to assess its needs and establish its overall priorities, each State, in partnership with its local governments and in consultation with its citizens, shall develop, within 5 years after the enactment of the Conservation and Reinvestment Act of 2000, a State Action Agenda that meets the following requirements:

''(A) The agenda must be strategic, originating in broad-based and long-term needs, but focused on actions that can be funded over the next 4 years.

''(B) The agenda must be updated at least once every 4 years and certified by the Governor that the State Action Agenda conclusions and proposed actions have been considered in an active public involvement process.

''(2) State Action Agendas shall take into account all providers of conservation and recreation lands within each State, including Federal, regional, and local government resources, and shall be correlated whenever possible with other State, regional, and local plans for parks, recreation, open space, and wetlands conservation. Recovery action programs developed by urban localities under section 1007 of the Urban Park and Recreation Recovery Act of 1978 may be used by a State as a guide to the conclusions, priorities, and action schedules contained in State Action Agenda. Each State shall assure that any requirements for local outdoor conservation and recreation planning, promulgated as conditions for grants, minimize redundancy of local efforts by allowing, wherever possible, use of the findings, priorities, and implementation schedules of recovery action programs to meet such requirements.''.

(2) EXISTING STATE PLANS.—Comprehensive State Plans developed by any State under section 6(d) of the Land and Water Conservation Fund Act of 1965 before the date that is 5 years after the enactment of this Act shall remain in effect in that State until a State Action Agenda has been adopted pursuant to the amendment made by this subsection, but no later than 5 years after the enactment of this Act.

(b) MISCELLANEOUS.—Section 6(e) (16 U.S.C. 460*l*–8(e)) is amended as follows:

(1) In the matter preceding paragraph (1) by striking ''State comprehensive plan'' and inserting ''State Action Agenda''.

(2) In paragraph (1) by striking ''comprehensive plan'' and inserting ''State Action Agenda''.

SEC. 208. ASSISTANCE TO STATES FOR OTHER PROJECTS.

Section 6(e)(2) (16 U.S.C. 460l–8(e)(2)) is amended by inserting before the period at the end the following: ''or to enhance public safety within a designated park or recreation area''.

SEC. 209. CONVERSION OF PROPERTY TO OTHER USE.

Section 6(f)(3) (16 U.S.C. 460l–8(f)(3)) is amended—

(1) by inserting ''(A)'' before ''No property''; and

(2) by striking the second sentence and inserting the following:

''(B) Prior to each such conversion, the Governor of the State shall demonstrate that—

''(i) no prudent or feasible alternative exists with the exception of those properties that no longer meet the criteria within the State Plan or Agenda as an outdoor conservation and recreation facility due to changes in demographics or that must be abandoned because of environmental contamination which endangers public health and safety; and

''(ii) the conversion will assure the substitution of other conservation and recreation properties of at least equal fair market value and reasonably equivalent usefulness and location and that are consistent with the existing State Plan or Agenda.''.

SEC. 210. WATER RIGHTS.

Title I is amended by adding at the end the following:

''WATER RIGHTS

''SEC. 14. Nothing in this title—

''(1) invalidates or preempts State or Federal water law or an interstate compact governing water;

''(2) alters the rights of any State to any appropriated share of the waters of any body of surface or ground water, whether determined by past or future interstate compacts or by past or future legislative or final judicial allocations;

''(3) preempts or modifies any Federal or State law, or interstate compact, dealing with water quality or disposal; or

''(4) confers on any non-Federal entity the ability to exercise any Federal right to the waters of any stream or to any ground water resource.''.

TITLE III—WILDLIFE CONSERVATION AND RESTORATION

SEC. 301. PURPOSES.

The purposes of this title are—

(1) to extend financial and technical assistance to the States under the Federal Aid to Wildlife Restoration Act for the benefit of a diverse array of wildlife and associated habitats, including species that are not hunted or fished, to fulfill unmet needs of wildlife within the States in recognition of the primary role of the States to conserve all wildlife;

(2) to assure sound conservation policies through the development, revision, and implementation of a comprehensive wildlife conservation and restoration plan;

(3) to encourage State fish and wildlife agencies to participate with the Federal Government, other State agencies, wildlife conservation organizations, and outdoor recreation and conservation interests through cooperative planning and implementation of this title; and

(4) to encourage State fish and wildlife agencies to provide for public involvement in the process of development and implementation of a wildlife conservation and restoration program.

SEC. 302. DEFINITIONS.

(a) REFERENCE TO LAW.—In this title, the term ''Federal Aid in Wildlife Restoration Act'' means the Act of September 2, 1937 (16 U.S.C. 669 and following), commonly referred to as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Act.

(b) WILDLIFE CONSERVATION AND RESTORATION PROGRAM.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669a) is amended by inserting after ''shall be construed'' the first place it appears the following: ''to include the wildlife conservation and restoration program and''.

(c) STATE AGENCIES.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669a) is amended by inserting ''or State fish and wildlife department'' after ''State fish and game department''.

(d) DEFINITIONS.—Section 2 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669a) is amended by striking the period at the end thereof, substituting a semicolon, and adding the following: ''the term 'conservation' shall be construed to mean the use of methods and procedures necessary or desirable to sustain healthy populations of wildlife including all activities associated with scientific resources management such as research, census, monitoring of populations, acquisition, improvement and management of habitat, live trapping and transplantation, wildlife damage management, and periodic or total protection of a species or population as well as the taking of individuals within wildlife stock or population if permitted by applicable State and Federal law; the term 'wildlife conservation and restoration program' means a program developed by a State fish and wildlife department and approved by the Secretary under section 4(d), the projects that constitute such a program, which may be implemented in whole or part through grants and contracts by a State to other State, Federal, or local agencies (including those that gather, evaluate, and disseminate information on wildlife and their habitats) wildlife conservation organizations, and outdoor recreation and conservation education entities from funds apportioned under this title, and maintenance of such projects; the term 'wildlife' shall be construed to mean any species of wild, free-ranging fauna including fish, and also fauna in captive breeding programs the object of which is to reintroduce individuals of a depleted indigenous species into previously occupied range; the term 'wildlife-associated recreation' shall be construed to mean projects intended to meet the demand for outdoor activities associated with wildlife including, but not limited to, hunting and fishing, wildlife observation and photography, such projects as construction or restoration of wildlife viewing areas, observation towers, blinds, platforms, land and water trails, water access, trail heads, and access for such projects; and the term 'wildlife conservation education' shall be construed to mean projects, including public outreach, intended to foster responsible natural resource stewardship.''.

SEC. 303. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 3 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669b) is amended—

(1) in subsection (a) by inserting ''(1)'' after ''(a)'', and by adding at the end the following:

''(2) There is established in the Federal aid to wildlife restoration fund a subaccount to be known as the 'wildlife conservation and restoration account'. Amounts transferred to the fund for a fiscal year under section 5(b)(3) of the Conservation and Reinvestment Act of 2000 shall be deposited in the subaccount and shall be available, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, for apportionment in accordance with this Act to carry out State wildlife conservation and restoration programs.''; and

(2) by adding at the end the following:

''(c) Amounts transferred to the fund from the Conservation and Reinvestment Act Fund and apportioned under subsection (a)(2) shall supplement, but not replace, existing funds available to the States from the sport fish restoration account and wildlife restoration account and shall be used for the development, revision, and implementation of wildlife conservation and restoration programs and should be used to address the unmet needs for a diverse array of wildlife and associated habitats, including species that are not hunted or fished, for wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. Such funds may be used for new programs and projects as well as to enhance existing programs and projects.

''(d)(1) Notwithstanding subsections (a) and (b) of this section, with respect to amounts transferred to the fund from the Conservation and Reinvestment Act Fund so much of such amounts as is apportioned to any State for any fiscal year and as remains unexpended at the close thereof shall remain available for expenditure in that State until the close of—

''(A) the fourth succeeding fiscal year, in the case of amounts transferred in any of the first 10 fiscal years beginning after the date of enactment of the Conservation and Reinvestment Act of 2000; or

''(B) the second succeeding fiscal year, in the case of amounts transferred in a fiscal year beginning after the 10-fiscal-year period referred to in subparagraph (A).

''(2) Any amount apportioned to a State under this subsection that is unexpended or unobligated at the end of the period during which it is available under paragraph (1) shall be reapportioned to all States during the succeeding fiscal year.''.

SEC. 304. APPORTIONMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

(a) IN GENERAL.—Section 4 of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669c) is amended by adding at the end the following new subsection:

''(c) AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.—(1) The Secretary of the Interior shall, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, make the following apportionment from the amount transferred to the fund from the Conservation and Reinvestment Act Fund for each fiscal year:

''(A) To the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than ½ of 1 percent thereof.

''(B) To Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than ⅙ of 1 percent thereof.

''(2)(A) The Secretary of the Interior, after making the apportionment under paragraph (1), shall apportion the remainder of the amount transferred to the fund from the Conservation and Reinvestment Act Fund for each fiscal year among the States in the following manner:

''(i) ⅓ of which is based on the ratio to which the land area of such State bears to the total land area of all such States.

''(ii) ⅔ of which is based on the ratio to which the population of such State bears to the total population of all such States.

''(B) The amounts apportioned under this paragraph shall be adjusted equitably so that no such State shall be apportioned a sum which is less than ½ of 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount.

''(3) Amounts transferred to the fund from the Conservation and Reinvestment Act Fund shall not be available for any expenses incurred in the administration and execution of programs carried out with such amounts.

''(d) WILDLIFE CONSERVATION AND RESTORATION PROGRAMS.—(1) Any State, through its fish and wildlife department, may apply to the Secretary of the Interior for approval of a wildlife conservation and restoration program, or for funds to develop a program. To apply, a State shall submit a comprehensive plan that includes—

''(A) provisions vesting in the fish and wildlife department of the State overall responsibility and accountability for the program;

''(B) provisions for the development and implementation of—

''(i) wildlife conservation projects that expand and support existing wildlife programs, giving appropriate consideration to all wildlife;

''(ii) wildlife-associated recreation projects; and

''(iii) wildlife conservation education projects pursuant to programs under section 8(a); and

''(C) provisions to ensure public participation in the development, revision, and implementation of projects and programs required under this paragraph.

''(2) A State shall provide an opportunity for public participation in the development of the comprehensive plan required under paragraph (1).

''(3) If the Secretary finds that the comprehensive plan submitted by a State complies with paragraph (1), the Secretary shall approve the wildlife conservation and restoration program of the State and set aside from the apportionment to the State made pursuant to subsection (c) an amount that shall not exceed 75 percent of the estimated cost of developing and implementing the program.

''(4)(A) Except as provided in subparagraph (B), after the Secretary approves a State's wildlife conservation and restoration program, the Secretary may make payments on a project that is a segment of the State's wildlife conservation and restoration program as the project progresses. Such payments, including previous payments on the project, if any, shall not be more than the United States pro rata share of such project. The Secretary, under such regulations as he may prescribe, may advance funds representing the United States pro rata share of a project that is a segment of a wildlife conservation and restoration program, including funds to develop such program.

''(B) Not more than 10 percent of the amounts apportioned to each State under this section for a State's wildlife conservation and restoration program may be used for wildlife-associated recreation.

''(5) For purposes of this subsection, the term 'State' shall include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.''.

(b) FACA.—Coordination with State fish and wildlife agency personnel or with personnel of other State agencies pursuant to the Federal Aid in Wildlife Restoration Act or the Federal Aid in Sport Fish Restoration Act shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.). Except for the preceding sentence, the provisions of this title relate solely to wildlife conservation and restoration programs and shall not be construed to affect the provisions of the Federal Aid in Wildlife Restoration Act relating to wildlife restoration projects or the provisions of the Federal Aid in Sport Fish Restoration Act relating to fish restoration and management projects.

SEC. 305. EDUCATION.

Section 8(a) of the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669g(a)) is amended by adding the following at the end thereof: ''Funds available from the amount transferred to the fund from the Conservation and Reinvestment Act Fund may be used for a wildlife conservation education program, except that no such funds may be used for education efforts, projects, or programs that promote or encourage opposition to the regulated taking of wildlife.''.

SEC. 306. PROHIBITION AGAINST DIVERSION.

No designated State agency shall be eligible to receive matching funds under this title if sources of revenue available to it after January 1, 1999, for conservation of wildlife are diverted for any purpose other than the administration of the designated State agency, it being the intention of Congress that funds available to States under this title be added to revenues from existing State sources and not serve as a substitute for revenues from such sources. Such revenues shall include interest, dividends, or other income earned on the forgoing.

TITLE IV—URBAN PARK AND RECREATION RECOVERY PROGRAM AMENDMENTS

SEC. 401. AMENDMENT OF URBAN PARK AND RECREATION RECOVERY ACT OF 1978.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 and following).

SEC. 402. PURPOSE.

The purpose of this title is to provide a dedicated source of funding to assist local governments in improving their park and recreation systems.

SEC. 403. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 1013 (16 U.S.C. 2512) is amended to read as follows:

''TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND

''SEC. 1013. (a) IN GENERAL.—Amounts transferred to the Secretary of the Interior under section 5(b)(4) of the Conservation and Reinvestment Act of 2000 in a fiscal year shall be available to the Secretary, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, to carry out this title. Any amount that has not been paid or obligated by the Secretary before the end of the second fiscal year beginning after the first fiscal year in which the amount is available shall be reapportioned by the Secretary among grantees under this title.

''(b) LIMITATIONS ON ANNUAL GRANTS.—Of the amounts available in a fiscal year under subsection (a)—

''(1) not more that 3 percent may be used for grants for the development of local park and recreation recovery action programs pursuant to sections 1007(a) and 1007(c);

''(2) not more than 10 percent may be used for innovation grants pursuant to section 1006; and

''(3) not more than 15 percent may be provided as grants (in the aggregate) for projects in any one State.

''(c) LIMITATION ON USE FOR GRANT ADMINISTRATION.—The Secretary shall establish a limit on the portion of any grant under this title that may be used for grant and program administration.''.

SEC. 404. DEFINITIONS.

Section 1004 (16 U.S.C. 2503) is amended as follows:

(1) In paragraph (j) by striking ''and'' after the semicolon.

(2) In paragraph (k) by striking the period at the end and inserting a semicolon.

(3) By adding at the end the following:

''(l) 'development grants'—

''(1) subject to subparagraph (2) means matching capital grants to units of local government to cover costs of development and construction on existing or new neighborhood recreation sites, including indoor and outdoor recreational areas and facilities, support facilities, and landscaping; and

''(2) does not include routine maintenance, and upkeep activities; and

''(m) 'Secretary' means the Secretary of the Interior.''.

SEC. 405. ELIGIBILITY.

Section 1005(a) (16 U.S.C. 2504(a)) is amended to read as follows:

''(a) Eligibility of general purpose local governments to compete for assistance under this title shall be based upon need as determined by the Secretary. Generally, eligible general purpose local governments shall include the following:

''(1) All political subdivisions of Metropolitan, Primary, or Consolidated Statistical Areas, as determined by the most recent Census.

''(2) Any other city, town, or group of cities or towns (or both) within such a Metropolitan Statistical Area, that has a total population of 50,000 or more as determined by the most recent Census.

''(3) Any other county, parish, or township with a total population of 250,000 or more as determined by the most recent Census.''.

SEC. 406. GRANTS.

Section 1006 (16 U.S.C. 2505) is amended—

(1) in subsection (a) by redesignating paragraph (3) as paragraph (4); and

(2) by striking so much as precedes subsection (a)(4) (as so redesignated) and inserting the following:

''GRANTS

''SEC. 1006. (a)(1) The Secretary may provide 70 percent matching grants for rehabilitation, development, and innovation purposes to any eligible general purpose local government upon approval by the Secretary of an application submitted by the chief executive of such government.

''(2) At the discretion of such an applicant, a grant under this section may be transferred in whole or part to independent special purpose local governments, private nonprofit agencies, or county or regional park authorities, if—

''(A) such transfer is consistent with the approved application for the grant; and

''(B) the applicant provides assurance to the Secretary that the applicant will maintain public recreation opportunities at assisted areas and facilities owned or managed by the applicant in accordance with section 1010.

''(3) Payments may be made only for those rehabilitation, development, or innovation projects that have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward completion of a project, on a reimbursable basis.''.

SEC. 407. RECOVERY ACTION PROGRAMS.

Section 1007(a) (16 U.S.C. 2506(a)) is amended—

(1) in subsection (a) in the first sentence by inserting ''development,'' after ''commitments to ongoing planning,''; and

(2) in subsection (a)(2) by inserting ''development and'' after ''adequate planning for''.

SEC. 408. STATE ACTION INCENTIVES.

Section 1008 (16 U.S.C. 2507) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by striking the last sentence of subsection (a) (as designated by paragraph (1) of this section) and inserting the following:

''(b) COORDINATION WITH LAND AND WATER CONSERVATION FUND ACTIVITIES.—(1) The Secretary and general purpose local governments are encouraged to coordinate preparation of recovery action programs required by this title with State Plans or Agendas required under section 6 of the Land and Water Conservation Fund Act of 1965, including by

allowing flexibility in preparation of recovery action programs so they may be used to meet State and local qualifications for local receipt of Land and Water Conservation Fund grants or State grants for similar purposes or for other conservation or recreation purposes.

''(2) The Secretary shall encourage States to consider the findings, priorities, strategies, and schedules included in the recovery action programs of their urban localities in preparation and updating of State plans in accordance with the public coordination and citizen consultation requirements of subsection 6(d) of the Land and Water Conservation Fund Act of 1965.''.

SEC. 409. CONVERSION OF RECREATION PROPERTY.

Section 1010 (16 U.S.C. 2509) is amended to read as follows:

''CONVERSION OF RECREATION PROPERTY

''SEC. 1010. (a) Before converting any property developed, acquired, or rehabilitated with amounts provided under this title to any purpose other than public recreation purposes, a grantee, through the designated State official, shall notify the Secretary that no prudent or feasible alternative exists.

''(b) Subsection (a) shall apply also to the park, recreation, or conservation area of which the property is a part.''.

SEC. 410. REPEAL.

Section 1015 (16 U.S.C. 2514) is repealed.

TITLE V—HISTORIC PRESERVATION FUND

SEC. 501. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended—

(1) by inserting ''(a)'' before the first sentence;

(2) in subsection (a) (as designated by paragraph (1) of this section) by striking all after the first sentence; and

(3) by adding at the end the following:

''(b) Amounts transferred to the Secretary under section 5(b)(5) of the Conservation and Reinvestment Act of 2000 in a fiscal year shall be deposited into the Fund and shall be available, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, to carry out this Act.

''(c) At least ½ of the funds obligated or expended each fiscal year under this Act shall be used in accordance with this Act for preservation projects on historic properties. In making such funds available, the Secretary shall give priority to the preservation of endangered historic properties.''.

SEC. 502. STATE USE OF HISTORIC PRESERVATION ASSISTANCE FOR NATIONAL HERITAGE AREAS AND CORRIDORS.

Title I of the National Historic Preservation Act (16 U.S.C. 470a and following) is amended by adding at the end the following:

''SEC. 114. STATE USE OF ASSISTANCE FOR NATIONAL HERITAGE AREAS AND CORRIDORS.

''In addition to other uses authorized by this Act, amounts provided to a State under this title may be used by the State to provide financial assistance to the management entity for any national heritage area or national heritage corridor established under the laws of the United States, to support cooperative historic preservation planning and development.''.

TITLE VI—FEDERAL AND INDIAN LANDS RESTORATION

SEC. 601. PURPOSE.

The purpose of this title is to provide a dedicated source of funding for a coordinated program on Federal and Indian lands to restore degraded lands, protect resources that are threatened with degradation, and protect public health and safety.

SEC. 602. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND; ALLOCATION.

(a) IN GENERAL.—Amounts transferred to the Secretary of the Interior and the Secretary of Agriculture under section 5(b)(5) of this Act in a fiscal year shall be available in that fiscal year, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, to carry out this title.

(b) ALLOCATION.—Amounts referred to in subsection (a) year shall be allocated and available as follows:

(1) DEPARTMENT OF THE INTERIOR.—80 percent shall be allocated and available to the Secretary of the Interior to carry out the purpose of this title on lands within the National Park System, lands within the National Wildlife Refuge System, and public lands administered by the Bureau of Land Management.

(2) DEPARTMENT OF AGRICULTURE.—10 percent shall be allocated and available to the Secretary of Agriculture to carry out the purpose of this title on lands within the National Forest System.

(3) INDIAN TRIBES.—10 percent shall be allocated and available to the Secretary of the Interior for competitive grants to qualified Indian tribes under section 603(b).

SEC. 603. AUTHORIZED USES OF TRANSFERRED AMOUNTS.

(a) IN GENERAL.—Funds made available to carry out this title shall be used solely for maintenance activities related to resource protection, or protection of public health or safety.

(b) COMPETITIVE GRANTS TO INDIAN TRIBES.—

(1) GRANT AUTHORITY.—The Secretary of the Interior shall administer a competitive grant program for Indian tribes, giving priority to projects based upon the protection of significant resources, the severity of damages or threats to resources, and the protection of public health or safety.

(2) LIMITATION.—The amount received for a fiscal year by a single Indian tribe in the form of grants under this subsection may not exceed 10 percent of the total amount available for that fiscal year for grants under this subsection.

(c) PRIORITY LIST.—The Secretary of the Interior and the Secretary of Agriculture shall each establish priority lists for the use of funds available under this title. Each list shall give priority to projects based upon the protection of significant resources, the severity of damages or threats to resources, and the protection of public health or safety.

(d) COMPLIANCE WITH APPLICABLE PLANS.—Any project carried out on Federal lands with amounts provided under this title shall be carried out in accordance with all management plans that apply under Federal law to the lands.

(e) TRACKING RESULTS.—Not later than the end of the first full fiscal year for which funds are available under this title, the Secretary of the Interior and the Secretary of Agriculture shall jointly establish a coordinated program for—

(1) tracking the progress of activities carried out with amounts made available by this title; and

(2) determining the extent to which demonstrable results are being achieved by those activities.

SEC. 604. INDIAN TRIBE DEFINED.

In this title, the term ''Indian tribe'' means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior recognizes as an Indian tribe under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a–1).

TITLE VII—FARMLAND PROTECTION PROGRAM AND ENDANGERED AND THREATENED SPECIES RECOVERY

Subtitle A—Farmland Protection Program

SEC. 701. ADDITIONAL FUNDING AND ADDITIONAL AUTHORITIES UNDER FARMLAND PROTECTION PROGRAM.

Section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note) is amended to read as follows:

''SEC. 388. FARMLAND PROTECTION PROGRAM.

''(a) ESTABLISHMENT AND PURPOSE.—The Secretary of Agriculture shall carry out a farmland protection program for the purpose of protecting farm, ranch, and forest lands with prime, unique, or other productive uses by limiting the nonagricultural uses of the lands. Under the program, the Secretary may provide matching grants to eligible entities described in subsection (d) to facilitate their purchase of—

''(1) permanent conservation easements in such lands; or

''(2) conservation easements or other interests in such lands when the lands are subject to a pending offer from a State or local government.

''(b) CONSERVATION PLAN.—Any highly erodible land for which a conservation easement or other interest is purchased using funds made available under this section shall be subject to the requirements of a conservation plan that requires, at the option of the Secretary of Agriculture, the conversion of the cropland to less intensive uses.

''(c) MAXIMUM FEDERAL SHARE.—The Federal share of the cost of purchasing a conservation easement described in subsection (a)(1) may not exceed 50 percent of the total cost of purchasing the easement.

''(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means any of the following:

''(1) An agency of a State or local government.

''(2) A federally recognized Indian tribe.

''(3) Any organization that is organized for, and at all times since its formation has been operated principally for, one or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986 and—

''(A) is described in section 501(c)(3) of the Code;

''(B) is exempt from taxation under section 501(a) of the Code; and

''(C) is described in paragraph (2) of section 509(a) of the Code, or paragraph (3) of such section, but is controlled by an organization described in paragraph (2) of such section.

''(e) TITLE; ENFORCEMENT.—Any eligible entity may hold title to a conservation easement purchased using grant funds provided under subsection (a)(1) and enforce the conservation requirements of the easement.

''(f) STATE CERTIFICATION.—As a condition of the receipt by an eligible entity of a grant under subsection (a)(1), the attorney general of the State in which the conservation easement is to be purchased using the grant funds shall certify that the conservation easement to be purchased is in a form that is sufficient, under the laws of the State, to achieve the purposes of the farmland protection program and the terms and conditions of the grant.

''(g) TECHNICAL ASSISTANCE.—To provide technical assistance to carry out this section, the Secretary of Agriculture may not use more than 10 percent of the amount made available for any fiscal year under section 702 of the Conservation and Reinvestment Act of 2000.''.

SEC. 702. FUNDING.

(a) AVAILABILITY.—Amounts transferred to the Secretary of Agriculture under section 5(b)(7) of this Act in a fiscal year shall be available to the Secretary of Agriculture, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, to carry out—

(1) the farmland protection program under section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 16 U.S.C. 3830 note), and

(2) the Forest Legacy Program under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

(b) MINIMUM ALLOCATION.—Not less than 10 percent of the amounts transferred to the Secretary of Agriculture under section 5(b)(7) of this Act in a fiscal year shall be used for each of the programs referred to in paragraphs (1) and (2) of subsection (a).

Subtitle B—Endangered and Threatened Species Recovery

SEC. 711. PURPOSES.

The purposes of this subtitle are the following:

(1) To provide a dedicated source of funding to the United States Fish and Wildlife Service and the National Marine Fisheries Service for the purpose of implementing an incentives program to promote the recovery of endangered species and threatened species and the habitat upon which they depend.

(2) To promote greater involvement by non-Federal entities in the recovery of the Nation's endangered species and threatened species and the habitat upon which they depend.

SEC. 712. TREATMENT OF AMOUNTS TRANSFERRED FROM CONSERVATION AND REINVESTMENT ACT FUND.

Amounts transferred to the Secretary of the Interior under section 5(b)(8) of this Act in a fiscal year shall be available to the Secretary of the Interior, subject to appropriations for fiscal years before fiscal year 2006 and without further appropriation for fiscal year 2006 and each fiscal year thereafter, to carry out this subtitle.

SEC. 713. ENDANGERED AND THREATENED SPECIES RECOVERY ASSISTANCE.

(a) FINANCIAL ASSISTANCE.—The Secretary may use amounts made available under section 712 to provide financial assistance to any person for development and implementation of Endangered and Threatened Species Recovery Agreements entered into by the Secretary under section 714.

(b) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to the development and implementation of species recovery agreements that—

(1) implement actions identified under recovery plans approved by the Secretary under section 4(f) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f));

(2) have the greatest potential for contributing to the recovery of an endangered or threatened species; and

(3) to the extent practicable, require use of the assistance on land owned by a small landowner.

(c) PROHIBITION ON ASSISTANCE FOR REQUIRED ACTIVITIES.—The Secretary may not provide financial assistance under this section for any action that is required by a permit issued under section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)(1)(B)) or an incidental take statement issued under section 7 of that Act (16 U.S.C. 1536), or that is otherwise required under that Act or any other Federal law.

(d) PAYMENTS UNDER OTHER PROGRAMS.—

(1) OTHER PAYMENTS NOT AFFECTED.—Financial assistance provided to a person under this section shall be in addition to, and shall not affect, the total amount of payments that the person is otherwise eligible to receive under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 and following), the wetlands reserve program established under subchapter C of that chapter (16 U.S.C. 3837 and following), or the Wildlife Habitat Incentives Program established under section 387 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3836a).

(2) LIMITATION.—A person may not receive financial assistance under this section to carry out activities under a species recovery agreement in addition to payments under the programs referred to in paragraph (1) made for the same activities, if the terms of the species recovery agreement do not require financial or management obligations by the person in addition to any such obligations of the person under such programs.

SEC. 714. ENDANGERED AND THREATENED SPECIES RECOVERY AGREEMENTS.

(a) IN GENERAL.—The Secretary may enter into Endangered and Threatened Species Recovery Agreements for purposes of this subtitle in accordance with this section.

(b) REQUIRED TERMS.—The Secretary shall include in each species recovery agreement provisions that—

(1) require the person—

(A) to carry out on real property owned or leased by the person activities not otherwise required by law that contribute to the recovery of an endangered or threatened species;

(B) to refrain from carrying out on real property owned or leased by the person otherwise lawful activities that would inhibit the recovery of an endangered or threatened species; or

(C) to do any combination of subparagraphs (A) and (B);

(2) describe the real property referred to in paragraph (1)(A) and (B) (as applicable);

(3) specify species recovery goals for the agreement, and measures for attaining such goals;

(4) require the person to make measurable progress each year in achieving those goals, including a schedule for implementation of the agreement;

(5) specify actions to be taken by the Secretary or the person (or both) to monitor the effectiveness of the agreement in attaining those recovery goals;

(6) require the person to notify the Secretary if—

(A) any right or obligation of the person under the agreement is assigned to any other person; or

(B) any term of the agreement is breached by the person or any other person to whom is assigned a right or obligation of the person under the agreement;

(7) specify the date on which the agreement takes effect and the period of time during which the agreement shall remain in effect;

(8) provide that the agreement shall not be in effect on and after any date on which the Secretary publishes a certification by the Secretary that the person has not complied with the agreement; and

(9) allocate financial assistance provided under this subtitle for implementation of the agreement, on an annual or other basis during the period the agreement is in effect based on the schedule for implementation required under paragraph (4).

(c) REVIEW AND APPROVAL OF PROPOSED AGREEMENTS.—Upon submission by any person of a proposed species recovery agreement under this section, the Secretary—

(1) shall review the proposed agreement and determine whether it complies with the requirements of this section and will contribute to the recovery of endangered or threatened species that are the subject of the proposed agreement;

(2) propose to the person any additional provisions necessary for the agreement to comply with this section; and

(3) if the Secretary determines that the agreement complies with the requirements of this section, shall approve and enter with the person into the agreement.

(d) MONITORING IMPLEMENTATION OF AGREEMENTS.—The Secretary shall—

(1) periodically monitor the implementation of each species recovery agreement entered into by the Secretary under this section; and

(2) based on the information obtained from that monitoring, annually or otherwise disburse financial assistance under this subtitle to implement the agreement as the Secretary determines is appropriate under the terms of the agreement.

SEC. 715. DEFINITIONS.

In this subtitle:

(1) ENDANGERED OR THREATENED SPECIES.—The term ''endangered or threatened species'' means any species that is listed as an endangered species or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior or the Secretary of Commerce, in accordance with section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532).

(3) SMALL LANDOWNER.—The term ''small landowner'' means an individual who owns 50 acres or fewer of land.

(4) SPECIES RECOVERY AGREEMENT.—The term ''species recovery agreement'' means an Endangered and Threatened Species Recovery Agreement entered into by the Secretary under section 714.

H. RES. 497

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 4377. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall

be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The CHAIRMAN pro tempore. Pursuant to House Resolution 497, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

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

Mr. Chairman, I would like to commend my chairman, the gentleman from Alaska (Mr. YOUNG), and the others who have worked with him on this bill for trying to meet a very real need in this country. There is obviously a great deal of interest in this House to have a dedicated funding stream to help us take better care of coastal areas and to fund the Land and Water Conservation Fund, and for the other purposes identified in this bill.

This bill is certainly a major departure from the way we have handled those issues in the past, and it gives us an opportunity to take better care of these resources.

But I also believe that the Chairman's bill can be made better. It can be made more fiscally responsible. It can be made better so we take better care of the property we already have under our control, because, Mr. Chairman, there are consequences to our actions. There are severe consequences if this bill is allowed to pass in the form it is now.

My substitute which I have offered is very similar in most respects to CARA. It differs from the Chairman's bill in four primary areas: It is more fiscally responsible, it ensures that we take better care of the property the Federal government already has, it ensures that communities affected by Federal action will be compensated, and it strengthens private property rights.

Mr. Chairman, my substitute is much more fiscally responsible. Yesterday, the committee passed the Shadegg amendment, which requires a certification on social security, Medicare, and debt. That is a good start, but they are not the only priorities we have to worry about in this budget. There are a number of other priorities.

I would refer my colleagues to today's Washington Post, a publication I am not used to citing. The Washington Post today, in one of their editorials, says, ''Our objection to this bill is not the purposes but the automatic spending with regard to the competing claims on the Federal dollars.''

The spending would be automatic. This program would go to the head of the line, ahead of national defense, ahead of education, ahead of tax collection, ahead of biomedical research, you name it. So we cannot automatically put this ahead of everything else without looking at the consequences.

What I do, Mr. Chairman, is say we need time to prepare the budget. We just passed a 5-year budget. We need to take time before we move it to mandatory spending to take these new priorities into account.

Secondly, we have to address the maintenance backlog that we have heard discussed in this debate. The Department of the Interior can tell us it is somewhere around $8 billion to $14 billion of backlog that we already have. It is big, it is getting worse, and if the Federal government takes in a lot more land under this bill, it is going to get far worse than it is now. My substitute has a dedicated fund for maintenance, and it can only be used for maintenance.

Also, it requires that the maintenance backlog go down by 5 percent a year. If it does not go down to meet those targets, then the acquisition funds are reduced, so we have a guarantee that we deal with this maintenance problem which has plagued us.

Third, my substitute makes the PILT payments mandatory. My substitute makes the PILT payments mandatory. We cannot ignore the consequences of our actions when the Federal government takes land off the private property rolls. That is going to grow under this bill.

To say that PILT should be a matching program so if in Congress's discretion we happen to fund it that year I think is wrong. It needs to be mandatory like the rest of it, to ensure that these communities are compensated for the lack of the tax roll.

Finally, my bill strengthens property rights. We have heard some of these property issues previously in the debate. I also add an appraiser. The Federal government has to pay for an appraiser to get an independent appraisal when the Federal government is taking over property. I require that there be a willing seller and that land acquisitions be approved by Congress. There are other provisions here as well.

I take, in this substitute, the structure of CARA, I leave it essentially as it is, but I address those concerns that Members have addressed throughout this debate.

I think this substitute is much more responsible. It helps us to deal with the consequences of this action. I hope my colleagues will agree and vote for it.

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

Mr. YOUNG of Alaska. Mr. Chairman, I claim the time to refute the substitute.

The CHAIRMAN pro tempore. The gentleman from Alaska (Mr. YOUNG) is recognized for 20 minutes in opposition to the amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 10 minutes to the gentleman from California (Mr. GEORGE MILLER) to control, and I will claim 10 minutes in opposition.

The CHAIRMAN. Without objection, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) each will control 10 minutes.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

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

Mr. Chairman, I rise in strong opposition to this substitute, which in effect would kill CARA. We are getting to the end of this marathon debate now, and thanks to the hard work of the sponsors and the chairman and the ranking member, CARA has emerged relatively unscathed. We cannot lose strength now that we are nearing the finish line.

Here is some information that should make it easy to reject this substitute. Over the past day and a half, the House has already decisively defeated every significant change to CARA that is included in the Thornberry substitute. All the Thornberry amendment does is package all the proposals that the House has already discarded.

The substitute amendment would put off CARA spending for 5 years, make it difficult to undertake any Federal land purchases, and hamstring government efforts to protect existing parks and forests. We do not want to do any of the above.

Again, the House has already wisely rejected all of these ideas. I do not know why pulling all of these defeated proposals into one substitute would make them more appealing. They certainly do not do those of us who are following the details of this very important legislation.

This is legacy legislation. This is legislation for future generations. This is legislation that deals responsibly with our stewardship. This is legislation that has brought together in this Chamber, the people's House, diverse elements of this body geographically, New York, Alaska, California. Republican, Democrat, conservative, liberal, moderate, we are all together on this for all the right reasons.

What we are doing today is investing in the future and leaving a legacy to

generations that will make us all proud.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

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

Mr. Chairman, I rise in opposition to the amendment for all of the reasons set forth by my friend, the gentleman from New York (Mr. BOEHLERT). I rise in strong support of the underlying bill.

Mr. Chairman, this bipartisan compromise plan is a historic opportunity to preserve America's natural resources for future generations. It will protect endangered wildlife and improve coastal habitats. It will help towns build new ballfields and help States preserve scenic hiking trails. It encourages urban parks and protects rural farmland.

CARA does all this without creating new taxes or fees. Instead, it simply rededicates offshore oil and gas revenues to the conservation programs they were intended to fund.

In this time of budget surpluses, there is no reason that these fees should be diverted from their original purpose. This commonsense idea enjoys unprecedented support, with the backing of all 50 Governors and communities across the Nation.

In my home State of Maine, a coalition of more than 230 business, conservation groups, municipalities, and sportsmen's groups has rallied behind this bill. These unusual allies recognize that when we invest in our natural resources, we improve our communities, our health, and our quality of life.

In Maine, CARA funding will be used to supplement the $50 million Land Conservation Fund that Maine voters approved with overwhelming support. It will allow us to realize once in a lifetime opportunities to protect tracts of the northern forest that have been targeted for development. CARA will help us preserve those pristine areas for traditional outdoor recreation that we in Maine have enjoyed for generations.

Mr. Chairman, this landmark bill is perhaps the most important piece of environmental legislation we shall see in the 106th Congress. By passing this measure, we can ensure that Congress meets its commitment to help States and communities preserve their natural resources for generations to come.

I urge my colleagues to reject the amendment and support the underlying bill.

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would remind my colleagues that the substitute retains all of the basic purposes in the underlying CARA bill. I do not change the allocations at all.

I would also remind the gentleman that whatever one could argue the original purposes of the OCS revenue was, the fact is, it has been going into the general Treasury. We cannot just jerk it out and assume we have no impact on defense, education, on trying to have prescription drug benefits, on Medicare, biomedical research, or whatever else we care about. We have to prepare for the consequences of this action.

Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding time to me, and commend him for this excellent substitute.

Mr. Chairman, many Members of this Chamber feel like I do. They support many of the conservation and resource management programs and objectives of this bill, yet they are concerned about the way the bill treats such thing as property rights, land acquisition, and important budget priorities like social security, Medicare, and debt reduction.

I agree with the gentleman from New York, that this legislation has the potential for being a great legacy piece of legislation, but we have to make sure that that legacy is not a mountain of debt.

The Thornberry substitute is designed to give these Members a place to go. Simply put, this amendment provides some essential fixes to CARA. First, it defers spending on CARA to 2006, thus reducing the competition between the spending in this bill and other more important priorities, like preserving social security, strengthening Medicare, reducing the debt, and improving education.

Second, it improves and strengthens funding for PILT, payments in lieu of taxes, something vitally important for the Members of this House who represent districts, as I do, where there is already a very substantial ownership of land by the Federal government. In my district, one-third of all the land in my district, more than 1 million acres, is owned by the Federal government.

The localities in my district do not receive adequate compensation for the loss of the use of that land which could be used for a whole host of purposes that generate revenue for schools, for roads, for other local needs. Funding PILT is a very high priority, and that is a good improvement in this substitute.

Third, the substitute improves the protection of private property by protecting inholders and maintaining current property protection laws.

Finally, it ties a portion of the Federal land acquisition money to a demonstrable reduction in the $13 billion operations and maintenance backlog in our national forests, parks, and rangelands.

To wrap up quickly, this backlog in much needed work on our currently owned Federal land is vitally important. As chairman of the Subcommittee on Forestry of the Committee on Agriculture, I can tell the Members the pressing need we have to take care of the land we own now, and this substitute will do just that. The Thornberry amendment will move this bill in the right direction and bring us much closer to supporting conservation and resource management without jeopardizing our budget priorities, the protection of private property, and the appropriate balance between land acquisition and land maintenance.

I urge my colleagues to support this substitute.

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Mr. YOUNG of Alaska. Mr. Chairman, I yield 2½ minutes to gentleman from New Jersey (Mr. SAXTON).

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

Mr. Chairman, I rise in strong opposition to the Thornberry amendment for a number of reasons, but one of the primary reasons is that my friend, the gentleman from Texas (Mr. THORNBERRY) would delay the funding provided through CARA for 5 years. Mr. Chairman, we cannot afford to delay this program any longer.

Mr. Chairman, this program is not for us; this program is for our children and our grandchildren and their children. This program is to provide a quality of life, like the quality of life we have or the quality of life that we would like to restore for future generations.

Mr. Chairman, delaying this 5 years in States like the one I represent means that hundreds of thousands of more acres of land disappear under parking lots, under housing developments, thousands and thousands and thousands of acres going to development that this bill, that this process will permit us to save.

It is for our children. It is for their environment. It is for their quality of life. To arrive at the point that we have today, the amendment of the gentleman from Texas (Mr. THORNBERRY) in one fell swoop would short-circuit this process. This process has been ongoing for years; the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER), and the gentleman from California (Mr. POMBO), all of us have had input over a long period of time.

We have taken care to provide for resources for every State. Yes, coastal States with lots of coastal areas in high populations get a little more, and that is because the problems that I described are enhanced in those kinds of States.

If Members could all come home with me and ride from the northern part of the State I represent, New Jersey, to the southern part of the State, and if Members could have done that 30 years ago, and then do it again today, they would see the results of development pressure.

This bill will provide for enhancement of wildlife, enhancement of quality of life and be a good, a very good

thing for our children, our grandchildren and their children.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

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

Mr. Chairman, I think the last couple of days has been an extraordinary debate about a profound issue about the future of conservation for this country. This legislation, in my judgment, is as profound and may be more so than the concept of national parks and national forests to preserve the heritage of a Nation and, certainly, the world.

There has been some discussion about maintenance backlog in our national parks and our national forest, and those are legitimate questions, but I would like to pose this thought, how were they managed before Columbus came? There is a certain amount of natural processes that go into place the mechanics of creation have created.

This legislation creates the potential, if we take advantage of the opportunity, for disparate interests to collectively collaborate on land use issues. There is a lot of money coming directed towards certain States. In my district, we are, and have been for about a year, in anticipation of this legislation, bringing farmers together, real estate agents together, developers together, nonprofit people together, local government folks together. You name it, and we are beginning to understand the nature of what our region should look like to preserve those natural resources, to preserve the agricultural heritage of our districts in future years.

We did a study and looked at three things: We looked at the contribution of taxes from housing developments, the contribution of taxes from industry, and the contribution of taxes from agriculture.

For every dollar that a housing project gave to local government, local government had to give them nearly a $1.50 back for services. In agriculture for every dollar, the farm gave to the local community, the local government only had to give 35 cents back. The argument that we need more development and more construction is just not there.

Mr. Chairman, I urge my colleagues to vote for this legislation.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like to remind my friend and colleague from New Jersey who argues that we cannot afford to delay 5 minutes, I would like to get all of my needs met right now, right away. I would like to fully fund the Federal obligation to special education right now. I would like to keep our promise to military retirees on their healthcare right now. The fact is, we have a budget framework we have to deal with. We have to prepare for these things.

The gentleman said that the chairman has been working on this for several years; he has. But the budget has not been prepared for several years. If we take this money out of the general fund, then something has to suffer. The budget law says that mandatory spending has to be offset in some way. What are those offsets?

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

Mr. THORNBERRY. No, I do not yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I say to the gentleman I am from Maryland.

Mr. THORNBERRY. Mr. Chairman, I was referring to the gentleman from New Jersey (Mr. SAXTON) who spoke earlier.

Mr. Chairman, reclaiming my time, the gentleman from Maryland (Mr. GILCHREST) talked about the maintenance backlog, which, of course, is there and is a serious problem, but my substitute addresses it far better, because under the underlying bill, there are three purposes under title VI how that money could be spent. I eliminate two of them. It can only be spent for maintenance, and I require a demonstrable reduction in maintenance backlog. It takes care of the backlog better.

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

Mr. YOUNG of Alaska. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore (Mr. QUINN). The gentleman from Texas (Mr. THORNBERRY) has 11½ minutes remaining. The gentleman from Alaska (Mr. YOUNG) has 5½ minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 6 minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO. Mr. Chairman, I rise today in strong support of CARA, and I want to applaud the gentleman from Alaska (Chairman YOUNG) and members of the committee for crafting this historic piece of legislation which is on budget and fiscally responsible.

Mr. Chairman, today I stand with my two young daughters in mind. As a result of our vote today, they and thousands like them will be able to enjoy the great American outdoors long into the future. Thanks to this bill, people will be able to go clamming on Long Island in restored shellfish beds, and many other parts of the country.

They can expect to enroll their children in Little League and find a field available. They can expect to take their kids for a walk in the woods, and see the joy on their faces as they spot one of nature's creatures.

Mr. Chairman, I find it fitting that 100 years after my fellow Long Islander, Teddy Roosevelt, put in place the basic elements of our Nation's conservation program, today we are continuing that fine tradition. In TR's time, we declared the frontier closed. Today, we declare it open and available for the enjoyment of future generations.

My district provides compelling examples of the dire environmental problems that this funding is intended to address. I represent a coastal district. With the funding afforded in title I, we look forward to working with New York State to clean up the South Shore Estuary, which enjoys widespread support on Long Island. Cleaning this body of water would be a fitting tribute to the conservation goals of this bill.

But, Mr. Chairman, for us to realize our goals, we need to respect the delicate balance of the issues that this bill addresses. As we consider this legislation, I urge my colleagues to do three things.

First, let us overcome the temptation to destroy the good in the name of perfection.

Second, let us look objectively at the protections and the opportunities that are included in this historic bill.

And, finally and most importantly, let us keep in mind this is about our children. Let us leave them something for which we can be proud. Let us demonstrate that the spirit of Teddy Roosevelt lives on in this body today. Let us support CARA and let us not support this substitute, which will undercut this important legislation.

Again, I want to thank the gentleman from Alaska, the chairman of the Committee on Resources, for bringing this monumental bill forward for consideration.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, I thank the gentleman from California for yielding me this time. I also applaud the gentleman from the panhandle of Texas (Mr. THORNBERRY) for coming up with a pretty good substitute. I think it falls a little short in several areas.

First and foremost, it delays this program. We addressed that issue in this House decided overwhelmingly to defeat that proposal. But more than that, it delays and asks people in the communities that are most needy as far as coastlines to wait 5 years. I beg the gentleman from Texas, Louisiana cannot wait 5 years.

If my colleagues see the map beside me, the red is what we will lose over the next few short years. Five years is too much. We are losing 25 square miles a year. Times five, that is 125 square miles of Louisiana will be gone before this bill is enacted, before we can get to that point. My district may be gone by that time, because I represent 250 miles of coastline.

Second of all, a difference that the gentleman has is that he says he has $200 million for maintenance. Well, I fall back on my first argument. If he does say that we want $200 million, he says but let us wait 5 years before we get $200 million. That puts us a billion dollars in backlog and also payment in lieu of taxes.

Mr. Chairman, I have a parish in the southwestern corner of my district, Cameron Parish, that is mostly owned by the Federal Government. I have worked very hard in trying to get a dedicated stream of funding to pay this poor parish so they could have the services they need.

I beg my colleagues not to adopt the substitute, it has all of the provisions that have been defeated over the last 2 nights and days in this body, but pass this very important piece of legislation.

Mr. Chairman, this will be the last amendment, so I want to commend the gentleman from California (Mr. GEORGE MILLER), ranking member of my committee, and also the gentleman from Alaska (Mr. YOUNG), chairman of the committee, for their diligent effort in putting together, I think, what is the most historic piece of legislation that deals with our conservation needs in the history of this country.

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would respond to the gentleman from Louisiana that the gentleman has a remedy now. He can come to this House and get more money through the regular budget process to deal with the coastal problems that he is suffering. Nothing prevents him from doing that. But I know that he also wants to be fiscally responsible, because his constituents have other needs such as education and defense and high taxes. We need to bring all of that together to sort out those priorities.

I would also remind the gentleman that my substitute requires a 5 percent a year decrease in the backlog. That begins now. And so we have to move towards where CARA will ultimately take us by putting more money towards those efforts.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Chairman, I thank the gentleman from Texas (Mr. THORNBERRY) for yielding me this time. I just want to say, Mr. Chairman, that at this time there is a raging fire on the public land in New Mexico. One hundred homes have been destroyed. The fire is now around the Los Alamos National Laboratories and Los Alamos, New Mexico, is preparing evacuation.

This is because we do not have good management on our federally controlled lands. And here, this original bill without the substitute, the original bill would allow for us to acquire a lot more private land, and put it into the hands of the government. The substitute amendment is a great amendment because it gives more private property rights protections.

It is very interesting, in the beginning, in the founding of this country, our forefathers tried having property in commons and it did not work, and that is why they moved to the private property rights.

□ 1430

In fact, John Adams said the moment that the idea is admitted into society that if property is not as sacred as the laws of God and there is not a force of law and public justice to protect it, anarchy and tyranny commence. Property must be sacred or liberty cannot exist.

That is why it is so important that we vote and support this amendment because our fight is for more than property. Property must be sacred, or liberty cannot exist.

Daniel Webster understood that, and he said it very well. This body, in fact, historically has upheld private property rights until recently. In 1995, in fact, this body voted with the majority of 277 votes to extend a moratorium against any more acquisition of Federal land. Now look at us today.

We have moved in a counter position from that position, that very proud and good position, a traditional position that is emblazoned on the wall above my head, above the Speaker's head. It quotes Daniel Webster. It talks about what this Nation has been and what can be done. It challenges by saying, ''Let us develop the resources of our land, call forth its power, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.''

Mr. GEORGE MILLER of California. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN pro tempore (Mr. QUINN). The gentleman from California (Mr. GEORGE MILLER) has 4 minutes remaining. The gentleman from Alaska (Mr. YOUNG) has 3½ minutes remaining. The gentleman from Texas (Mr. THORNBERRY) has 8½ minutes remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. TAUZIN).

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 additional minute to the gentleman from Louisiana (Mr. TAUZIN).

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN) for 2 minutes.

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

Mr. TAUZIN. Mr. Chairman, let me rise in opposition to this substitute and recognize that the amendment of the gentleman from Texas (Mr. THORNBERRY) basically restates the Chambliss amendment, which would delay this bill for 5 years.

The gentleman from Louisiana (Mr. JOHN) has showed us what 5 years in Louisiana means, 125 more square miles of Louisiana loss we cannot ever recover. The answer, the gentleman from Texas (Mr. THORNBERRY) said one can come to the legislature and get some money, because the other budget priorities are too important for this bill. But he has not offered, as many other States have not offered, to sacrifice their revenue sharing from Federal lands inside the State while we do other budget priorities. Those go forward.

States like Wyoming, which have collected $7.4 billion in revenue sharing from Federal lands inside their State, or New Mexico which has collected $5.3 billion, those programs have not been asked to wait until other budget priorities are matched.

This substitute needs to be defeated, as was the Chambliss amendment defeated by 281 votes. But let me tell my colleagues why this bill needs to be passed when we defeat this substitute. Now, there is a reason why the National Lands Rights Alliance is against this bill. They are the ultimate property rights organization out west. They are against it because the Federal Government owns much too much of the land out west, and they know it, and one has a right to be offended by that.

There is a reason why Green Peace and Sierra and the Defenders of Wildlife and the Environmental Defense Group oppose this bill, too. They oppose this bill because we have got property rights built into this bill.

See, this has been very much of a very difficult but well-negotiated, balanced project. It is a great environmental bill that finally includes some property rights for landowners, great environmental protection for this country, but finally some property rights for landowners. Willing sellers only. A commandment to the agencies that the first priority ought to be land swaps and easements rather than acquisitions, provisions to make sure no land is regulated until it is bought. It is about time. This is a great compromise.

Let us defeat this substitute.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I certainly understand the position that our colleagues from Louisiana are in. They have a problem, and they are looking for a solution. Obviously, the coast of Texas is right there next to the coast of Louisiana. We do not have exactly the same problems, but I sympathize with their position.

But there are a number of other problems around the country. I am not saying the other problems are more important than this, but I am saying that we should not automatically put this problem at the head of the line. As the Washington Post said this morning, we should not put this on automatic pilot, put it ahead of education, ahead of defense, ahead of medical research and all of the other priorities that are there.

We need to come together as a Congress and sort through those budgetary priorities. I would also add that the very valid interest that this bill tries to promote are promoted better in this substitute, because I take much better care because I have dedicated funds to go to deal with the maintenance problem. I have greatly improved private

property rights so that the League of Private Property Voters supports my substitute. I think this does a better job of accomplishing their aim.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I think the House of Representatives can be very proud of itself over these last 2 days of debate. I think our constituents are going to be very proud of us because, as the beginning of our summer vacation season starts, as millions of Americans will travel to its National Parks to its wilderness areas, to its forests, to its wildlife refuges and to its beaches, they will know that the House of Representatives once again restored a promise that the Congress made to them 36 years ago and then broke; that this House of Representatives had the courage to put the money back that it had borrowed from the Land and Water Conservation Fund, almost $13 billion, just as we have had the courage to put money back into the Social Security Trust Fund and into the Highway Trust Fund, because that is what we told the people we were going to do with their money. I hope all Members feel very proud about their work product as we defeat this substitute and pass the bill.

I would like to thank the gentleman from Alaska (Chairman YOUNG) for all of his effort and for his courage in working with this legislation; the gentleman from Michigan (Mr. DINGELL) for all of the work, all of the talent, all of the history that he brought to our considerations; the gentleman from Louisiana (Mr. TAUZIN); the gentleman from Louisiana (Mr. JOHN), who made it possible for us to understand the needs, the needs of what was happening in the Gulf Coast, as was witnessed here in their closing arguments, and with the threat to wildlife, the threat to their cities, the threat to their economy; to the gentleman from New Mexico (Mr. UDALL), who sat there during negotiations and was terribly, terribly helpful; and even the gentleman from California (Mr. POMBO), who I disagree with on many, many issues, but kept after us, kept after us and kept after us and wanted a set of language here on behalf of property rights that is not in existing law that strengthens the hands of individual property owners. I want to thank him for his participation.

I want to give special thanks to a person in this body that probably knows more about public land than anyone else and anyone else I have ever served with, and that is the gentleman from Minnesota (Mr. VENTO). The gentleman from Minnesota is going through very difficult times now. But he has been here for every vote. He was there for all of the negotiations. His retirement from Congress is going to be a great loss on public lands.

I am very, very proud to be associated with this bill. This will be a historic bill. This will be a landmark bill. We will be addressing one of the very highest priorities of the American people. We are going to do it on a bipartisan basis. We are going to send it over to the Senate. The Senate leadership has met. They are waiting for this legislation. The Senate Majority Leader is a cosponsor of similar legislation, along with many Democratic Senators. The White House has pledged its effort to get this bill passed and get it enacted into law.

At the end of the year, Charles Kuralt, before he died, used to have at the end of his Saturday morning shows during the holiday season, he had what he called ''the gifts we gave to ourselves.'' The camera would go out in silence for 2 or 3 minutes and visit a wildlife refuge in Louisiana or the North Slope, and we just panned the vistas. It would pan the vistas of the Grand Canyon and of the Everglades.

This is about a continuation of the gift that this Congress gives the people of the United States in perpetuity and to the people of the rest of the world who come here to see these grand, grand environmental assets.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I stand in strong support of the substitute. Although I do not think it is the perfect document, I think it is certainly better than what we have here.

What we have here is a bill, CARA, that does three fundamentally wrong things. Number one, it abdicates the right, the constitutional obligations and responsibility of Congress, gives it to the State legislatures, gives it to the governors, gives it to unelected officials.

We hear from the proponents of CARA that 50 governors support it. Well, I would be disturbed if the governors did not support a largess of several million dollars of tax dollars given to them. Hello. What is remarkable about that? The fact is it is Federal money, and it should be spent by the Federal Government.

The other part is here we are in the Federal Government $5.4 trillion in debt, and we are going to give this money to States that have a surplus of $70 billion. Indeed, the State of California alone has a $3 billion surplus. But the big underlying question is how much land should the Federal Government own?

Now, this is a map of the United States of America. We can see, okay, this is land that is up for grabs for business, for families, for development. But do my colleagues know what? One-third of this land has already been purchased by the Federal Government, and that does not include military bases. That is the equivalent of just lopping off one-third.

Now, I have asked the proponents of CARA, how much land should the Federal Government own? Should it be 25 percent? Should it be 32 percent? Should it be 50 percent? Not one person can answer that question. They will not even support a study saying how much land should be owned by the Federal Government.

The substitute measure puts some common sense into the CARA law. It tries to bridge their passion for buying land with some fiscal responsibility, saying put maintenance first, and think about the other formulas. Do not abdicate one's responsibility as a Federal Government. Do not let the United States get continued to be gobbled up by political bureaucrats.

Mr. THORNBERRY. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. THORNBERRY) has 5½ minutes remaining. The gentleman from Alaska (Mr. YOUNG) has 2½ minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have heard several times during the debate that we need to put these revenues towards the purpose that they were originally intended. The fact of the matter is 96 percent of the money that comes from revenues from the Outer Continental Shelf come into the general treasury. This is a different situation than the Highway Trust Fund. It is not a user fee where these funds are dedicated to help the people who pay the taxes. This is the sale of assets owned by the whole people, all of the people of the United States. They come into the general treasury.

Now, this bill is going to take them out of the general treasury and leave a big hole. My point is we need to plan on how we are going to fill that hole. Where is it going to come from? Is it going to come from education, biomedical research, defense, tax relief? We need to plan.

So my amendment delays moving this to mandatory spending. We can continue to fund the purposes of the bill, but it prevents it from being an entitlement until we can have a chance to take it into account.

Now, what my substitute also does is make CARA better. It helps improve it so it can do a better job of accomplishing the purposes that it was written to accomplish. No one has questioned that I do a better job of making sure we deal with this maintenance backlog, that we make PILT payments mandatory so they do not have to be questioned, and that we have commonsense private property rights, including an appraiser that the government pays for to make sure that people are getting treated fairly.

Mr. Chairman, there are consequences to our action. My substitute basically takes CARA and says we have to think about those consequences. We have to prepare for them. We have to prepare the budget. We have to prepare

for the taking care of these new lands that we are going to buy. We have to prepare for compensating communities that are going to lose this tax base. We have to prepare in the way of keeping private property rights sacred.

I think that is a common sense approach, and it improves the purposes of this bill.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Chairman, I thank the gentleman from Texas for yielding me this time.

Mr. Chairman, I rise in support of the substitute. I think that it was a well-written, well-thought-out, and I think well-intentioned amendment substitute to this legislation.

What the gentleman from Texas (Mr. THORNBERRY) is attempting to do is to try to bring us back into a little bit of reality, reality of budget, reality of what our constitutional responsibilities are, a little bit of reality as to what we really should be doing with this legislation.

I can tell my colleagues I grew up in a small town, a small farming town in the Central Valley of California that is not so small anymore. It has grown. It has become somewhat of a suburb of the Bay Area. We are going through a lot of the problems that this bill is intended to address: the problem of loss of farmland, the problem with interaction with wildlife of endangered species, the problem with funding urban parks.

□ 1445

A lot of the problems that this bill is intended to go after will impact my district. It is as if it was written to directly go after the problems that I have in my district. But I have to, at the same time, tell my colleagues that I strongly oppose this legislation. The reason is that the underlying laws that this bill intends to force money toward, the underlying laws that this bill force-feeds money into, are broken.

Our Federal land management system is a shambles. We are doing a horrible job of managing the Federal lands that we currently have. There is no one in this body that can say that we are doing a good job because we are not. We are doing a terrible job. Yet we are going to put $1 billion a year more into buying land. A billion dollars a year more into buying public lands.

The Federal Government owns a third of this country already. They own half of the State of California that I come from. And yet that is not enough. We are going to force-feed more money into it because they are doing such a terrible job of managing the lands they currently have.

The Endangered Species Act is a shambles. It is a complete and utter failure. We have been trying for the last 8 years to reauthorize the Endangered Species Act. And what is our answer to that? We force-feed another $100 million a year into it. The Urban Parks Program has been controversial, and many would argue it has been a failure. Our response to that is not to fix it but to force-feed more money into it. Everything that we are doing with this bill may be of a higher cause, it may be something we think is great, it may be mom and apple pie, but the truth of the matter is those programs are all broken. And we cannot just force more money into broken programs and expect that to solve the problem.

We had an amendment earlier in the debate that put more money into those programs and it was defeated. I cannot for the life of me understand how people can say they are in favor of all of these programs and then vote against giving more money to them, but that is what is happening.

Mr. Chairman, I urge support for the substitute and I urge defeat of the final bill.

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

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I want to thank the Congress of the United States. This has been 2 days of very interesting debate. Everybody had their time to speak and to offer amendments. I want to congratulate those that stood with me and the gentleman from California (Mr. GEORGE MILLER). Those that oppose me, I admire their enthusiasm and hope they will see the wisdom of supporting this legislation.

Before I go into my last closing statement, though, I want to thank Mike Henry, who has worked very hard on this bill for 2 years; as well as Liz Megginson, Lisa Pittman, Lloyd Jones, and all my staff on this side of the aisle; and, of course, the staff on the other side of the aisle, John Lawrence and Jeff Petrich.

I would suggest respectfully that the amendment that is offered as a substitute destroys everything we have done in the last 2 days. I know the gentleman does not intend to do that, but he does that. He waits for 5 years, puts everything back with the appropriators, which I think have not done an adequate job.

We have allowed this bill to go on budget. We will have the process of the budget, we will fund this program, and we will do what we should do for the future of this Nation.

For those that oppose the bill on private property rights, again I will tell them that this bill improves private property rights. It helps those people; it does not hurt them.

But more than that, may I suggest the bill, not the substitute, takes care of a problem that should have been taken care of beginning in 1964. The money put in the general budget are nonrenewable monies. They come from oil offshore, primarily Louisiana, Texas, and Alabama. They have carried this burden to fund programs very frankly that may have merit but not what the intent was. The intent was to protect our land, our water, and to conserve, not preserve, our wildlife. Our land is for people to enjoy. This bill will do that.

This bill will heal some scars that this government created in reclamation. I believe this bill recognizes that wildlife is necessary. And for money being spent in Endangered Species, I will tell my colleagues that I have tried to amend the Endangered Species Act, and I hope to do that with the next administration, but this bill will help species from becoming endangered.

This bill will establish an area of land where the American people, the future, the young ones, can go and hunt and fish, and be alone and think, to meditate, to be away from the television and the computer. This bill will, in fact, give us an opportunity to be free. Because we have gone from a rural area to an urbanized area. We have to face this. As much as I reject it, we have to face that. If we do not take and allow room for our people, we will have a society that is not stable.

Mr. Chairman, I urge the defeat of the substitute and the passage of this bill for the future generations.

The CHAIRMAN pro tempore (Mr. QUINN). The question is on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. THORNBERRY).

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

RECORDED VOTE

Mr. THORNBERRY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 291, not voting 17, as follows:

[Roll No. 177]

AYES—126

Aderholt	Gibbons	Metcalf
Archer	Gilman	Mica
Armey	Goode	Miller (FL)
Ballenger	Goodlatte	Moran (KS)
Barr	Goodling	Myrick
Barrett (NE)	Graham	Nethercutt
Bartlett	Granger	Ney
Barton	Hall (TX)	Northup
Berry	Hastings (WA)	Norwood
Blunt	Hayworth	Nussle
Bonilla	Hefley	Ose
Brady (TX)	Herger	Oxley
Bryant	Hill (MT)	Packard
Burton	Hilleary	Paul
Buyer	Hobson	Peterson (PA)
Calvert	Hoekstra	Petri
Cannon	Hostettler	Pickering
Chabot	Hulshof	Pitts
Chenoweth-Hage	Hunter	Pombo
Coburn	Hutchinson	Pryce (OH)
Collins	Istook	Radanovich
Combest	Johnson, Sam	Regula
Cook	Kasich	Rohrabacher
Cox	Kingston	Royce
Cubin	Knollenberg	Ryan (WI)
DeLay	Kolbe	Ryun (KS)
DeMint	Largent	Salmon
Dickey	Latham	Sandlin
Doolittle	Lewis (CA)	Sanford
Duncan	Linder	Schaffer
Emerson	Manzullo	Sensenbrenner
Everett	Martinez	Sessions
Fowler	McKeon	Shadegg

Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tancredo
Taylor (NC)
Terry
Thornberry
Tiahrt
Toomey
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Wicker
Wolf
Young (FL)

NOES—291

Abercrombie
Ackerman
Allen
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Callahan
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gonzalez
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
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Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
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Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
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Tauscher
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Taylor (MS)
Thompson (CA)
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Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—17

Andrews
Bliley
Boehner
Campbell
Coble
DeGette
Dingell
Lofgren
Lucas (OK)
McCarthy (MO)
McInnis
McIntosh
Sherwood
Thomas
Vento
Walsh
Wise

□ 1515

Mr. MORAN of Virginia and Mr. GREEN of Wisconsin changed their vote from ''aye'' to ''no.''

Mr. LEWIS of California and Mr. BONILLA changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. QUINN). The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I will vote against H.R. 701, the Conservation and Reinvestment Act (CARA).

CARA violates the Budget Act. The legislation creates a new entitlement and is inconsistent with the budget resolution passed by the House and Senate. It would and should be subject to a Point of Order. The Rules Committee, however, passed a rule that waives the Point of Order objection.

By creating a new entitlement program, the legislation reduces the power of Congress to prioritize spending. When push comes to shove, environment interests should still compete for funds with other spending priorities such as education, Social Security and Medicare. Entitlement status for this program impedes sensible prioritization of this program. As a result, it is poor public policy to expand our entitlement spending as provided in CARA.

Mr. Chairman, as a further explanation of why this bill is not good public policy, I submit the following article from today's Washington Post entitled, ''A Green Bill in the House.''

The House is to vote today on a bill that will pass for precisely the reason it should fail. The measure is doubly green: The purpose is environmental, and the votes have been bought. A new entitlement would be created, in part by people who in other contexts are wont to declaim against entitlements as poor fiscal and social policy alike.

About $3 billion a year would be distributed to buy and thereby protect environmentally valuable land and for other conservation purposes. Enough members think, with cause, that their districts would benefit that the bill has 315 cosponsors. What better tribute could there be to the wiliness of those who cooked the measure up?

The money would come fro the proceeds of offshore oil and gas leases. The spending would be automatic. The program would go to the head of the line—ahead of national defense, education, tax collection, biomedical research, you name it. The annual appropriations process in which less-favored programs compete for funds would be waived. About a third of the money would be split between the federal and state governments for land acquisition. Another third would be reserved for coastal states, as supposed compensation for the environmental costs of offshore drilling. The rest would be artfully scattered across other purposes and districts—for wildlife conservation, urban parks, historic preservation.

Our objection is not to the purposes but to the automatic spending without regard to competing claims on the federal dollar. It's as wrong to create this carve-out as it was to yield to the highway and aviation lobbies and create similar, larger carve-outs for them in the past few years. The sponsors say that they had no choice—that the only way to ensure a steady funding stream for conservation was to bypass appropriations and spread the wealth. So which worthy programs do they do it for next? Why this and not those? That's the question this bill begs.

Mr. BUYER. Mr. Chairman, I rise in opposition to the Conservation and Reinvestment Act, and in support of the substitute amendment offered by my friend from Texas, Mr. THORNBERRY.

I grew up along the Tippecanoe River in Indiana. I explored the great outdoors and learned to appreciate the value of our natural resources. This appreciation led me to realize the necessary balance required between wildlife, nature, and humans.

Growing up in a rural community, I also know that private landowners take pride in their land. They are wise stewards of their lands, seeking to pass them on to their children and their children's children.

It disturbs me, therefore, that we are considering legislation of which the major purpose is the purchase of private property by government. It provides dedicated mandatory funding for land acquisition. Proponents of CARA seem to believe that the goal of conservation can be reached if only the federal government controlled more land. But the federal government already owns 670 million acres of land—that's one-third of the land in the U.S.—and it can't take care of it. Currently our national parks, recreation areas, wildlife areas and other federally owned properties have a multi-billion dollar backlog of maintenance needs. Maintenance of trails, park benches, roads, camping sites, bathrooms, water and sewage infrastructure and housing for administrative and management employees are among the unmet needs. GAO estimates the maintenance backlog at over $12 billion. Yet this bill provides little money to address this backlog, compared to the funds for land acquisition. It is irresponsible that while the government can not take care of what it already owns, we are adding mandatory funds to purchase even more land.

I am also concerned that payments made to local governments by the federal government to offset the loss to the local tax base of federal property is given a lower priority than land acquisition. Local governments with large federal holdings are struggling to provide adequately for their school systems because the federal government does not adequately address its obligations to local communities. While the bill provides PILT funding from interest payments to the fund, land acquisition gets guaranteed funding. Funding for PILT should be given at least the same or even higher priority than land acquisition. Urban communities—which will receive guaranteed funding

under the bill—have other tax base supporters on which to draw to make up shortfalls for publicly-held lands, while rural areas—where the bulk of the land acquisition is likely to take place—have far fewer revenue streams to rely upon.

Finally, while I hear the argument of the bill's supporters, who say that private property rights are increased and that Congress must approve acquisition from unwilling sellers; the fact remains that half the funds for land acquisitions flow to the States, whose property rights protections we are limited in our ability to influence.

Mr. Chairman, farming is one of the major occupations in my district. Farmers truly love the land, it's their life's blood. Farmers are a crucial ingredient in preserving our open spaces and wildlife habitat. Yet the farm community, including the American Farm Bureau, opposes this bill because it does not truly address the needs and concerns of farmers.

The CARA bill, as currently written, falls short of what is needed to address our conservation and preservation needs in a comprehensive fashion. That's why I urge my House colleagues to support the Thornberry substitute which establishes a dedicated fund for maintenance, makes PILT funding mandatory, and strengthens private property rights.

Mr. Chairman, there is a better way for us to get to our shared goal of environmental preservation and conservation than the CARA bill. For the best interests of farmers, ranchers, landowners, and for those who love nature, we should take this alternate route.

Ms. DEGETTE. Mr. Chairman, I rise in strong support of H.R. 701, the Conservation and Reinvestment Act (CARA), legislation which I cosponsored. This is landmark legislation indeed and an exceptional example of bipartisan cooperation creating comprehensive legislation to conserve our nation's natural treasures and preserve the environment as a legacy for generations to come.

I believe that we do not inherit the earth from our parents, but instead we are stewards of the earth who must preserve it for our children and our children's children. CARA enables the federal government, in partnership with states and local governments, to fund a wide variety of conservation activities. This legislation fully funds the Land and Water Conservation Fund, increases funding for state fish and wildlife programs, increases incentives for voluntary actions to conserve endangered species by private landowners, and increases support for coastal conservation programs and conservation easements.

As we experience record growth in my homes state of Colorado, the ability to enjoy open space has become more important, and the need to preserve the unique natural beauty that brought many to the state has become more apparent. The public looks to the government for help conserving land, water and open space. This legislation strikes an important balance to fully fund these worthwhile efforts. As a result, it has garnered the support of all 50 governors and over 4500 organizations, businesses, elected officials and government entities. It is high time for the Congress to make a strong commitment to the environment by investing in wildlife conservation, open space, farmland and historic preservation, recreation, parks, and endangered species recovery.

I am proud to lend my strong support to this legislation.

Mr. BONIOR. Mr. Chairman, as I walk through the neighborhoods and communities throughout Macomb and St. Clair Counties, among the top issues raised with me is the need to have more parks and open spaces, and the need to protect farmland

While our local communities need to make smart decisions about growth and open space preservation, there is a federal role to play.

That's what this bill is all about.

Our bill will provide a reliable funding source so that communities like Roseville can improve their Veterans Memorial Park.

Or so that Port Huron can link up to a statewide network of bike and hike trails.

Or so that apple, dairy and sugarbeet farmers in Macomb and St. Clair Counties can afford to keep their land for agricultural purposes.

Or so that Shelby Township can preserve a historic stop on the underground railroad.

These are quality of life improvements with which our communities could use some assistance, and that's why I support this bill.

There are, however, a few things we can still do to make a good bill better.

We can make sure that states develop concrete plans to prioritize and target how money from the Wildlife Conservation and Restoration Fund will be spent in order to effectively conserve our wildlife heritage.

We need to be sure that, in our efforts to provide full and secure funding for the Land and Water Conservation Fund, we do, in fact, use the money to conserve, protect and purchase our precious and special places.

And we should make it clear that this bill does not encourage oil drilling off the Coast of Alaska or any other state—including preventing the use of these funds for environmentally damaging infrastructure.

As we move forward, I am willing to work with my colleagues in the House and Senate, and with the Administration, to try to further improve this important bill.

Ms. PELOSI. Mr. Chairman, we have before us today a landmark bill—one that defines bipartisanship in the most extreme form. If you can imagine GEORGE MILLER and DON YOUNG reaching agreement on a measure to spend billions in federal funding to protect the environment. Now, that is a landmark.

I commend my colleagues, Mr. MILLER and Mr. YOUNG, for their ingenuity, tenacity and civility in bringing this legislation to the floor.

H.R. 701 represents a major first step in bringing funding in line with our federal priorities to protect natural resources and open spaces across the country. This bill is supported by 75 percent of the House membership.

The investment H.R. 701 makes in our natural resources will have a lasting effect. From acquiring lands for areas of national significance to developing programs for inner-city youth, its impact will resonate throughout future generations who will enjoy new sources of recreation.

H.R. 701 brings certainty to the protection of our natural resources by putting in place permanent funding for land acquisition for conservation purposes by setting aside OCS oil royalties in the Conservation and Reinvestment Act (CARA) Fund. Adequate funding for the Land and Water Conservation Fund is long overdue. After years of patiently waiting for OCS revenues to be used for their intended purpose—land acquisition—Mr. MILLER and Mr. YOUNG have resorted to this unique alliance to deliver what has long been promised.

Under the CARA Fund, $2.8 billion each year would be allotted for programs receiving mandatory funding to include the following: $1 billion for coastal conservation; $900 million for the Land and Water Conservation Fund; $350 million for wildlife conservation; $125 million for urban parks and recreation; $100 million for historic preservation; $200 million for federal and Indian land restoration; $100 million for farmland protection and $50 million for endangered species recovery.

Again, I commend Mr. MILLER and Mr. YOUNG for their work on this bill and for their efforts to protect our nation's natural resources. I urge my colleagues to vote yes on H.R. 701.

Mr. CAPUANO. Mr. Chairman, I rise in strong support of H.R. 701, the Conservation and Reinvestment Act (CARA) brought forth by Chairman YOUNG and Ranking Member MILLER of the House Resources Committee. H.R. 701 is the product of a historic, truly bipartisan effort to bring to the House floor landmark environmental legislation that would go far to protect our nation's resources for future generations.

The Conservation and Reinvestment Act is based on a vision that began in 1964 with the creation of the Land and Water Conservation Fund (LWCF). The LWCF provided for a dedicated source of revenue to be devoted from offshore oil production towards preserving our natural resources. However, during the past 15 years, over $11 billion of that supposedly guaranteed source of revenue has been diverted to other programs.

H.R. 701 is a balanced measure that addresses urgent public resource needs while at the same time respecting legitimate concerns related to private property. Over three-quarters of the House support the bill, which would set aside nearly $3 billion annually for various conservation, resource protection, and recreation initiatives. These include: the allocation of $900 million for LWCF, $1 billion for coastal conservation, $350 million for wildlife conservation, $200 million for Federal and Indian land restoration, $125 million for urban parks and recreation, $100 million for historic preservation, and $50 million for endangered species. These funds would be made available automatically, without having to be appropriated.

In my State of Massachusetts, the passage of CARA will result in an additional $50 million that will go far toward preserving land that will benefit the State for years to come. This includes nearly $8 million to the Urban Parks and Recreation Recovery Program, which provides 70 percent matching grants to local governments toward the revitalization and maintenance of open space that could be used for the development of recreation programs.

Now is the time for Congress to provide significant new resources to support State and community efforts to protect wildlife and local green spaces, reinforce Federal efforts to save national and historic treasures and expand efforts at all levels to protect ocean and coastal resources. Passage of CARA will represent one of the most important environmental issues that Congress passes this year as the measure would restore the government's promise of protecting lands and resources nationwide and would eliminate the inclusion of incentives for additional offshore drilling.

With this in mind, I urge each of my colleagues to give H.R. 701, the Conservation and Reinvestment Act, and the manager's amendment their strongest support.

Mr. FRANKS of New Jersey. Mr. Chairman, I strongly support H.R. 701, the Conservation and Reinvestment Act (CARA). This legislation offers a historic opportunity to invest in our natural legacy by ensuring adequate funding for open space, recreation, and land and water conservation.

The Land and Water Conservation Fund (LWCF) was established by Congress in 1965 as the primary vehicle for funding land conservation efforts in the United States. The Federal Government uses LWCF funds for acquisition of our national parks, forests, beaches, and wildlife refuges.

Since coming to Congress in 1993, I have consistently supported the principle behind LWCF—reinvest the revenues earned from the depletion of offshore oil and gas resources in the conservation of other lasting natural resources. Unfortunately, the promise of LWCF has never been fully realized. As a result, many opportunities to conserve precious lands and work with our State and local partners in conservation efforts have been lost.

As a member of the House Budget Committee, I have strongly opposed the raid on the LWCF to pay for other programs unrelated to land and water conservation.

Representing the most densely populated State in the Nation, New Jersey is in urgent need of all available Federal funds in order to protect our State's limited amount of open space.

If enacted, CARA would ensure that the LWCF is fully and permanently funded. In addition, CARA will provide New Jersey with additional funds to invest in open space, coastal restoration, historic preservation, urban parks, wildlife conservation, and outdoor recreations.

New Jersey citizens have already resoundingly endorsed conservation efforts by passing various local ballot initiatives and by supporting the Garden State Preservation Trust Act of 1999. CARA would ensure that New Jersey reaches our million-acre preservation goal by creating a stable source of funding.

CARA will provide unprecedented and permanent support for America's natural resources. I look forward to seeing the many benefits that New Jersey will reap if this important piece of conservation legislation is signed into law.

Mr. BILBRAY. Mr. Chairman, I strongly support this important environmental legislation, which creates a permanent stream of federal matching funds, so that states can expand efforts to preserve open space, investing in conservation and recreation projects, and restoring and preserving our natural resources. This bill will achieve, among other things, the following goals: Full and permanent funding of the Land and Water Conservation Fund (LWCF); increased incentives for state fish and wildlife programs; increased incentives for voluntary actions by private landowners to conserve threatened and endangered species; increased support for coastal conservation programs; and increased support for conservation easements which enable private landowners to achieve conservation objectives.

This landmark bill is strongly backed by a remarkably diverse coalition of support in my San Diego district. These include landowners, homebuilders, and realtors, police and fire departments, environmental and recreation groups, hunting and fishing clubs, public service clubs, local government officials, and even little leagues and soccer leagues. These constituents have expressed to me their overwhelming support for the conservation and recreation programs that will be provided under H.R. 701.

CARA will play a particular critical role in the future of southern California, and particularly in San Diego County. Our region, with its booming economy and exceptional biological diversity, has endured more than its share of land use conflicts. In San Diego, we have taken visionary steps to move beyond these conflicts by coming together in a partnership with local and Federal Government, the building industry, landowners, and developers, and the environmental community, in order to address the problems and balance continued economic growth with sound environmental protections. The habitat conservation plans which have been established in San Diego County have proven to be ''blueprints'' for similar efforts both in California and nationwide. Our experience has shown that cooperation is more efficient and effective than continued pointless confrontation.

However, these complex partnerships can only succeed if sufficiently funded to provide for lasting and comprehensive conservation of our important natural resources. It is not simply enough to ''care'' about the environment; we need to put our money where our mouth is. San Diego's future-oriented habitat conservation plans need adequate Federal funding in order to remain viable, and this bill will help to provide that. H.R. 701 also will, at long last, provide for complete funding of the Land and Water Conservation Fund (LWCF), which is integral to maintaining our existing and future conservation efforts, along with urban park needs, forestry and agricultural easement programs, historic preservation, and other important initiatives.

I also want to emphasize to my colleagues and to my constituents a provision of this bill which is very important to me and to my coastal district—H.R. 701 does not provide any incentives for additional offshore oil exploration or production, or affect current moratoriums on offshore oil or gas leasing.

Mr. Chairman, this bill will provide critical assistance to conservation programs currently underway in critical backcountry habitat areas, and outdoor recreation programs in urban regions. It provides the funding necessary to benefit both the retired birdwatcher and the 10-year-old inner-city child who needs a safe open field on which to play soccer or football with his friends. I strongly support H.R. 701, and ask my colleagues to do the same.

Mr. SANDERS. Mr. Chairman, I strongly support H.R. 701, the Conservation and Reinvestment Act, and I would like to commend Chairman YOUNG and Ranking Member MILLER for working together to craft this truly historic piece of environmental legislation.

Let me be clear, this bill is by no means perfect. For example, the funding formula for all seven titles of this bill could have been crafted in a more equitable manner to allow smaller States with important environmental needs like the State of Vermont to either receive more money or at least have the ability to apply for more money.

Legislation pending in the Senate, includes provisions to help smaller states like Vermont gain access to more environmental funding, and I am hopeful as this process moves along we can find a way to include these provisions in the final piece of legislation.

Having said that, we must not allow the perfect to be the enemy of the good. For the first time in 25 years, we have the opportunity to provide a permanent and reliable source of funding to protect our environment. This legislation is indeed one of the few bright spots of the 106th Congress, and we must do everything possible to ensure that a final version of this bill is passed and signed into law this year.

H.R. 701 would enable communities all across the country to expand parks and recreation, preserve open space farmland, protect wildlife and endangered species, and preserve historic buildings—more than three times the amount currently spent on those purposes. Funding for the measure would come from the more than $4 billion generated annually from royalties paid to the Federal Government from offshore oil and gas drilling on Federal lands.

One of the most important pieces of this legislation is full funding of the Land and Water Conservation Fund (LWCF). From parks to playgrounds, wilderness to wetlands, open trails to open spaces, the LWCF has been an American success story at the national, state and local levels. In its 35-year history, LWCF has been responsible for nearly 7 million acres of parkland, refuges, and open spaces and the development of more than 37,000 State parks and recreation projects.

Since 1968, my State of Vermont has received more than $27 million in LWCF funds. Practically every town in the State has benefited from LWCF money. Examples of LWCF projects include State treasures such as Camel's Hump State Park and the Mount Hunger hiking trail. Many other LWCF projects are far less high-profile, but make a significant contribution to local communities. From the repair of a sewage system in a town park, to the creation of a school sports field, hundreds of these projects have enriched Vermonters' lives at the local level. In addition, these projects have assisted local authorities in funding the ever-increasing demand for recreation facilities.

It is truly amazing that LWCF has been as successful as it has been, given the fact that with the exception of one year LWCF has never been fully funded. By passing this legislation we would redeem a promise Congress made 36 years ago to dedicate a portion of the revenue stream from offshore oil production into preserving our nation's natural resources. Rarely has Congress had such an opportunity to redeem a promise that it made to the American people. We can do that today by passing this legislation.

H.R. 701 will dramatically increase federal spending on outdoor-recreation facilities and, most importantly, it will safeguard the environment. All 50 Governors have endorsed this bill, and the majority of both House Republicans and House Democrats have signed on as cosponsors.

I urge all of my colleagues to vote in favor of this important piece of legislation.

Mr. KOLBE. Mr. Chairman, I rise in opposition to H.R. 701, the Conservation and Reinvestment Act of 1999.

I support Federal funding for protecting lands that are critically important for wildlife habitat and recreation needs. But, this vote is

not a vote in support of this laudable goal. It is a vote for inequity and fiscal irresponsibility.

To start with, I cannot support a bill that literally takes money away from Arizona and funnels it into the coastal and Great Lakes states coffers. This bill is a cash cow for a few states, while the rest of us—like Arizona—fight for a few leftover scraps in an attempt to keep us happy. Under this bill, Arizona loses access to $1 billion in Federal money. The states that have access to this $1 billion are ''coastal states,'' which you may mistakenly think are states along the coast. No, coastal states are defined in this bill to include states bordering the Great Lakes, as well as Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa. Under this bill, the coastal states do quite well—Louisiana would get $285 million, Texas takes home $132 million, Alaska $87 million, and California $67 million. This is money that is guaranteed to go to these states each year. Even Puerto Rico would get $8.5 million from this new $1 billion entitlement program, while Arizona would receive nothing—and be barred from ever competing for any of these dollars.

It's not as if these ''coastal states'' aren't receiving money now from the Federal Government. The Federal Government currently shares revenue with the coastal states for some offshore drilling. In addition, these states receive offshore royalties from drilling that occurs in waters that are within three miles of their shores, which is within the state's jurisdiction.

But, this bill isn't just about inequities to my part of the country. It is also about bad fiscal policy. We have a multi-billion dollar backlog in maintenance needs on our national lands. We are struggling to maintain what we already own. This bill makes this problem worse by providing more than twice the amount of money for land acquisitions as for restoration. Under this premise, we continue to buy lands, which compound future operating and maintenance costs. This policy decision inevitably drives up maintenance costs by increasing the backlog even more.

I also oppose the budgeting aspects of this bill. We simply cannot govern a nation by compartmentalizing our budget through a myriad of dedicated funding streams. Revenues must be spent on the nation's priorities as a whole. You can't run a business by restricting cash flows to expenses directly attributable to their related sales. Could GM effectively compete in the marketplace if revenues from the sale of shock absorbers couldn't be used for maintenance of brake manufacturing equipment? No. GM can't, and neither can the Federal Government.

We need to take a step back and understand where this road leads us. I understand the supporters of this measure are gleeful at the prospect of guaranteed money every year. Wouldn't it be nice if everyone with a claim on Federal spending had a guaranteed stream of cash flowing into their pockets? But, that is not the way to run a fiscally responsible government.

Finally, I am leery of adding Federal mandatory programs like this one. By making this a mandatory spending program, by guaranteeing that all of this money must be spent each year on this one program, we are saying land acquisition is more important than dollars for our school children, that funds for species recovery is more pressing than prescription drug coverage for senior citizens. I doubt anyone here today intends to make that statement, but that is exactly what we are doing.

For all these reasons—that it inequitably distributes funds among the states, that it worsens the maintenance backlog in our system of federal lands, that is furthers the fragmentation of our budget process, and that it mandates spending for one worthy purpose to the detriment of other equally important priorities—this legislation should be defeated.

Ms. BALDWIN. Mr. Chairman, I wish to lend my voice in support of the Conservation and Reinvestment Act (CARA), H.R. 701.

My district is one of the most beautiful places in the Nation. In fact, protecting the beauty of Wisconsin and the nation is what prompted former Wisconsin Senator Gaylord Nelson to come up with the concept of Earth Day 30 years ago.

My district also has some of the most productive farmland in the Nation. But this fertile soil, and the family farms that are the backbone of Wisconsin's rural economy, are being overrun by development and sprawl. CARA will provide needed funding to protect these valuable and beautiful areas. Protection of these lands is paramount, for once the land is lost to development, it is very difficult to restore to its natural state.

But this bipartisan bill does more than just protect open spaces and farmland. It is a wide ranging measure that will help states improve and maintain parks and recreational areas. It will provide much needed funding for historic preservation and it will help keep plant and animal species from becoming endangered. This bill will provide Wisconsin with over $25 million every year until the year 2015 for these and other vital conservation efforts. The time is now to protect our natural resources for future generations.

I understand there are concerns from some that this bill may inadvertently increase exploration and drilling offshore for more oil and gas. I share these concerns, and I agree that this is not a perfect bill. However, this bill does go a long way in protecting, preserving and securing a wide range of public lands and addresses many vital conservation needs. Today, we can seize the opportunity to save America's amazing beauty for generations to come by passing this bill. I hope we will do so.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MILLER of Florida) having assumed the chair, Mr. QUINN, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes, pursuant to House Resolution 497, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DE FAZIO

Mr. DEFAZIO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DEFAZIO. In its present form, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DEFAZIO moves to recommit the bill to the Committee on Resources with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

TITLE VIII—PROTECTION OF SOCIAL SECURITY AND MEDICARE BENEFITS

No funds shall be expended under this Act if such expenditure diminishes benefit obligations of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Hospital Insurance Trust Fund, or the Supplementary Medical Insurance Trust Fund.

The SPEAKER pro tempore. The gentleman from Oregon (Mr. DEFAZIO) will be recognized for 5 minutes.

Is there a Member opposed to the motion to recommit?

Mr. YOUNG of Alaska. I am opposed to the motion to recommit, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Alaska (Mr. YOUNG) will be recognized in opposition to the motion to recommit.

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, this is an important improvement to the bill and I believe it is something that every Member of the body, no matter which side of the aisle they come from, will want to vote for. This is a motion to recommit, which would immediately report the bill back as amended with this language added. This amendment is quite simple. It assures with no estimates, no nothing else, it assures absolutely 100 percent that the benefits under Social Security, and all of the Medicare trust funds and programs will not be diminished under this legislation. That is certainly the objective of all the supporters of this legislation, and I urge support for this amendment so that there will be no question about the commitment of every single Member of this House of Representatives to our senior citizens and other beneficiaries of these vital programs.

Last night, the Committee of the Whole accepted an amendment which

purported to give assurances that CARA would not be funded unless the Congressional Budget Office could certify that we would eliminate the national debt by 2013, among others. Of course the Congressional Budget Office has already testified that they cannot project what is going to happen in 2013 and that raised some questions on the floor. A number of Members on those grounds voted against that amendment as mischievous. But they also want to be certain the bill protects Social Security. So I am removing them from that dilemma.

I suspect that the vote last night was a vote against ordering a government agency to make a finding it has already declared it cannot make. But again, we want to be absolutely clear here today. The House should speak strongly in passing legislation like CARA, which does mandate spending on high priority programs, but we will not allow this initiative to diminish the benefits to millions of Americans provided by Social Security and all the Medicare programs by one penny.

The amendment I am offering, therefore, adds a new title to the bill that makes it crystal clear that expenditures under H.R. 701 will not occur if they would diminish benefit obligations under the Social Security or Medicare programs. I would note, and Members should listen, this is a stronger pro-Social Security and stronger pro-Medicare statement than that adopted last night. It is more accurate. The amendment last night did not include the supplementary medical insurance trust fund, part B of Medicare, which therefore would remain outside the protections of H.R. 701 unless my amendment is adopted.

This amendment offers Members the opportunity to be for Social Security and Medicare and CARA. Members do not have to choose. They can be for Social Security 100 percent protected out of the trust funds and Medicare, all of its trust funds 100 percent protected, and they can be for CARA. This is absolutely dispositive language. I do not believe that anyone should have any concern with adopting this stronger language.

Mr. GEORGE MILLER of California. Mr. Speaker, will the gentleman yield?

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

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding. I think it is a strange turn of events that we end up with CARA discussing these trust funds, but it is very clear that to all Members of this House on both sides of the aisle, as we have evolved in the Social Security-Medicare debate in this Congress over the last decade, we have made it very clear to ourselves, I hope, and to our constituents that we would not once again go back to an old habit of invading Social Security trust funds and the Medicare program as we had in the past.

What the DeFazio motion to recommit does is make an absolute prohibition against that, so that we cannot gimmick up estimates, we cannot gimmick up certifications. We have all been there before. We have all had these estimates. If Members remember, 8 years ago we were going to have $300 billion deficits for as far as the eye could see. Now we are telling people we have $300 billion surpluses as far as the eye can see. The bottom line is whether or not you have invaded the trust funds. This assures that CARA goes forward, it goes forward with permanent funding, but it will not, under the prohibitions in the DeFazio amendment, invade those trust funds.

I think this serves the best interests of all Members of the House on both sides of the aisle. I thank the gentleman for offering his amendment and I would hope that it would have strong bipartisan support because it does, in fact, speak to the issues that all of us have addressed throughout our careers in the Congress of the United States while affording us the opportunity to meet one of the very, very important concerns that the American public has, and, that is, about the conservation of America's great natural resources and assets.

Mr. DEFAZIO. Mr. Speaker, this does not rely on estimates. It does not rely on estimates that can be phonied up on certifications like the annual certification we see sometimes on trade issues and others. This is hard and fast dollars and cents protection.

The SPEAKER pro tempore. The gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. YOUNG of Alaska. Mr. Speaker, I yield to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding, and I appreciate all the work he has done on this legislation. What we have before us is a purely political move by our colleagues on the other side to cover exactly what has happened here yesterday.

Let us make a point, first on substance. The language of the motion to recommit, which we have in front of us, does not protect the trust fund. It does not protect the Medicare trust fund or the Social Security trust fund. What it says is that we will not diminish the benefit obligations. You tell me what ''benefit obligations'' means.

The reality is the language we offered last night and that this House voted on last night protected the trust fund for Social Security, it protected paying down the debt, it protected Medicare, and it made sure that we did not raid Medicare over time. There were four certifications. This motion today is simply an effort by the other side to join us. I am glad that they are willing to join us. I am glad that they are not stripping this language, because the language they have offered does not go nearly far enough to protect the trust fund. Indeed, on its face it does not even claim to protect the Social Security trust fund.

Last night in a vote on this floor, the vast majority of my colleagues on the other side voted not to protect the Social Security trust fund. They voted not to protect the Medicare program. They voted not to ensure that we were paying down the debt, and therefore they were willing to put at risk America's seniors and America's grandchildren.

Today The Washington Post pointed out exactly what was wrong with their position, and that is, that it puts their bill, it puts conservation and buying more Federal land ahead of every other program. If they were genuine about this, why is there not additional language in here to protect, for example, education ahead of buying more Federal land? The answer is, this is a protect-your-backside vote on Social Security and Social Security only. And if it stripped the language of the Shadegg amendment last night, then it should, indeed, be defeated. But it does not do that.

To their credit, they do not strip the critically important language that we put into the measure. They do not strip the language that Republicans adopted last night to protect Social Security, to protect Medicare and to pay down the debt by 2013 as this Congress has agreed.

□ 1530

If it were not so, if this were not just simply to protect themselves, then, in fact, they would agree to allow this to pass on a voice vote, but I assure my colleagues they will not allow it to pass on a voice vote.

Last night, we took the right steps, and I am glad that having read The Washington Post editorial which pointed out that the automatic spending in this bill was irresponsible, particularly irresponsible since we were going to have a downturn in the economy at some point in time, I am glad they have woken up and decided to protect themselves.

Mr. Speaker, I urge my colleagues that because this is a Pyrrhic and empty amendment simply for political purposes, I urge that we adopt the motion to recommit.

Mr. YOUNG of Alaska. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. MILLER of Florida). The gentleman from Alaska (Mr. YOUNG) has 1 minute remaining.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself the remainder of the time.

I want to end this 2 days on a good note. You will find out whether it is impossible or not, a good note in the sense that let us not get fighting amongst one another on this bill. If my colleagues do not believe in the merits, vote ''no.'' If my colleagues believe in the merits, vote ''yes.''

I told the gentleman yesterday when this amendment was adopted and I voted against the amendment, I would not attempt to strip it, and I did not do so. I cannot control what is offered in

recommittal. It may be protecting their back side or my back side, but that is the process.

Mr. Speaker, I believe in this House and in this process which we follow. I ask my colleagues respectfully to understand each person's belief in what he stands for and vote our consciences. That is all I ask of my colleagues. That is fair, that is the way of this House of the people. That is what is right. That is what we must do.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DEFAZIO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—ayes 413, noes 3, not voting 18, as follows:

[Roll No. 178]

AYES—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—3

Goodling
Metcalf
Smith (MI)

NOT VOTING—18

Barton
Campbell
Coble
Combest
DeGette
DeMint
Kaptur
Lewis (GA)
Lofgren
Lucas (OK)
McCarthy (MO)
McInnis
McIntosh
Meek (FL)
Sherwood
Vento
Walsh
Wise

□ 1549

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to the instructions of the House on the motion to recommit, I report the bill, H.R. 701, back to the House with an amendment.

The SPEAKER pro tempore (Mr. MILLER of Florida). The Clerk will report the amendment.

The Clerk read as follows:

Amendment: At the end of the bill, add the following:

TITLE VIII—PROTECTION OF SOCIAL SECURITY AND MEDICARE BENEFITS

No funds shall be expended under this Act if such expenditure diminishes benefit obligations of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Hospital Insurance Trust Fund, or the Supplementary Medical Insurance Trust Fund.

Mr. SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. YOUNG of Alaska. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 315, noes 102, not voting 17, as follows:

[Roll No. 179]

AYES—315

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Callahan
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner

Fletcher
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Woolsey
Wu
Wynn
Young (AK)

NOES—102

Aderholt
Archer
Armey
Barrett (NE)
Bartlett
Berry
Bliley
Blunt
Boehner
Bonilla
Bryant
Burton
Buyer
Calvert
Cannon
Chabot
Chenoweth-Hage
Coburn
Cook
Cox
Cubin
DeLay
Dickey
Doolittle
Duncan
Emerson
Everett
Ewing
Gibbons
Goode
Goodlatte
Goodling
Granger
Hall (TX)
Hastings (WA)
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Istook
Johnson, Sam
Kasich
Kingston
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Linder
Manzullo
McKeon
Miller, Gary
Moran (KS)
Murtha
Nethercutt
Obey
Ose
Oxley
Packard
Paul
Peterson (PA)
Pombo
Radanovich
Regula
Rohrabacher
Royce
Ryun (KS)
Sabo
Salmon
Sanford
Schaffer
Sensenbrenner
Shadegg
Simpson
Smith (MI)
Smith (TX)
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Thomas
Thornberry
Tiahrt
Toomey
Visclosky
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Wicker
Wolf
Young (FL)

NOT VOTING—17

Barton
Campbell
Coble
DeGette
DeMint
Ford
Graham
Lofgren
Lucas (OK)
McCarthy (MO)
McInnis
McIntosh
Meek (FL)
Sherwood
Vento
Walsh
Wise

□ 1601

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DEMINT. Mr. Speaker, today I missed rollcall Vote No. 178 and rollcall Vote No. 179 due to my son's graduation. Had I been present, I would have voted "yes" on the motion to recommit with instructions and voted "no" on final passage of H.R. 701.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote Nos. 172, 173, 175, 176, and 177, I was unavoidably detained. Had I been present, I would have voted "no."

Mr. Speaker, during rollcall vote Nos. 174, 178, and 179 I was unavoidably detained. Had I been present, I would have voted "yes."

REMOVAL OF NAME AS COSPONSOR OF H.R. 396

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 396.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO HAVE UNTIL MIDNIGHT, FRIDAY, MAY 12, 2000, TO FILE REPORT ON H.R. 4392, INTELLIGENCE AUTHORIZATION BILL

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence have until midnight on Friday, May 12, 2000, to file the report on H.R. 4392, the Intelligence Authorization Bill.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, FRIDAY, MAY 12, 2000, TO FILE PRIVILEGED REPORT ON LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Friday, May 12, 2000, to file a privileged report on a bill making appropriations for the legislative branch for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

REPORT ON H.R. 4425, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

Mr. HOBSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 106–614) on the bill (H.R. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to unofficial business at the White House, I was unable to record my vote on rollcall 154 raising a point of order against consideration of H.R. 3709, an unfunded mandate. Had I been present, I would have voted nay against the consideration of H.R. 3709.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.

Mr. BONIOR. Mr. Speaker, I have asked for this time for the purposes of asking the distinguished Majority Leader the schedule for the week and the remainder of the week and next week. I yield to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding to me.

Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week. There will be no votes in the House tomorrow.

On Monday, May 15, the House will meet at 12:30 p.m. for morning hour, and at 2 p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices tomorrow.

On Monday, no recorded votes are expected before 6 p.m.