It reminded me of the first leader of my party, Keir Hardy, in the early part of the 20th century. He was a man who used to correspond with the Pankhursts, the great campaigners for women's votes. Shortly before the election in June, 1913, one of the Pankhurst sisters wrote Hardy saying she had been studying Britain carefully, and there was a worrying rise in sexual immorality linked to heavy drinking. So she suggested he fight the election on the platform of votes for women, chastity for men, and prohibition for all. He replied saying, ''Thank you for your advice, the electoral benefits of which are not immediately discernible.'' We all get that kind of advice.

But, frankly, we need to go beyond even Kyoto; and science and technology is the way. Climate change, deforestation, and the voracious drain on natural resources cannot be ignored. Unchecked, these forces will hinder the economic development of the most vulnerable nations first and, ultimately, all nations. We must show the world that we are willing to step up to these challenges around the world and in our own backyards.

Members of Congress, if this seems a long way from the threat of terror and weapons of mass destruction, it is only to say again that the world's security cannot be protected without the world's heart being won. So America must listen as well as lead, but Members of Congress, do not ever apologize for your values. Tell the world why you are proud of America. Tell them when the ''Star Spangled Banner'' starts, Americans get to their feet: Hispanics, Irish, Italians, Central Europeans, East Europeans, Jews, Muslims, white, Asian, black, those who go back to the early settlers and those whose English is the same as some New York cab drivers I have dealt with but whose sons and daughters could run for Congress. Tell them why Americans, one and all, stand upright and respectful, not because some State official told them to but because whatever race, color, class, or creed they are, being American means being free. That is what makes them proud.

As Britain knows, all predominant power seems for a time invincible, but in fact it is transient. The question is: What do you leave behind? What you can bequeath to this anxious world is the light of liberty. That is what this struggle against terrorist groups or states is about. We are not fighting for domination. We are not fighting for an American world, though we want a world in which America is at ease. We are not fighting for Christianity, but against religious fanaticism of all kinds.

This is not a war of civilizations, because each civilization has a unique capacity to enrich the stock of human heritage. We are fighting for the inalienable right of humankind, black or white, Christian or not, left, right or merely indifferent, to be free; free to raise a family in love and hope; free to earn a living and be rewarded by your own efforts; free not to bend your knee to any man in fear; free to be you so long as being you does not impair the freedom of others. That is what we are fighting for, and that is a battle worth fighting.

I know it is hard on America. And in some small corner of this vast country out in Nevada or Idaho, these places I have never been to but have always wanted to go, I know out there is a guy getting on with his life, perfectly happily, minding his own business, saying to you, the political leaders of this country, why me and why us and why America?

The only answer is because destiny put you in this place in history in this moment in time, and the task is yours to do.

And our job, my nation that watched you grow, that you have fought alongside and now fights alongside you, that takes enormous pride in our alliance and great affection in our common bond, our job is to be there with you.

You are not going to be alone. We will be with you in this fight for liberty. We will be with you in this fight for liberty; and if our spirit is right, and our courage firm, the world will be with us. Thank you.

[Applause, Members rising.]

At 4 o'clock and 42 minutes p.m., the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 4 o'clock and 45 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1731

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BONILLA) at 5 o'clock and 31 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore (Mr. BONILLA). Pursuant to House Resolution 319 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. 2691.

□ 1732

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. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentleman from Arizona (Mr. SHADEGG) had been disposed of and the reading of the bill had progressed through page 154 line 13.

AMENDMENT NO. 9 OFFERED BY MR. UDALL OF NEW MEXICO

Mr. UDALL of New Mexico. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. UDALL of New Mexico:

Add at the end (before the short title) the following new section:

SEC. ____. None of the funds appropriated or made available by this Act may be used to finalize or implement the proposed revisions to subpart A of part 219 of title 36, Code of Federal Regulations, relating to National Forest System Planning for Land and Resource Management Plans, as described in the proposed rule published in the Federal Register on December 6, 2002 (67 Fed. Reg. 72770).

The CHAIRMAN. Points of order are reserved.

Pursuant to the previous order of the House of today, the gentleman from New Mexico (Mr. UDALL) will control 15 minutes. The gentleman from North Carolina (Mr. TAYLOR) will control 25 minutes. The gentleman from Washington (Mr. DICKS) will control 15 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to protect our national forests and ensure that they continue to

be managed using long-standing scientific principles and practices. My amendment will stop a radical rewrite of 27 years of bipartisan forest management policy. It will prohibit the use of funds provided in this bill for the finalization or implementation of the Bush administration's proposed changes to the National Forest Management Act of 1976.

The proposed regulations constitute a radical departure from current forest management policy, first adopted and implemented by Congress and the Reagan administration over 20 years ago. The proposed changes will greatly reduce the amount of environmental analysis, wildlife protection and public involvement currently required in the development and revision of forest management plans. Many of these changes reflect the so-called timber industry wish list.

In at least eight specific instances, the proposed regulations closely mirror policies favored by the timber industry. To name a few of these, the proposed recommendations eliminate ecological sustainability as the priority of the Forest Service; eliminate protections for wildlife; eliminate scientific oversight of agency actions; and eliminate most mandatory standards for forest management.

These measures were designed to strengthen Forest Service accountability. The National Forest Management Act established new duties to conserve biological diversity, to ground management decisions in sound science, and to ensure extensive public participation opportunities in the forest planning process. The proposed regulations depart in a number of ways from sound forest management policy that has existed for the past 6 administration.

First, the Bush administration's regulations would effectively exempt forest management plans from the National Environmental Policy Act, NEPA, the Magna Carta of environmental law.

Second, the administration's proposed rules would eliminate the requirements to maintain viable populations of native wildlife.

Third, the changes would increase the likelihood of harmful logging projects based on multiple use values.

Fourth, the administration's proposal would also reduce overall environmental standards and accountability by allowing management plans to be revised to accommodate individual projects.

Finally, I believe that these changes would drastically limit public involvement. The opportunity to request an administrative review or file an appeal would be severely curtailed. These changes would eliminate sound science as a basis for forest management.

The proposed regulations were developed without a Committee of Scientists, a statutorily-authorized body that has informed the development of every other change in NFMA regulations since their inception.

The administration's dismissal of the principles of sound science and NEPA highlights its contempt for public involvement and scientific input. The recommendations of the independent Committee of Scientists have guided every rewrite of the NFMA regulations since 1979.

Ronald Reagan used a team of scientists to write the original regulations. Three years ago, Bill Clinton revised the regulations with significant input from scientists. If it was good enough for President Reagan and good enough for President Clinton, why does President Bush insist on throwing science out the window? Because the scientists will not give him the answers his timber industry friends want.

These proposed regulations were developed with maximum input from the timber industry and minimum input from the American public and the scientific community. The proposed regulations have received widespread editorial opposition from newspapers around the Nation. These regulations were also strongly opposed by the environmental community, sportsmen's groups, Republicans for Environmental Protections, and members of the Committee of Scientists.

In the public comment process, 325 scientist from across the Nation are urging the Forest Service to withdraw the proposed regulations, and over 100,000 citizens have submitted comments urging withdrawal of these regulations. Given the administration's refusal to adequately consult the scientific community, let alone listen to its comments, Congress must intervene and stop this flawed and environmentally damaging rulemaking.

I strongly urge all of my colleagues from both sides of the aisle to join me in supporting and maintaining sound principles of forest management.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, rise in opposition to this amendment.

This funding limitation would stop changes to the National Forest Management Act planning regulations. This is a bad amendment, and that is the best thing I can say about it.

National forest planning has become an endless gridlock which needs to be fixed. This administration is trying to make appropriate changes. If this amendment were adopted, the Forest Service would either continue to operate under the outdated 1982 planning regulations or begin to implement highly prescriptive and expensive 2000 planning regulations.

The 1982 planning regulations require the Forest Service to use unnecessary analytical processes and implement outdated science requirements. Under the old forest planning regulations, it takes an average of 5 to 6 years to complete a forest plan at a cost of 5 to $6 million each. Now, this is much too long. And, in fact, it is not a plan effort. It is not a scientific move. It is an effort to stop all harvesting in the forest, and we know that this amendment would delay forest projects which are now needed to clean up our forests and reduce the danger of fire, the real problems with fire that has been exaggerated in many ways by the lack of scientific forest management throughout the country, especially in the West.

This amendment would require national forests to be managed under plans that are clearly out of date, waste money on out-of-date planning methods, and are designed just to stop harvests altogether. So I certainly hope you will join me in defeating this amendment.

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

Mr. DICKS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Mexico (Mr. UDALL) and commend the gentleman for his attention to the important issue of forest health and the protection of our public lands. The amendment applies to U.S. Forest Service managed lands which support 17 percent of Federally endangered and threatened species.

In November, 2002, the Bush administration proposed a radical and sweeping rewrite of the forest policy that has governed the Nation since shortly after passage of the National Forest Management Act, NFMA, in 1976. The changes would eliminate or seriously weaken vital safeguards for 155 national forests in the United States and that were put in place by the Reagan administration.

I served under President Reagan, and I can tell you in this one case I was very pleased that he used science in order to make a determination on these forests plans.

Now the Bush administration, however, attempts to allow forest plans to be exempted from the analysis of their environmental impacts as required by NEPA, the National Environmental Policy Act. It seeks to do away with the rule that requires the Forest Service to maintain native species of wildlife in each national forest. The proposed regulations try to make surveying wildlife merely optional.

In addition, the draft would reduce the role of scientists and monitoring in forest planning. Extensive requirements for independent scientific review and consultation in the development of forest plans would be eliminated and replaced with optional provisions of including scientists in the process. The effect of these regulations would be to virtually eliminate scientific review of forest plans.

Public participation is greatly restricted in the forest planning process. The rule would discount petitions, cards and other methods citizens use to contact their government. Also, this plan would halt the appeals process allowed under current rules.

The Udall amendment would limit the Bush administration reductions to

the National Forest Management Act. The new regulations are the wrong policy to maintain and preserve our national forests.

Mr. Chairman, I encourage my colleagues to support the Udall amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. POMBO).

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

Mr. Chairman, I rise in opposition to the amendment. I think what we are going through is more of the same, and that is to protect an effort that is being made to protect a broken system. What is in place right now is a bureaucratic system of red tape that makes it nearly impossible to move forward.

□ 1745

Forest plans, which must by law be rewritten every 15 years, often take between 7 to 10 years to draft and implement. For example, the forest plan on the Black Hills National Forest in South Dakota took over 7 years to complete. The Tongass forest plan in Alaska took 9 years to complete. That is right, 9 years to complete a 15-year forest plan. Both cost millions of dollars to go through the process.

It is a broken system. It is what we are trying to fix. The 11th-hour regulations that were adopted by the previous administration do not work, and what the administration is trying to do is update those regulations so they represent what the reality is today, and that is the effort that is being made. I think that this amendment completely undermines the ability to do that.

Charges that recent Forest Service-proposed regulations weaken essential wildlife protections are absurd. The proposed regulations offered two options for wildlife analysis on which the Forest Service conducted a national workshop to solicit the views of leading wildlife experts from around the country. The focus of this effort has been to make wildlife analysis more useful to the public and decision-makers.

Charges that the 2002 draft weakens public involvement are also unfounded. The draft regulations provide for public involvement at every single step. They preserve appeal opportunities like those in the 2000 regulations and go well beyond the baseline requirements of NEPA. More timely planning will further facilitate effective public participation.

The bottom line is that we do need this a lot faster. It is absolutely outrageous that we would spend 9 years going through the bureaucratic process, 9 years going through the bureaucratic process to adopt a 15-year plan. How outrageous is that? Only in Washington would somebody move to try to preserve that.

If there are problems with the current system, participate in rewriting those regulations. Have your input put in that, but do not try to go back to a broken system. That is outrageous, and I have no idea why anyone would possibly want to do that.

We need to streamline the system. We need to move a lot quicker. We need to make it more efficient and more responsive to the public and our constituents. Trying to go back to a broken system makes absolutely no sense.

I oppose the amendment. I support the underlying bill, and I would ask my colleagues to oppose the Udall amendment.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself 1 minute.

The gentleman from California uses an example of a forest plan where he says it took 9 years to plan to put together a 15-year plan. We are not in any way trying to protect an inefficient, ineffective process. The bureaucrats have to get their act together. For the most part, for the most part, forest planning saves the taxpayer money. It saves time and it allows the public input, and what we are objecting to here is the public is being cut out of the process with these regulations.

Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA), a valuable member of the Committee on Resources, a leader on these important forest management issues.

Mr. GRIJALVA. Mr. Chairman, first of all, I rise today to urge my colleagues to vote for the Udall amendment and also to thank the gentleman from New Mexico (Mr. UDALL) for this very thoughtful amendment that continues the protection of our national forests.

The national forests are owned by all the citizens of the United States. Our forests provide places for families to camp, hike, fish, and mountain bike. They are increasingly under demand for recreation as our cities grow and open space is at a premium. Forests provide not only recreational opportunities but also clean water for cities and habitat for wildlife.

Because Americans enjoy forests so much for all their values, they also want to participate in the planning for their management. They want to have a voice in determining that forests are available for recreation, that habitat is provided for wildlife, and that everyone is accommodated. For decades citizens have participated in forest planning, and forests are better for it.

But the Bush administration would prefer the citizens stay out of the process, making it easier for big timber companies to log and mining companies to drill. This is wrong. The Bush administration's regulations are giving away environmental protection and public participation in the name of helping the timber industry and others to get what they want first, but they do not own the forests. The American people own the forests.

The administration's regulations are a bad deal for the environment, a bad deal for citizens; and I would urge people to vote ''yes'' on the gentleman from New Mexico's (Mr. UDALL) amendment to suspend full funding for the new Bush administration's regulations on forest management.

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

I would like to engage the gentleman from New Mexico, the sponsor of the amendment, in a couple of questions.

First of all, one of the assertions here that bothers me the most, having lived through the spotted owl issue in the Pacific Northwest, is that there seems to be an indication here that science is not favored in the development of this rule. We have a group of scientists who write to the USDA Forest Service planning rule saying as scientists with expertise and conservation, biology and fish and wildlife management, we are writing to express our concern over the proposed National Forest Management Act, and they go on. We request that you reinstate the 2000 rule that received very thoughtful input by scientists and the public.

We would like to respond as specifically to three assertions underlying the proposed 2002 rule change that, on examination, turned out to be false.

One, that monitoring an assessment of the species level cost too much. It seems that if we are going to have multiple use and if we are going to protect the forests, that one of the things that has to be done under any circumstance is monitoring an assessment of the condition of the species. What would the gentleman have to say about that?

Mr. UDALL of New Mexico. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New Mexico.

Mr. UDALL of New Mexico. Mr. Chairman, I thank the gentleman from Washington, and first let me say that the ranking member from Washington, and my good friend, has shown very strong support for this amendment. He has given me guidance on getting this amendment through the appropriations process, and his leadership on this important environmental issue is very much appreciated.

The point he makes with regard to science and what he is talking about is making sure that there is scientific input, that there is public input in this process; and what we are talking about today with these proposed regulations is they have swept the public out of the system. They have swept the scientists out of the system.

As the gentleman from Washington knows, the planning process includes everybody; and if we sweep these people aside, we are then going to have inefficient forest plans. We are going to have forest plans where people are going to sue under them, and we are going to waste a lot of time and money.

So I think the gentleman makes a very good, solid point.

Mr. DICKS. Mr. Chairman, reclaiming my time, that is what concerns me here. We have been through the Endangered Species Act, the listing of these

species. If we are now going to wipe the scientists out as we develop these forest plans and not take into account their input, we are just going to open ourselves up again to additional listings under the Endangered Species Act.

The one thing I found in the Northwest was we had to base our decisions on science, science, science. They had to be scientifically credible, legally defensible.

I worry that without public input, without scientific input, letting the agencies do what they want in the name of expediency, that we are going to wind up with a lot of additional listings and then a lot of additional requirements to set aside acres for protection. We are going to get into the same mess we were in before. Because if we do not rely on science, if we do not do what is scientifically credible and legally defensible, I see us getting into worse shape than we are already in. That is what bothers me about what the administration has done.

None of us like the fact that it takes 9 years or whatever amount of time, but that is because the administration, whoever is in charge, has not promptly dealt with these issues; and the concerns that are expressed by these scientists is that in 2000, during the Clinton administration, there was scientific input; and then we get the new administration, they walk away from science.

All I think it is going to do is lead us back into trouble, back into more listings; and I do not see how that does anybody any good. It is the listings that cause the economic disruption and the problems in the communities. It is better to do these plans credibly, take the time, use the science and make sure we get something that can be sustained in the courts because, at some point, the biologist is going to be taken into court. He is going to be put on the stand, and he is going to say and the lawyers are going to ask, if this scientifically credible? The minute he says no, the judge is going to enjoin the plan. It is not going to do any good.

By not using the credible science in the first place, trying to slip around this, I think we are making a terrible mistake, and I think we will be back here shortly saying we have got to redo this because it simply did not work.

Mr. UDALL of New Mexico. Mr. Chairman, if the gentleman would yield just a moment on that point, as the gentleman from Washington knows, one of the things that has happened here, this is not an amendment we have moved quickly on. We have given notice to this administration. The gentleman and I have signed a letter, over 100 Members of Congress have signed a letter to the President, Members from the other side of the aisle have signed a letter to the Secretary of Agriculture, calling for exactly what the gentleman is calling for, scientific input on these regulations. When they ignored these letters, when they ignored the request, our only avenue was to work with the gentleman and his appropriations bill to stop this process so that we could get scientific review.

Mr. DICKS. Again, I just think it is important for us to understand why we are coming here with this limitation is because of the failure, frankly, of the administration to take into account the concerns that have been expressed by the Congress, by the scientists, by the outside groups, and I just think it is a terrible mistake, and I urge strong support for the Udall amendment.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

A few weeks ago, we passed legislation that would stop the disastrous fires. It will take a long period of time. It will take management plans to be implemented to get rid of the crowded undergrowth and stop the fires that are costing us billions of dollars and burning up tens of millions of acres of our forests.

Let me tell my colleagues, these forest plans, and there are 40 forest plan revisions under way, 36 of these plans are more than 15 years old. Unless regulations are changed, 52 more are expected to go beyond the 15-year limit in the next decade. We cannot make any progress in fighting fires, stopping fires, not having to spend the money and the millions of dollars unless we get plans that are going to take less than 15 years, and yet most of these plans are going to do.

Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I am somewhat hesitant to wade into this debate because I am somewhat new to it, and I want to agree with the gentleman from North Carolina (Mr. TAYLOR), and I rise in opposition to this amendment.

He talked about the millions of acres and the millions of dollars. Essentially, if we boil this debate down that we are having right now, the proponents of this amendment are saying the status quo is just fine. Let me tell my colleagues, the status quo is not fine. Let me give my colleagues some of the reasons. Let me give my colleagues some of the reasons why the status quo is not acceptable. It is not about millions of dollars. It is not even about millions of acres of wasted forest. Let me give my colleagues some of the reasons:

Kathi Beck, 24, Eugene, Oregon; Tami Bickett, 25, Powell Butte, Oregon; Scott Blecha, 27, Clatskanie, Oregon; Levi Brinkley, 22, Burns, Oregon; Robert Browning, no age given, of Savannah, Georgia; Doug Dunbar, 23, of Redmond, Oregon; Terri Hagen, 28, Prineville, Oregon; Bonnie Holtby, 21 years old, Prineville, Oregon; Rob Johnson, 26, Redmond, Oregon.

□ 1800

John Kelso, 27, Prineville, Oregon; Don Mackey, 34, Hamilton, Montana; Roger Roth, 30, McCall, Idaho; James Thrash, 44, McCall, Idaho; Richard Tyler, 33, Grand Junction, Colorado.

Those are the young people. Those are the young people who lost their lives in one forest fire. And for people to come to the floor of this House and say the status quo is acceptable, that we can lose 23 forest firefighters in 1 year, 18 the year before, 17 the year before, 86 young people in the last 4 years, I say the status quo is not acceptable. I say we have to move forward with healthy forest management.

For people out in the West, they must be wondering, why does Washington continue to fiddle while our forests burn and our young forest firefighters die? No, Members, the status quo is not acceptable. How many more young people will have to die fighting these fires until we realize that we need real healthy forest management?

It starts today. It starts with our vote on this amendment. Let us reject this amendment. Let us let the Forest Service do what it knows how to do best. Let us get honest plans going for these forests. Let us do it now.

Mr. DICKS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Washington has 2 minutes remaining.

Mr. DICKS. Mr. Chairman, I yield myself 30 seconds.

First of all, with all due respect, the forest plans do not have a lot to do with the funding that is necessary to deal with the important issues the gentleman is talking about. We are for trying to fund the programs that will improve forest health and allow us to deal with these fires. Our committee has appropriated a considerable amount of money, but having a good scientifically credible plan is crucial. It is not status quo. This is the kind of creative change that we have to have, and that is why I support the Udall amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have appropriated a great deal of money, and I appreciate the efforts of my friend, the gentleman from Washington (Mr. DICKS), in that area. He has been a leader in that area. But time is not the only consideration here. If we have money in the vault for the next 15 years and it is not spent, then the fires will continue and the young lives will be lost.

Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in strong opposition to this amendment.

This amendment would prevent the Forest Service from completing a much-needed amendment to the current outdated National Forest Management Act planning regulations. The current planning regulations were written over 21 years ago, and they

need to be updated. The Forest Service is currently operating under the 1982 regulations. There have been significant developments in the science of active forest management, and revisions are needed to reflect these developments.

One would think that environmental organizations that are supporting the amendment of the gentleman from New Mexico would understand that. We are operating a generation ago in terms of the technology that is available and in terms of the planning protocols that are available. The Society of American Foresters, an organization founded by Gifford Pinchot, agrees with us. They oppose this amendment. They support the efforts to revise the existing NFMA.

The Forest Service is currently drowning in paperwork and red tape. They estimate that they spend more than 40 percent of their budget and personnel hours on planning and fighting court battles rather than in the forests. Let me repeat that. Of all the money that they have to spend, 40 percent of it does not go to helping our forests. It goes to paying for lawyers to fight lawsuits. It goes to paying for the bureaucracy to deal with the planning process.

The proposed 2002 regulations would allow land managers to get more accomplished on the ground; and that is especially critical right now, as our public lands are currently in a grave forest health crisis and are in need of active management to restore them. We are facing problems in our forests not just with forest fires, which clearly is the most serious problem, but with disease and insect infestation all across the country, and we need to give them the tools to act promptly to save our forests, to prevent them from being burned down, to prevent them from being devoured by gypsy moths and pine bark beetles and a whole host of other insects.

The proposed 2000 regulations protect wildlife and public involvement. The 2002 proposal offers two options to provide for biological diversity, which were presented and discussed at a national workshop involving wildlife experts and ecologists from across the country. The 2002 proposal provides opportunities for public input at every step in the planning process. Completing the 2002 regulations should be a top priority for everyone and anyone concerned about our national forests.

The Forest Service is in the midst of evaluating public comments on the 2002 proposed rule. Halting this process would significantly delay the efforts to implement improvements on the old regulations. It currently takes 5 to 10 years to complete a forest plan under the old planning regulations. That is outrageous, it is irresponsible, and it indicates the kind of morass that the Forest Service finds itself in. These proposed rules would help to make sure that we can more promptly get that input from the public, input from environmental organizations, input from industry, input from local communities, input from everybody affected in this process and then act on it in a more timely fashion than 10 years down the road.

If we were to identify a problem and say, well, 10 years from now we will get around to solving it, that would be an irresponsible way to handle things. The Forest Service's hands are tied. This amendment will keep them tied for a long time. I urge my colleagues to oppose this amendment.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER), one of our key members on the Committee on Resources, who has been here for the period of time while these regulations have evolved and I am sure has some real insight on this.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me this time; and I rise in support of this amendment.

My colleagues want to argue that somehow to cut the public out of the process, to provide a public process that is discretionary is somehow going to help in the planning of our forests. Well, we passed a bill here to deal with fire. My colleagues want to keep talking about fire, but somehow they do not want to pass the bill. We sent it to the Senate. I do not agree with every provision in it, but where is the Senate bill?

The fires are burning, we have a bill to address that, but now my colleagues want to use fire as an example to gut these regulations. We know what happens when the Forest Service does not involve the public or does not involve the scientists. We had a policy that almost destroyed the forests, either because they mindlessly cut down the forests and destroyed watersheds and destroyed streams, or they mindlessly did not deal with the forests and we built up such fuel loads that we lost them to catastrophic fires.

Now, as a result of a public process, because communities are involved, individuals are involved that live in the area, organizations that know about this and scientists who care about this, we have a comprehensive planning proposal that deals with these forests. These forests are not simplistic. These are complicated, huge watersheds and ecosystems, and that is what we have learned from the scientists.

Now my colleagues want to throw the scientists out of the room and treat these forests and treat these watersheds and treat these ecosystems somehow in a simplistic fashion. There is more to a forest than just the treatment of the fuel load. There is more to the habitat protection. There is more to the species protection than that. That is why these regulations are in play.

What the Bush administration is suggesting is that we just take a simplistic approach; and that if we take a simplistic approach, the first thing we will want to do is to cut the public out of the process. Well, the people in the communities that are impacted by these forests have a stake in it, they have an economic stake, they have a life-style stake, they have a standard of living stake, so they are concerned about those forests. But it would be much easier to cut them out of it. It should be in the direction of the forest manager as to whether he wants to let them in at this point or that point or the next point in the process.

Public participation is not a luxury. It is a right in this country. It is important to developing good policy. And that is why we should support the Udall amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume to remind all of us that we spend millions of dollars in research. Science is going on in modern silviculture every year. We have forest research stations, we have private research stations, we have all our universities with schools of forestry participating in the science, and so it is working every day.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Chairman, I respectfully rise in opposition to this amendment offered by my good friend, the gentleman from New Mexico (Mr. UDALL).

There have been significant developments in science, adaptive management and the concept of sustainability within the Forest Service. However, the current regulations were written 30 years ago and are not adapting the new regulations as fast as we need to for the preservation of healthy forests. This amendment will prevent the Forest Service from modernizing its planning regulations under the National Forest Management Act by removing funding for the implementation of the proposed 2002 regulation.

Now, I understand people that can oppose new and better techniques. I understand how we can have differences of opinion. But those who make accusations that the proposed 2002 regulations weaken wildlife protection and public involvement simply are not true. Read the bill. It is not true. It does allow for more attitudes to be considered, and that is healthy. It is healthy.

Completing the 2002 regulations should be a priority, thus allowing land managers to get more accomplished on the ground. Our public lands face a grave forest health crisis and are in need of active management to restore them. If you support scientific forest management over red tape, you oppose this amendment, you let the regulations be written, you let them be implemented and then, if they are not doing what needs to be done, you correct them. But holding fast with regulations 30 years old are not a way to

manage our forests for a more healthy, sustainable environment, as well as industry, as well as those who love the outdoors.

Oppose this amendment. Let us get on with changing the regulations to adapt sound science to our forests.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself 1½ minutes to respond to my good friend, the gentleman from Texas.

I think it is fair to say that the forest management plans that we have today, supplemented by sound science, if we moved in that direction, and we had been moving in that direction over the next 100 years, we would not have the problems with the forest fires if we had gone through this process, this management process. That is why I think it is so offensive to us that support this amendment and are working on this that the scientists are cut out.

That is why I would disagree with the gentleman when he says, let the regulations go into effect. If you let the regulations go into effect, we are going to find ourselves in court, we are going find ourselves in a bollixed-up situation. We are going to hurt the forest management process.

So that is why over 300 scientists have written to the administration and said, stop here. That is why over 100 Members of Congress on a bipartisan basis have said, involve the scientists before you finalize these regulations. And, really, what we are trying to do is say, stop, put in place good regulations based on sound science, and then you will not run into problems.

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

Mr. UDALL of New Mexico. I yield to the gentleman from Texas if he would like to respond.

Mr. STENHOLM. I would, Mr. Chairman, because the gentleman is simply describing what we have been going through for the last 10, 15 years: litigation, difference of opinion. In the meantime, look at what is happening to our forests: infestation, forest fires out of control.

What I hear the gentleman describing is what we have been doing. Let us try to make it work a little better, and that is what we are trying to do with the new regulations.

Mr. UDALL of New Mexico. Mr. Chairman, reclaiming my time, my point was that if we had been doing the planning for 100 years and if we had had science, we would not be where we are today.

Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL), the ranking member on the Committee on Resources. He knows these forest issues very well, and I appreciate his help on this.

□ 1815

Mr. RAHALL. Mr. Chairman, I rise in strong support of the gentleman's amendment. He has eloquently described the effort here, as well as has the ranking member, the gentleman from Washington (Mr. DICKS), a gentleman who does not get up on every amendment which has been offered today, but he has spoken strongly in favor of the amendment of the gentleman from New Mexico.

I remind my colleagues regarding a letter cosigned by the gentleman from Michigan (Mr. DINGELL) and myself and some 100 other Members of the House to the President in March of this year. We wrote expressing our deep concern with the scope and the breadth of the initiatives undertaken by this administration. The cumulative effect of all of these proposals are to undermine or eliminate open decisionmaking, as we have already heard today, to eliminate accountability, eliminate resource protection, and limit opportunities for public and scientific input as well.

On November 27, 2002, this administration proposed a NFMA planning role that renders the public process virtually meaningless, and that is what this amendment attempts to restore, public input and protection of our resources so every area is not just opened up for willy-nilly use or multiple use of our forest lands.

I urge adoption of this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, I want to bring to Members' attention, and we have heard quite a few things from the other side of the aisle about all the scientists and sportsmen and everybody else who has engaged in this battle, and it is a very important battle, but I would like to read a letter addressed to the Secretary of Agriculture, Ms. Veneman, dated April 11, 2001.

It says, ''The National Forest System supports a diverse array of forest and rangeland ecosystems and provides useful products, unparalleled recreational opportunities and other important amenities. Today, the ability of the Forest Service to conserve and enhance these attributes is increasingly compromised by obstructionist administration appeals and legal challenges of proposed agency actions.''

And the letter goes on to say scrap the 2000 and let us deal with a system that actually works.

What we have heard from the gentleman from Washington, which I am in shock and awe that he would suggest that we stay with the status quo, as well as the gentleman from New Mexico, the proponent of this amendment, is they want a continuation of the same scientists that, in the gentleman from Washington's own State, 12 agency scientists got together in the Wenatchee National Forest and they said we have a great plan, let us put out a bunch of phony science here so we can lock up thousands of acres, put thousands of people out of work, maybe close down a few communities.

I am sure the gentleman remembers the incident in Wenatchee National Forest where the scientists were looking for Canadian lynx. They could not find any, so they took little sticky pads, as is the normal scientific method, and placed them in the forest at rub areas and scratch areas so they could recognize or perhaps ascertain whether or not the lynx were there.

The scientists could not find any. So what did they do? This is the science that they want to protect, the very scientists that these victims want to protect. So they go into the lab and they have a stuffed lynx in there from God knows where, and so they take hair off of it and they run around in the forest and put this hair on these little sticky pads and write a report that says obviously the lynx are there, and so now we have scientific data and scientific evidence to shut down this area from any kind of human activity, including the people who want to live and work in that area.

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

Mr. OTTER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, the gentleman knows I would never support that kind of science under any circumstances.

Mr. OTTER. Is that not the status quo?

Mr. DICKS. No, it is not. That was condemned by everybody on both sides of the aisle.

Mr. OTTER. Mr. Chairman, reclaiming my time, I would conclude by saying we got no support from the gentleman from New Mexico or the gentleman from Washington when we wanted to take those scientists to task. What happened to them, they were sent to sensitivity schools and told not to do that again. I suggest that we send this legislation to the same place.

Mr. DICKS. Mr. Chairman, I yield myself 30 seconds.

We support scientifically credible science. We do not support people who go out with some kind of a vendetta. I just think we should not try to make this so vitriolic.

I have been through what has happened in the Northwest. There is one thing I learned, if it is not scientifically credible or legally defensible, you are not going to go very far. So if one thinks these plans are going to hold up once you get the Endangered Species Act in place, Members are making a big mistake. It is better to do these things scientifically credible in the first instance.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. DEFAZIO), a long-standing member of the Committee on the Resources.

Mr. DICKS. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. DEFAZIO).

The CHAIRMAN. The gentleman from Oregon (Mr. DEFAZIO) is recognized for 2½ minutes.

Mr. DEFAZIO. Mr. Chairman, I was sitting in my office watching this debate. I participated earlier, and I was

going to participate later, and I was not going to participate on this amendment until I was insulted and the memories of young people from my district were insulted by the gentleman from Minnesota. To try and purport that the National Forest Management Act had anything to do with the death of those kids is outrageous.

Mr. Chairman, where is the money for the firefighting? The other side has not adequately funded it. Where is the money for the fuels reduction? It is not in the budget. The other side has passed a so-called healthy forest bill that does not have one penny, not one red cent in it for fuels reduction.

The other side wants to pretend this stuff can be done on the cheap so they can give money in tax cuts to the wealthy people. Those kids died protecting their property.

Mr. Chairman, it does not have to do with the National Forest Management Act, and Members know. Put up the money to fight the fires. Put up the money to do the fuels reduction and stop screwing around with the public process. That is what is being done here. The target here is not to get rid of the brush. We have a 6 billion board foot backlog of commercial thinning in the Pacific Northwest that the Forest Service does not have the money to fund; 6 billion board feet. That could put one heck of a lot of people to work for one heck of a long time.

But the other side will not fund it because what is the real target here, the target here is the little bit of the remaining old growth. That is why they want to change the rules. Not to get the brush or fuels reduction or deal with the 6 billion board foot backlog of thinning but to go into these forests and cut the last remaining valuable old growth trees, the only trees that happen to be fire resistant, the only trees that should be left behind when foresters go through and remove the rest of the junk from 100 years of forest mismanagement.

And, yes, Democrat and Republican administrations alike are responsible for forest mismanagement. But to perpetuate it now and to perpetuate it under a myth that somehow it will not cost a penny to undo 100 years of mismanagement, that somehow you are going to go in and do the thinning, that somehow you are going to go in and do the brush removal and the fuels reduction and it will not cost a cent, the only way to do that is to take out the most valuable trees at the same time, which means you do not leave what every credible fire ecologist and scientist says needs to be left in fire-prone forests and which would take us back to presettlement conditions and premismanagement conditions, the old growth. Do not do this by disrespecting the young people from my district and other people in the West who died fighting these fires.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in closing, let me say that the gentleman from Washington has incredible experience with forest issues; and I believe he was right on when he said do not cut the scientists out of the process or we are not going to have very good forest planning. That is what we are about here today, these regulations cutting scientists out of the process.

Members talk about sound science, but when it comes to this administration, the science was thrown out of the window.

Mr. TAYLOR of North Carolina. Mr. Chairman, the gentleman from Minnesota (Mr. GUTKNECHT) who spoke earlier, and I agree with him, we have lost lives and we have lost forests because we have had years and years and years of delay rather than trying to address this subject, and that is what these resolutions are trying to do.

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

Mr. POMBO. Mr. Chairman, I know that our colleagues that are watching this debate who may not have invested as much time on these issues as those of us that are on the floor are probably really confused right now. Because I heard the gentleman from Washington give a very impassioned description of what we need in the process of doing forest planning and I believe an accurate description.

If that is what the Udall amendment did, I would vote for it in a second; and I would get our guys to vote for it. Unfortunately, that has nothing to do with the amendment that is on the floor. The amendment on the floor is to take us back to an old, broken system and not move forward. What we are doing right now is what is wrong. It is the process that we currently have in place that has led us to an unmanaged forest that has resulted in catastrophic fire. It is the process that is in place right now that has led us into these endangered species fights. It is the process that is in place right now which has caused the problem. Why Members want to stay with that process instead of moving forward is beyond me.

I would like to read from a letter that I received from the Secretary of Agriculture, Ann Veneman. In part it states, ''The Forest Service is required by law to revise land management plans for national forests and grasslands every 15 years. To satisfy this requirement, the agency needs to complete 92 plan revisions in the next 10 years. The Forest Service estimates that it spends over $100 million a year on plan revisions using regulations adopted in 1979 and slightly revised in 1982.'' $100 million a year.

I do not think that I have to scream to get this across, but when we talk about using money for better purposes, spending $100 million a year is outrageous.

It further says, ''In addition, an internal study by professional planners in the Forest Service concluded that the 2000 regulations were unimplementable, primarily because of the expansive and detailed process requirements in the regulations, the large amount of data needed to meet these requirements, and the lack of personnel with scarce and specialized skills.''

So not only do Members want to continue doing what we are doing now but also force the Forest Service to spend more money putting these plans together in order to meet the 11th hour regulations put in place by the previous administration.

It continues, ''In short, the 2000 planning regulations would make the already unreasonable procedures and costs associated with the 1982 regulations worse instead of better.''

I would further like to read from a letter of the Society of American Foresters, ''The forest planning process is crucial to establishing the goals and objectives for each national forest unit. It involves extensive public involvement, analysis, and local decision-making. Without clear direction through regulations, the agency's time and resources will continue to be tied up in the planning process, instead of management activities such as hazardous fuels reduction and forest health restoration work.''

□ 1830

We have also heard a lot about wildlife. The wildlife organizations that oppose this amendment include the Boone & Crockett Club, Buckmasters American Deer Foundation, Campfire Club, the Congressional Sportsmen's Foundation, Conservation Force, Foundation for North American Wild Sheep, International Association of Fish and Wildlife Agencies, International Hunter Education, National Trappers, National Wild Turkey Federation, Pheasants Forever, Quail Unlimited, and on and on.

This is not about wildlife. This is not about science. This is not about public participation. This is about protecting the system that is in place right now. Many of the folks that have come to the floor today to support this amendment are the exact same people who opposed the healthy forests initiative. They are the exact same people who did not want to move forward in terms of protecting our forests from catastrophic fire. They are the same people who proposed putting these regulations in place at the end of the previous administration. What we currently have is a problem. It has led us to the point where we are now. The system is broken. We need to fix it. Vote against the Udall amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. UDALL).

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

Mr. UDALL of New Mexico. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on

the amendment offered by the gentleman from New Mexico (Mr. UDALL) will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HOLT:

At the end of the bill (before the short title) insert the following section:

SEC. 3___. None of the funds made available in this Act may be used to manage recreational snowmobile use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway, except in accordance with National Park Service One-Year Delay Rule published November 18, 2002 (36 CFR part 7, RIN 1024–AD06).

The CHAIRMAN. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. HOLT) will control 15 minutes, the gentleman from North Carolina (Mr. TAYLOR) will control 25 minutes, and the gentleman from Washington (Mr. DICKS) will control 10 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I yield myself 4 minutes.

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

Mr. HOLT. Mr. Chairman, Yellowstone Park, our first national park, our premier national park, a symbol of America, is being loved to death. My colleagues and I today are offering this amendment to protect Yellowstone and Grand Teton parks, some of our Nation's most valuable treasures. The Park Service which is charged with protecting the natural resources of the parks unimpaired for the enjoyment of current and future generations has studied the state of these parks. In Yellowstone Park, they have determined that the use of snowmobiles is the principal insult to the park, an insult that can be corrected. What they say is that phasing out of snowmobile use in Yellowstone and Grand Teton is the best way to protect the parks, better than other alternatives, better than requiring new snowmobiles, better than requiring guided snowmobile tours, better than a cap on the number of machines entering the park daily. Snowmobiles produce significantly more noise and pollution than cars, presenting a health hazard to park rangers, to visitors and obscuring the visibility even around Old Faithful. Having been there myself in winter, I can tell you that snowmobile noise is clearly audible through much of the park most of the time, disturbing wildlife and disrupting visitors' experiences.

The Park Service in November 2000 issued an environmental impact statement that was the culmination of nearly 10 years of study. The statement said: ''Based on reduced impacts to human health and safety, to air quality, visitor access, the natural soundscape and to wildlife, the National Park Service has identified the snowmobile phaseout as the environmentally preferred alternative.''

The Bush administration did not like this conclusion. So they told the Park Service to study it again and issue another report, which they did, publishing a new environmental impact statement in February of this year. This time they considered the impacts of the administration's proposal to look at new machines, the four-cycle machines, and to cap the number of snowmobiles entering Yellowstone and Grand Teton. They came to the previous conclusion. The statement now reads: ''The snowmobile phaseout best attains the widest range of beneficial uses of the environment without degradation and risk of health or safety.''

Last month, the Environmental Protection Agency weighed in as well. Not only did they uphold the Park Service's conclusion that a phaseout would be best for the parks and for the visitors, they actually found that the Park Service had underestimated the impact of snowmobile emissions under the administration's proposal. For no good reason, Mr. Chairman, the Interior Department wants to roll back a regulation based on 10 years of careful study. They are the ones trying to undo the existing snowmobile phaseout. We are here to uphold what the Park Service has determined to be best for the parks.

Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Pennsylvania (Mr. HOEFFEL), who has studied this and experienced it firsthand.

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

Mr. Chairman, I am here today to support the Holt-Rahall amendment that would phase out the use of snowmobiles in Yellowstone and Grand Teton National parks. These parks have a special place in my heart as they have in the hearts of most Americans. I have frequently visited Grand Teton and Yellowstone Park during the summer months, probably visiting Yellowstone 10 times during my life. It is a beautiful park, as all Americans know. It is a grand and wonderful place, our first national park. But because of the concerns I heard about snowmobile use in the winter, I visited the park this past winter with the gentleman from New Jersey and the gentleman from West Virginia, because I could not believe that things were quite as bad as I heard. In fact, I found that they are worse.

The use of snowmobiles in Yellowstone has all of the negative impacts that the gentleman from New Jersey has described, of noise pollution, air pollution, the harassment of animals, the impact on the habitat. I was completely overwhelmed by the amount of noise that these machines generate. But what I did not understand was that government policy is to virtually require the use of snowmobiles. I thought this problem was because of some recreational use in Yellowstone during the wintertime. That shows you what an Easterner maybe does not understand about Western winters. There is a lot of snow out there, and they do not pave the roads so that cars can ride into Old Faithful or around Yellowstone. They groom the roads with the snow on it and pack it down for the use of snowmobiles. Snowmobiles are the preferred and only way to travel around Yellowstone unless you use a snow coach, a larger-tracked vehicle that can carry 10 or 15 people.

So the government policy is to use snowmobiles. Therefore, we are responsible for what is happening there. The reality is that the Holt-Rahall amendment is not about banning snowmobiles. It is about protecting Yellowstone. It is about protecting it from the invasion of these machines in the wintertime that pollute, that disrupt because of noise, disrupt because of harassment.

We see this picture of one of the groomed roads with some of the bison in the Yellowstone herd with even more of a machine herd coming behind them, the people that are using the snowmobiles to travel. I am sure snowmobiles are a lot of fun to ride. I have, in fact, ridden them in the East. I understand the appeal. But this is not about snowmobiles. We have an obligation to protect Yellowstone. We have an obligation to make sure we stop practices that are hurting Yellowstone. We have stopped allowing tourists to chip off parts of the formations there. We keep them out of the geyser basins so that there will not be damage to the natural beauty or harm to the visitors. We have stopped certain things from happening in Yellowstone and in Grand Teton because we want to protect the natural beauty and protect those parks for the future. Under the same thinking, we have to phase out snowmobiles in order to protect the park.

The three of us visited the entrance to the park on a Saturday morning. The pollution, the smoke, the haze was extraordinary. The noise was disruptive. No matter where we went in the park, we could hear the noise of the snowmobiles. The advocates of the current use say that modern technology is improving the situation, that the four-stroke technology of the new machines gets rid of the problems that the old two-stroke machines were causing. That simply is not the case. The four-stroke machines are noisy. They pollute.

The answer here is to phase out snowmobiles, promote the use of snow coaches. The government could purchase a fleet or help develop a fleet of snow coaches that could be leased by the government to the private sector that now represents snowmobiles. The private sector could take the responsibility for putting the visitors into those snow coaches, could charge for that, could make money, the economies of the surrounding areas would

stay strong, and yet we would have done a major benefit for Yellowstone by outlawing the snowmobiles, protecting the environment and living up to our obligations to be good stewards of Yellowstone and Grand Teton for our children and our grandchildren to enjoy.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the amendment. In the beginning, there was no limit to snowmobiles in these parks. In the last days of the Clinton administration, the administration barred all snowmobiles from the parks. Clearly, people live in the parks and this was not acceptable, emergency purposes. We had to come up with a program that would be reasonable, and I think this plan that is in place or will be in place is a balanced approach that addresses air quality, noise, wildlife, and safety concerns while continuing to allow the American public access to enjoy the parks during the winter months.

For the first time, a strict daily limit will be placed on the number of vehicles, and the snowmobiles must achieve at least a 90 percent reduction in hydrocarbons and a 70 percent reduction in carbon monoxide compared to conventional two-stroke engines. We now have four-stroke engines.

The sound question is that no more than 73 decibels of sound, a five-decibel reduction, has been put in place and 80 percent of the snowmobiles will be commercially guided. We have tried to reach a balanced plan that I think is reasonable. I urge a ''no'' vote on this amendment.

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

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume. I rise in support of this amendment. There was a very important letter written on May 20, 2003, by George B. Hartzog, National Park Service director, 1964 to 1972; Nathaniel Reed, Assistant Secretary of the Interior, 1971 to 1976; Russ Dickenson, National Park Service director, 1980 to 1985; Denis Galvin, National Park Service deputy director, 1985 to 1989, 1998 to 2002; Roger Kennedy, National Park Service director, 1993 to 1997; Robert Stanton, National Park Service director, 1997 to 2001; Michael Finley, Yellowstone National Park superintendent, 1994 to 2001; and Robert D. Barbee, Yellowstone National Park superintendent, 1983 to 1994.

This letter is to Secretary Norton. It says:

''It has been our privilege collectively to serve nine Presidents as stewards of America's national parks. For each of us, this experience underscored the pride and joy that Americans feel for their common heritage and their desire to have national parks vigorously preserved for their grandchildren. In this spirit, we write to you about a final decision that is before you regarding snowmobile use in Yellowstone National Park. There can be no doubt that this decision is a defining moment for America's national parks. The choice over snowmobile use in Yellowstone is a choice between upholding the founding principle of our national parks, stewardship on behalf of all visitors and future generations, or catering to a special interest in a manner that would damage Yellowstone's resources and threaten public health.

''The latter choice would set an entirely new course for America's national parks. It is our deep hope as this issue now moves to your final review that you will ensure the highest protection for Yellowstone. To do otherwise would be a radical departure from the Interior Department's stewardship mission. Yellowstone is an irreplaceable national treasure, a symbol of our country and a gathering place where Americans feel justifiably proud that our country led the world by establishing its first national park.

□ 1845

''A decision made on behalf of the snowmobile industry and not for Yellowstone's environment and general public would be wrong.

''On many occasions President Bush has made laudable pledges that members of his administration will always be fully accountable to the public. In keeping with this, we are mindful of your assertions regarding snowmobile use in Yellowstone. They are as important today as they were when you made them.

''Two years ago the Interior Department directed that a supplemental'' EIS ''be undertaken so that additional information and wider public involvement could be brought to bear in making the best possible decision about Yellowstone's future. The Department asserted that this information would be essential to a sound decision.

''On the basis of the new data, the National Park Service verified that phasing out snowmobile use would provide the best protection of Yellowstone's environment and the health of employees and visitors. The study concluded that ending snowmobile use while providing visitors access on snowcoaches 'best preserves the unique historic, cultural, and natural resources associated with Yellowstone and Grand Teton National Parks' and would 'attain the widest range of beneficial uses of the environment without degradation and risk of health and safety.' Final Supplemental'' EIS ''February, 2003.

''We hope that you will now embrace the central conclusion of a study that your Department asserted to the American people would shape a better decision. To ignore its conclusion would clearly be to accept avoidable risks to health and safety, a narrower range of beneficial uses, and weaker preservation of Yellowstone and Grand Teton National Parks.

''Your department also called for wider public involvement, and the call was unquestionably answered. More Americans submitted comments to the National Park Service than the agency has received on any single issue in its 87-year history. While the volume of comment was unprecedented, its reflection of public opinion was consistent with previous comment periods over the past several years. By a four-to-one margin, Americans urged you to give Yellowstone the best possible protection and said they believe, as the National Park Service has confirmed, that this means replacing snowmobiles with snowcoaches. We hope after calling for public comment, you will heed, not ignore, what the public has told you.

''Clearly we are in economic and budgetary times that require us to be scrupulous with every tax dollar. This is another reason why we urge you to adopt a phaseout of snowmobile use. Your study demonstrated that continuing snowmobile use in Yellowstone would result not only in higher levels of air and noise pollution, harm to wildlife, and risks for employee and visitor health; it would also cost taxpayers $1.3 million more each year than replacing snowmobiles with snowcoaches. Surely you will not ask the American taxpayer to pay more for less protection, an annual transfer payment to the snowmobile industry subsidizing ongoing damage to Yellowstone.

''We would be remiss if we did not emphasize one final point. Yellowstone's wintertime struggles with pollution, noise, and traffic congestion fit into a larger context. Throughout the National Park System we have been striving for years to develop more efficient transportation systems so that the visitor's national park experience can be defined by each park's special attributes and not by negative aspects of traffic that most visitors hope to leave at home.

''Zion National Park is an excellent example of the success and popularity of this strategy. Where automobile traffic had clogged Zion's once quiet canyons and the visitors' experience were being defined by noise, exhaust, and frustrations finding parking, the Park Service substituted shuttle bus access. This change boosted gateway business, earned accolades from visitors who today are enjoying a better park experience, and reduced impacts to Zion's resources.

''In Yellowstone the supplemental study that you requested has demonstrated that replacing snowmobiles with an efficient system of snowcoaches would bring similar benefits. In fact, with wildlife under stress from Yellowstone's deep snows, frigid temperatures, and employees and visitors breathing snowmobile fumes often trapped by the park's inversions, the benefits of reducing traffic and emissions would be even greater than they have been in Zion.

''In summary, we join as former public stewards of America's national

parks in urging you to place Yellowstone National Park back on a path that gives the highest priority to protecting its natural qualities for today's visitors and future generations. To do otherwise would ignore sound science, the public will, and responsibility to taxpayers; and, worst of all, it would erode a precious gift that this country gave itself and the world, a gift that will only become more valuable to our Nation as our population grows.''

So if these eight people representing a cross-section of our American political life who have served in the parks on a bipartisan basis over the last 40 years can come together, certainly I hope that our House can come together tonight in support of the Holt amendment.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, I thank the chairman for yielding me this time.

Smoke is being blown in the United States Congress. In fact, more smoke than is being blown by the snowmobiles in Yellowstone Park. I share with the Members what a dear colleague, the gentleman from New Jersey sent out, showing a picture of a park ranger with a gas mask. I will now share with the members the words from the environmental impact statement from the Governor of the State of Montana, who was charged with the responsibility of clean air violations.

''It is important to note that, despite public perception to the contrary,'' and the perception trying to be created on this House floor today, ''the West Yellowstone interest has not recorded any violation of State or national air quality standards during the past four winter seasons.''

There is a reason we established dude ranches in Montana, because a lot of dudes like to come out and they do not know which end of a horse to jump up on.

I spent every weekend in Yellowstone Park growing up. I can honestly tell the Members the impact on the park is minimal. It is 2.2 million acres. The snowmobiles are required to stay on the minimum amount of land available to them, which is the roads. It is ironic that the sponsor of the amendment would say the best alternative is no human interaction. Frankly, if they did not want human involvement in Yellowstone Park, they are about 100 years too late.

Snowcoaches as the preferred alternative by the Clinton administration? Have you been down there? Have you listened to the snowcoaches? They are the noisiest, loudest, smelliest way of transporting oneself around the park. In fact, they do not even make enough snowcoaches to deal with the volume of people that would like to go in. The economic impact alone is incredible, $33 million a year lost to West Yellowstone.

We have spent a lot of time studying this issue. We have spent a lot of time having hearings, letting people look us in the eye and say, ''I am going to lose my job if you phase out snowmobiles.'' This amendment does not give them that opportunity. No guts in this House.

Give these people an opportunity to look these people in the eye and say, I am the one whose family is going to lose their way of making a living, making a living that was encouraged by this Federal Government. Please establish yourself in the gateway communities around the park so that we do not have to build those facilities in the park. Allow an opportunity to create the business and an economy outside the park, and now we are going to pull the rug out from under them. It does not make any sense to me.

Visitor access, multiple use. There is a way of dealing with this. And in fact, the snowmobile industry has stepped forward. They are saying, yes, we understand. Two-stroke engines are smelly and create too much emissions. They now have four-stroke. Have you been there? Have you listened to them? One can stand next to a snowmobile and not even hear it run, and one cannot smell it. They are quiet. They have worked real hard at creating an opportunity to move the snowmobiles around.

Let me tell the Members what we are talking about here. Under our plan, there will only be 50 individual snowmobiles allowed through the north entrance, 250 through the south entrance, 100 in the east entrance, and 550 in the west entrance. That is not many individual snowmobiles. We have done everything we can to try to create the opportunity of a quality involvement in our national park system. This does nothing more than pull that consensus-building process out from under our ability to have a good economy, to have a good park experience, and understand that the park was created for enjoyment. These machines do not create the kind of damage that they are trying to blow smoke up our skirts with by putting this kind of garbage out. It is not true. Vote against this amendment.

Mr. HOLT. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. DICKS. Mr. Chairman, I yield 15 seconds to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentlemen for yielding me this time.

I want to quickly make a comment in reference to the gentleman from Montana (Mr. REHBERG) and praise him for all his efforts to deal with this issue I think in a very comprehensive, competent way.

I come to the floor on this issue from a slightly different perspective. I am from Maryland, not from out West. I have lived and worked in the Rocky Mountains. I have ridden snowmobiles in National Forest in the Rocky Mountains. I have had some experience in the wintertime in pretty cold places, spent the winter of 1966 in a tent 250 miles north of the Arctic Circle in Norwood, a number of experiences.

But what I want to do is make a comparison between the Chesapeake Bay and Yellowstone Park. The Chesapeake Bay is a beautiful estuary. We are working hard to restore it. But the Chesapeake Bay in some sense like Yellowstone is being loved to death by too many people. In the Chesapeake Bay, it is not snowmobiles. It is motorboats.

In the Chesapeake, if we want to bring back the oysters, which are 99 percent less than what they were 100 years ago; if we want to bring the crabs, which are 50 percent of what they were 50 years ago; if we want to bring back the rockfish, they need certain areas to spawn, they need certain areas to survive. And, yes, we can have motorboats in the Chesapeake Bay, but what we are trying to do is to limit those motorboat activities to certain areas where they do not have interaction with spawning areas or critical wildlife habitat.

In the Chesapeake Bay we are looking at this issue, this motorboat human activity issue, with three things: respect, responsibility, and dignity for the bounty of God's creation. And in this issue of snowmobiles in Yellowstone, there are still about I am told, and correct me if I am wrong, in the three-State area, 13,000 miles of access that will not be impacted at all from snowmobiles. What we are talking about here is about 180 miles of snowmobile access right in Yellowstone.

So it is a difference of opinion. I think people on both sides of the issue, the gentleman from Montana, the gentleman from New Jersey, both gentlemen are trying to do what they feel is right for the pristine beauty of certain wonderful places in the United States; and I will tell the Members to vote their conscience on this issue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, the decision to ban snowmobiles from the roads of Yellowstone and Grand Teton National Parks is based on politics, not on facts and not on laws. This rule was published just 2 days after President Bush was sworn into office. Much like the roadless rule, this decision was predetermined and more about getting President Clinton in the extreme environmental hall of fame than establishing good public policy. It was one of many sad last-ditch efforts to polish the tarnished Clinton legacy.

Predetermining the outcome was an obvious violation of the National Environmental Policy Act, or NEPA, and was well-documented in the lawsuit filed by the State of Wyoming. The Babbitt administration and the Clinton administration rushed to force the snowmobile ban, leaving public tours

only to be taken by snowcoaches rather than snowmobiles.

What is a snowcoach? It sounds warm and fuzzy and friendly. A snowcoach is a modified sports utility vehicle, a bus or a van, in which the wheels and the drive line are modified to use a track system similar to those used on old Army tanks. We have one here.

Notice the bison and how apparently the bison are not bothered by interaction with man. And, by the way, the road we are looking at is the same road that snowmobiles would go on. So it is not going to answer the problem that the gentleman from Pennsylvania (Mr. HOEFFEL) mentioned about buffalo going down the road. The roads will still be there.

□ 1900

These vehicles, here is another one, get 2 to 4 miles per gallon; and believe me, I have been on them and they are noisy. They travel the exact same roads snowmobiles and cars do, and their air emissions are worse than the new generations of snowmobiles by far.

I have been in Congress a long time, but this is the first time I have had environmentalists advocate for more SUVs in Yellowstone National Park or any national parks. It is also the first time I have ever heard of environmentalists saying that the use of tank-like vehicles is good for wildlife or the environment.

Let us be honest in this debate. Let us not pretend that preventing the use of snowmobiles will remove all human-wildlife interaction. Bison jams will still happen, just as they do in the summer months, when 1.7 million cars drive through Yellowstone National Park. These bison do not seem overly concerned whether a snowcoach or a snowmobile is in the road.

In Babbitt's rush to illegally force a snowmobile ban through the regulatory process, the air emissions statistics of snowcoaches were actually trumped up to show that they were more environmentally friendly than new generation snowmobiles. In fact, the National Park Service study understated carbon monoxide emissions for snowmobiles by a factor of 50 percent, because they used emission factors for light trucks with wheels on paved roads to calculate potential air-quality impacts, rather than testing the vehicles after converted to track systems and run on a snow-covered road.

Yellowstone National Park was created in 1872, as has been stated before, with the dual purpose of conserving its unique resources and providing a recreation area ''for the benefit and enjoyment of the American people.''

No damage has ever been done to the parks by the 65,000 snowmobiles which enter the parks each winter nor the 1.7 million cars that enter in the summer months on the same roads. Snowmobiles have never caused a violation of our current environmental laws, and air quality will only improve under the guideline advanced by the National Park Service.

The new generation 4-stroke engines are much quieter and cleaner than the older models. They are wildlife friendly, and they allow for an enjoyable trip through the park for all the visitors.

The new plan put forth by the National Park Service provides a good balance for continued snowmobile and snowcoach use, while still preserving the health of our national parks and the wildlife.

Oppose the Holt anti-snowmobiling amendment. And remember, we do not want more SUVs retrofitted to look like tanks driving through our national parks.

Mr. HOLT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in strong support of this amendment by the gentleman from New Jersey. What the bill seeks to do, as many have already stated, is to overturn two comprehensive studies about the harm that snowmobiles do to the park. The fact of the matter is that those decisions were made in an arbitrary fashion. While they identified the least environmentally damaging alternative, they chose not to take it. They chose not to take it because their intent from the very beginning was to overturn the rule and to provide access for the snowmobiles. Not only did they provide access, but they increased the level of access.

The fact of the matter is the National Park Service has made its finding that these impair and harm the parks. They cause harm to the individuals who are working in the park at that time. We ought not to overturn that.

To bring up these coaches from the 1950s is not to deal with the issue in an honest fashion. The fact is that there are new coaches that were on order, they have been put on hold because of the change in the rules, and we ought to protect the parks by bringing people in to enjoy the parks, to see the parks, to experience the parks, but do it in a manner which is environmentally compatible with the best interests of the parks.

That is the fiduciary relationship that the Secretary of the Interior has on behalf of the parks and on behalf of the American people. It is not to introduce this source of pollution in an unlimited fashion.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, as the chairman of the Committee on Small Business, it was my opportunity to hold a field hearing for the purpose of gaining the actual facts as to what would happen economically to the people of West Yellowstone, Montana. Mr. Chairman, 1,100 people in the town would suffer a $33 million hit from the snowmobile ban.

Why would there be such an effect? Yellowstone National Park is the attraction, not a nearby national forest. Some encourage snowmobilers to redirect their enthusiasm for the sport to nearby national forest land. However, most wintertime visitors at Yellowstone who come from other parts of the country could recreate much closer to home, and they choose to come to Yellowstone because of its unique features. The amendment that is offered is similar to if the Park Service still allowed people to visit the Statue of Liberty in New York Harbor, but suspended ferry service because of concern over water quality, forcing people to row, canoe, or swim to Liberty Island and still expect the same number of people to visit the Statue of Liberty.

The production and use of snowmobiles, if you are interested in an economic recovery, is a $7 billion industry in this country. It creates roughly 75,000 jobs. We are struggling with the highest national unemployment rate in nearly a decade, and if this amendment goes through, it will result in thousands of people losing their jobs in the manufacturing sector, including the people that I represent in Rockford, Illinois, who are at 11 percent unemployment because of the huge hit on manufacturing. And I wonder if the people who want to eliminate snowmobiling in West Yellowstone Park think anything about the manufacturing workers who are struggling to keep their jobs, but they keep their jobs making snowmobile parts.

I was there at West Yellowstone Park. I got on one of these machines. In fact, I asked the owner of the machine to turn it on. He said, Congressman, the machine is already on. It was a new 4-stroke machine. Extremely quiet, Mr. Chairman; and there was no smoke. I said, would you turn on a 2-stroke machine, the old snowmobile machine. He turned it on, and the smoke is belching out of there and there is blue smoke, all kinds of noise. That is old technology. That is gone forever. Because the rules say, use the 4-cycle machine because it is whisper quiet.

I rode that snowmobile along with my wife, who is a biologist and who understands the environment. We came within 20 feet of an eagle and he just looked at us. We came within 10 feet of a bison; he just looked at us. And a fox came down the road just looking around. Do my colleagues know what happened? As we were in this trail of snowmobiles, as we got to those beautiful animals, the leader raised his arm, almost in reverence, as to the beautiful environment and the animals that were there so we could see them closely and firsthand.

This is new technology. There is no smoke. There is no noise. These are people who want to go to the park and examine and see nature as opposed to being in those terrible coaches that make all kinds of noise and make all kinds of tracks, and you cannot even

see. In fact, it was very quiet on that snowmobile trail until such time as one of those snowcoaches came along.

But there is more to it than that. It is that the 15 to 20 percent drop in recreation would literally destroy the school system of Vermillion, South Dakota, which is where some of these snowmobiles are made. We have to think about the economic impact of such a harsh decision just to ban something. It would put Vermillion, South Dakota, in tremendous distress. And all across the Nation, communities that depend upon taxes from the snowmobile industry would be tremendously impacted. That is what this is about.

Mr. Chairman, what this is about is a reasonable rule that the National Park Service developed for the purpose of allowing people of this country and people from around the world to come and visit the natural and pristine beauty of West Yellowstone Park. This is a ''no'' vote. It is a ''no'' vote because it will keep the people employed in West Yellowstone. It is a ''no'' vote because it will keep many people employed in the congressional district that I represent.

Mr. DICKS. Mr. Chairman, I yield my remaining time to the gentleman from New Jersey (Mr. HOLT), so that he may control and yield that time.

Mr. HOLT. Mr. Chairman, I reserve my remaining time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Chairman, I want to address the issue about what the Holt-Rahall amendment is all about, because I do not believe it is about diminishing wildlife.

As the chart shows here, since the National Park Service began grooming trails in the 1960s, the number of elk and bison have exploded, reaching the park's natural carrying capacity in the mid-1990s and remaining there ever since then. The park animals are breeding like rabbits. They are now leaving the park in search for food. There is no documented peer review science which indicates that snowmobiles are placing any species in Yellowstone at risk.

The Holt amendment is not about wildlife, and it is not about noise. The new 4-stroke machines that will be required under the National Park Service's record of decision are extremely quiet. The snowcoaches which would replace them under the Holt amendment are orders of magnitude louder and would have a noise impact on 17,000 more acres than would be the case under the National Park Service's ROD.

For those who have not had the opportunity to ride in a snowcoach, as the gentlewoman from Wyoming (Mrs. CUBAN) testified, let me assure my colleagues that it is not a pleasant experience. It is a tank, it is loud, it is noisy, and it is uncomfortable. If you ask them, most of those who ride in a snowcoach will tell you that they will not do it again.

The Holt amendment is not about lowering noise, and neither is it about lessening emissions. Compared to machines made just 4 years ago, today's snowmobiles are much cleaner, with particulate matter emissions falling over 95 percent in the past 4 years. In fact, there is no lower particulate matter benefit from banning snowmobiles from Yellowstone, as the chart suggests here.

According to the Southwest Research Institute, the SRI, a nationally recognized testing laboratory that conducts emissions tests for the California Air Resources Board, emissions from snowcoaches are six times as high as that of snowmobiles. With an average occupant load of three to four passengers on a per-occupant basis, emissions from snowcoaches exceed that of new technology snowmobiles. Even assuming a fully loaded snowcoach, emissions are likely to occur under the Holt amendment that are no better than that of six snowmobiles.

The Holt amendment is not about emissions, and neither is it about public health. Even during the days of dirty 2-stroke machines, there has never been a Clean Air Act violation in Yellowstone. With the introduction of new technology machines this winter, the issue of public health becomes a red herring. Based on the EPA's analysis, in the worst-case analysis of the air and the most impacted area of the park, the air in Yellowstone under the ROD will be 10 times cleaner than OSHA standards, 10 times cleaner than the requirements for our workers.

The Holt amendment is not about public health. If the science clearly indicates that the Holt amendment does not result in improvements in noise, emissions, wildlife propagation, or public health, then what is the Holt amendment about?

Mr. Chairman, the Holt amendment is about restricting choice, and it is about limiting public access to our national parks only to those who are able-bodied enough to hike or cross-country ski into Yellowstone National Park during the winter months.

Mr. Chairman, I urge a ''no'' vote on this amendment.

Mr. HOLT. Mr. Chairman, may I ask the Chair the time remaining.

The CHAIRMAN. The gentleman from New Jersey (Mr. HOLT) has 5¾ minutes remaining, after assuming the time of the gentleman from Washington (Mr. DICKS); and the gentleman from North Carolina (Mr. TAYLOR) has 6½ minutes remaining.

Mr. HOLT. Mr. Chairman, I yield 2½ minutes to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the Committee on Appropriations Subcommittee on Interior, cosponsor of this amendment.

Mr. RAHALL. Mr. Chairman, I thank the gentleman from New Jersey for yielding me this time.

Mr. Chairman, the fight over the use of snowmobiles in Yellowstone National Park has raged on for more than a decade. In the most recent round, the National Park Service found that these machines impair park resources, a finding which required a ban on this activity.

□ 1915

Only days after taking office, President Bush shelved the ban and requested a new environmental assessment of the issue. So 2 years and 2.4 million tax dollars later, the new study came out; and, lo and behold, that study reached the same conclusions. Snowmobiles are bad for Yellowstone.

Not to be deterred by the facts, however, the Bush administration has pursued not a ban but rather increased snowmobile use in the park and is set to issue new rules to implement this policy any day now.

The fact that the administration is allowing public natural resources to be abused of course is not news. Virtually every environmental policy developed by this administration is crafted to benefit one industry or another. However, the Bush snowmobile policy is particularly devastating because it threatens not only Yellowstone's bison and bald eagles but also the entire process of environmental regulation.

To wake up one morning in the Bush White House and decide to toss this policy out the window is not just wrong, it is dangerous. Determining how best to protect the crown jewel of our National Park System is not sandlot football. You just cannot call for a ''do over'' if you do not like the way the game turned out.

Either 78 decibels worth of noise harms wildlife in the park or it does not. Either discharging gasoline and motor oil directly into ground water harms the park or it does not.

These are fundamental scientific questions that were answered through a careful and standardized policy-making process twice, twice. Deciding to change the answers or ignore them will have devastating consequences. If the Bush snowmobile policy stands, it threatens not only the park and its resources but also the public's confidence in our park system, our park service and our entire system of environmental protections.

Like the gentleman from New Jersey (Mr. HOLT) and several of our colleagues, I have visited Yellowstone. During the winter, I have experienced firsthand the devastating effect snowmobiles have on the park. I did not like what I smelled. I did not like what I heard. I did not like what I saw. Indeed, that evening I was having dreams, rather, I should say nightmares, of the Daytona Speedway as I went to bed.

If the administration is not willing to uphold and defend the law, those of us in Congress who love Yellowstone must act. We must act to preserve Yellowstone but also to preserve the faith that the American people have in our stewardship of the national parks. This is not anti-snowmobile. This is pro-Yellowstone. It is pro-protection for one of

the crown jewels of our American park system. I urge support of the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time for closing.

Mr. HOLT. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS), the co-sponsor of this amendment.

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

Mr. SHAYS. Mr. Chairman, I rise in support of this amendment. I believe protecting and preserving our environment is one of the most important duties we have as Members of Congress.

Our predecessors understood the preservation of our natural resources was a moral and patriotic obligation. It was their vision and foresight that led to the establishment of the Yellowstone National Park in 1872 owned by all Americans. The creation of our first national park was a farsighted guarantee each generation would inherent a healthy and vibrant Yellowstone.

But, today, the park's health is in jeopardy. On peak days this winter $1,600 snowmobiles entered Yellowstone, generating tremendous noise and pollution.

POINT OF ORDER

Mrs. CUBIN. Mr. Chairman, point of order.

Mr. Chairman, I believe there is a rule against allowing the pictures down there of the person at the stock car races in West Virginia staying on the floor.

The CHAIRMAN. The gentlewoman is correct. Exhibits may not remain on static display in the well.

It is now removed.

The gentleman from Connecticut (Mr. SHAYS) may resume.

Mr. SHAYS. Mr. Chairman, the harm caused by snowmobiles used in Yellowstone have been scientifically proven, studied further and proven yet again. Over the past decade the Park Service, the Environmental Protection Agency and independent experts have conducted extensive studies and always reach the same conclusion: A phaseout of snowmobiles is necessary to restore Yellowstone's health. I hope we take action today to do that.

Mr. Chairman, I rise in support of the Holt-Shays-Rahall-Johnson amendment to protect Yellowstone and Grand Tetons National Parks.

I believe protecting and preserving our environment is one of the most important duties we have as members of Congress. We simply won't have a world to live in if we continue our neglectful ways.

Our predecessors understood the preservation of our natural resources was a moral and patriotic obligation. It was their vision and foresight that led to the establishment of Yellowstone National Park in 1872.

The creation of our first national park was a far-sighted guarantee each new generation would inherit a healthy and vibrant Yellowstone, a park complete with wildlife, majestic vistas and awe-inspiring geysers.

But, today, the park's health is in jeopardy. On peak days this winter, 1,600 snowmobiles entered Yellowstone generating tremendous noise and pollution.

As a result, our park rangers are forced to wear respirators to combat the noxious cloud of blue smoke in which they work and park visitors are rarely free from the roar of snowmobiles.

And even after studying the latest generation of snowmobiles, the Environmental Protection Agency still found that a phase-out of these machines "would provide the best available protection for human health, wildlife, air quality, soundscapes, visibility and visitor experiences."

The harm caused by snowmobile use in Yellowstone has been scientifically proven, studies further, and proven yet again.

Over the past decade, the Park Service, the Environmental Protection Agency, and independent experts have conducted extensive studies and always reached the same conclusion: a phase-out of snowmobiles is necessary to restore Yellowstone's health.

By a 4-to-1 margin, Americans overwhelmingly support protecting Yellowstone by replacing snowmobile use with park-friendly, people-friendly snowcoaches.

This amendment does not restrict winter access to the Park. Rather, it requires visitors to travel in a manner that ensures the integrity of Yellowstone's precious natural resources.

This amendment seeks no more and no less than doing for Yellowstone what the National Park Service, the Environmental Protection Agency and the American people believe is necessary to protect the park.

Let's not waste another minute or another dollar of taxpayer money further studying this issue. Let's put into law a scientifically sound, environmentally safe and fiscally responsible decision that protects our nation's first treasure.

I urge my colleagues to support the Holt-Shays-Rahall-Johnson amendment to protect Yellowstone National Park.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) has indicated he has reserved his time to close.

The gentleman from New Jersey (Mr. HOLT) has 2¼ minutes.

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

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

Mr. Chairman, I restore this picture of the park ranger with the respirator to make the point that this is not a stunt. The Park Service actually issues respirators to its rangers. It is that bad, and they use them.

Now to refer to a couple of points that were made with regard to the economic impact. That was part of these studies, and the Park Service included in the study the economic impact of this phaseout. Now it is worth noting that a few years ago, in 1995–1996, when west entrance visitations decreased by 13 percent over the previous year, resort tax collection increased by almost 10 percent. The point is that preservation of the environment is in the interest of the economy. The National Park Service has determined through extensive studies that phasing out snowmobiles and converting to snowcoaches would have a less than 1 percent effect on the five county economy, and many business owners are saying the protection of the Yellowstone is vital to their economic future.

Mr. Chairman, this has been studied over and over again. Every point that the opponents have raised here has been addressed multiple times. It is worth pointing out what the locals, the local people are saying. Let me refer to a couple of newspapers from Montana.

The Great Falls Tribune says, "Sometimes politics replaces common sense, and it is happening now at Yellowstone Park. It is literally a dirty, stinking shame."

The Helena Independent Record says, "There remains something inherently out of kilter about letting snowmobiles roar through the pristine winter silence. It is not as if the West lacks places outside of Yellowstone."

The Casper, Wyoming, Star Tribune says, "Given the scientific evidence and the data of the degrading effects of snowmobiles, allowing their use in the parks violates the mission given to the National Park Service by Congress to manage the parks in such a manner and by such means as will leave them unimpaired for the enjoyment of current and future generations."

That is what our amendment seeks to do, Mr. Chairman.

MAY 20, 2003.

Hon. GALE NORTON,
U.S. Department of the Interior, Washington, DC.

DEAR SECRETARY NORTON: It has been our privilege collectively to serve nine presidents as stewards of America's national parks. For each of us, this experience underscored the pride and joy that Americans feel for their common heritage and their desire to have national parks vigorously preserved for their grandchildren. In this spirit, we write to you about a final decision that is before you regarding snowmobile use in Yellowstone National Park. There can be no doubt that this decision is a defining moment for America's national parks.

The choice over snowmobile use in Yellowstone is a choice between upholding the founding principle of our national parks—stewardship on behalf of all visitors and future generations—or catering to a special interest in a manner that would damage Yellowstone's resources and threaten public health. The latter choice would set an entirely new course for America's national parks.

It is our deep hope as this issue now moves to your final review that you will ensure the highest protection for Yellowstone. To do otherwise would be a radical departure from the Interior Department's stewardship mission. Yellowstone is an irreplaceable national treasure, a symbol of our country, and a gathering place where Americans feel justifiably proud that our country led the world by establishing its first national park. A decision made on behalf of the snowmobile industry and not for Yellowstone's environment and the general public would be wrong.

On many occasions, President Bush has made laudable pledges that members of his administration will always be fully accountable to the public. In keeping with this, we are mindful of your assertions regarding snowmobile use in Yellowstone; they are as

important today as they were when you made them.

Two years ago, the Interior Department directed that a supplemental environmental study be undertaken so that additional information and wider public involvement could be brought to bear in making the best possible decision about Yellowstone's future. The Department asserted that this information would be essential to a sound decision.

On the basis of the new data, the National Park Service verified that phasing out snowmobile use would provide the best protection of Yellowstone's environment and the health of employees and visitors. The study concluded that ending snowmobile use while providing visitors access on snowcoaches:

''. . . best preserves the unique historic, cultural, and natural resources associated with Yellowstone and Grand Teton National Parks . . .'' and would ''. . . attain the widest range of beneficial uses of the environment without degradation and risk of health and safety.''—Final supplemental Environmental Impact Statement, February 2003.

We hope that you will now embrace the central conclusion of a study that your Department asserted to the American people would shape a better decision. To ignore its conclusion would clearly be to accept avoidable risks to health and safety, a narrower range of beneficial uses, and weaker preservation of Yellowstone and Grand Teton National Parks.

Your Department also called for wider public involvement and the call was unquestionably answered. More Americans submitted comments to the National Park Service than the agency has received on any singe issue in its 87-year history. While the volume of comment was unprecedented, its reflection of public opinion was consistent with previous comment periods over the past several years. By a 4-to-1 margin, Americans urged you to give Yellowstone the best possible protection and said they believe—as the National Park Service has confirmed—that this means replacing snowmobiles with snowcoaches. We hope that after calling for public comment, you will heed, not ignore, what the public has told you.

Clearly we are in economic and budgetary times that require us to be scrupulous with every tax dollar. This is another reason why we urge you to adopt a phaseout of snowmobile use. Your study demonstrated that continuing snowmobile use in Yellowstone would result not only in higher levels of air and noise pollution, harm to wildlife, and risks for employee and visitor health; it would also cost taxpayers $1.3 million more each year than replacing snowmobiles with snowcoaches. Surely you will not ask the American taxpayer to pay more for less protection, an annual transfer payment to the snowmobile industry subsidizing ongoing damage to Yellowstone.

We would be remiss if we did not emphasize one final point. Yellowstone's wintertime struggles with pollution, noise, and traffic congestion fit into a larger context. Throughout the National Park System, we have been striving for years to develop more efficient transportation systems so that the visitor's national park experience can be defined by each park's special attributes and not by negative aspects of traffic that most visitors hope to leave at home.

Zion National Park is an excellent example of the success and popularity of this strategy. Where automobile traffic had clogged Zion's once quiet canyons and the visitor's experience was being defined by noise, exhaust, and frustrations finding parking, the Park Service substituted shuttle bus access. This change boosted gateway business, earned accolades from visitors who today are enjoying a better park experience, and reduced impacts to Zion's resources.

In Yellowstone, the supplemental study that you requested has demonstrated that replacing snowmobiles with an efficient system of snowcoaches would bring similar benefits. In fact, with wildlife under stress from Yellowstone's deep snows and frigid temperatures, and employees and visitors breathing snowmobile fumes often trapped by the park's inversions, the benefits of reducing traffic and emissions would be even greater than they have been in Zion.

In summary, we join as former public stewards of America's national parks in urging you to place Yellowstone National Park back on a path that gives the highest priority to protecting its natural qualities for today's visitors and future generations. To do otherwise would ignore sound science, the public will, and responsibility to taxpayers. And worst of all, it would erode a precious gift that this country gave itself and the world, a gift that will only become more valuable to our nation as our population grows.

Sincerely,

George B. Hartzog, Jr., National Park Service Director (1964–1972); National P. Reed, Assistant Secretary of the Interior (1971–1976); Russell E. Dickenson, National Park Service Director (1980–1985); Denis P. Galvin, National Park Service Deputy Director (1985–1989 and 1998–2002); Roger G. Kennedy, National Park Service Director (1993–1997); Robert Stanton, National Park Service Director (1997–2001); Michael V. Finley, Yellowstone National Park Superintendent (1994–2001); Robert D. Barbee, Yellowstone National Park Superintendent (1983–1994).

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. POMBO).

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

One of the previous speakers came to the floor and gave a lengthy explanation of this amendment. One of the things that he said was this is not about snowmobiles, and I think it is probably the only thing that he said that I agreed with because I do not believe that this amendment is about snowmobiles.

Over the last several years a number of concerns have been raised over snowmobiles in Yellowstone Park. They included visitor enjoyment, visitor and employee health, safety, air quality, the natural landscape, wildlife. I believe those were very legitimate concerns that were raised. I believe that in the management of this park, that that had gotten out of hand and there were legitimate concerns that had been raised.

The administration responded to that. The industry responded to that. The industry developed quieter, safer, less noisy machines in order to meet the standards. The administration adopted policies which restrict where the snowmobiles can go. It was a balanced approach to managing one of our most important public assets. Striving to reach that balance is where we really should be in terms of policy here.

Unfortunately, there are people who want to take the extreme and say we are just going do ban them altogether. Well, if you are going to ban 65,000 snowmobiles who stay on the public roads in Yellowstone, what about the one and a half million cars? Is that next? Because that is where we are going. When you come to our public assets, our public parks, especially the crown jewels like Yellowstone, it is important that we ensure that the public has access to those crown jewels and that we have the abilities as citizens of this country to enjoy our public lands. And in order to do that we have to reach a balance.

No, we cannot pretend that allowing people into Yellowstone Park has no impact on the environment. It does. No matter how they get there they have an impact on the environment. If you were successful and you ban snowmobiles and ultimately ban cars from Yellowstone Park but you let people walk in, that would have an impact on the environment.

So how do we ensure the greatest number of people have an opportunity to see this park and enjoy it both in the summer and the wintertime with having the least possible impact on the environment? The way that we do that is by adopting a balanced rule, a balanced approach. You can take snowmobiles in, but they have to be quieter, they have to be less polluting, and we are going to restrict you to the roads. And not only that, we will require that you have a guide with you when go into the park, trying to address all of the concerns that have been brought up.

A lot of the debates that you have heard here was about the way it used to be, not about the new rules that were being adopted. This is a balanced approach between having the least possible impact we can on our environment and at the same time allowing public access. That is a reasonable, balanced approach. You cannot continue to defend the extreme. You cannot continue to defend those who want people off public lands. You cannot continue to do that. But that is what we have had over and over today.

I oppose this amendment. I think that the administration has done a fantastic job of listening to people and trying to respond to their concerns. I think it is extremely important that we allow this rule to go forward and we allow the administration to go forward with what has proven to be a very balanced approach and oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken, and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. HOLT) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by the gentleman from California (Mr. GALLEGLY); amendment No. 4 by the gentleman from West Virginia (Mr. RAHALL); amendment No. 9 by the gentleman from New Mexico (Mr. UDALL); and amendment No. 2 by the gentleman from New Jersey (Mr. HOLT).

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MR. GALLEGLY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GALLEGLY) 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. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 15-minute vote followed by three 5-minute votes.

The vote was taken by electronic device, and there were—ayes 163, noes 255, not voting 16, as follows:

[Roll No. 382]

AYES—163

Ackerman
Andrews
Bachus
Baird
Baldwin
Ballance
Bartlett (MD)
Becerra
Bell
Bereuter
Bilirakis
Bishop (NY)
Blumenauer
Bono
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Castle
Clay
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doyle
Ehlers
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Gallegly
Gonzalez
Goss
Greenwood
Grijalva
Harman
Hastings (FL)
Hefley
Hinchey
Hoeffel
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (NC)
Kaptur
Kennedy (RI)
Kilpatrick
Kirk
Kleczka
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Linder
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McNulty
Meehan
Meeks (NY)
Menendez
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Pryce (OH)
Regula
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Scott (VA)
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Sweeney
Tauscher
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Whitfield
Wolf
Woolsey
Wu
Young (FL)

NOES—255

Abercrombie
Aderholt
Akin
Alexander
Allen
Baca
Baker
Ballenger
Barrett (SC)
Bass
Beauprez
Berry
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonner
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carson (OK)
Case
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Etheridge
Everett
Feeney
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Franks (AZ)
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Graves
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Isakson
Issa
Istook
Jenkins
John
Johnson (IL)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
Matheson
McCotter
McGovern
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Saxton
Schrock
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (MI)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wynn
Young (AK)

NOT VOTING—16

Barton (TX)
Berkley
Berman
Bonilla
Burgess
Carter
Ferguson
Frost
Gephardt
Granger
Janklow
Jefferson
Johnson, Sam
Millender-McDonald
Peterson (PA)
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1951

Messrs. SOUDER, SANDLIN, MORAN of Kansas, REYES, and LINCOLN DIAZ-BALART of Florida changed their vote from ''aye'' to ''no.''

Mrs. NAPOLITANO, Ms. VELÁZQUEZ, and Messrs. PASCRELL, GONZALEZ, FARR, DOOLEY of California, LARSEN of Washington, BROWN of Ohio, and CONYERS changed their vote from ''no'' to ''aye.''

Ms. MCCOLLUM changed her vote from ''present'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LINCOLN DIAZ-BALART. Mr. Chairman, on rollcall No. 382, due to a technical difficulty, my vote was recorded as a "no." It should have been an "aye."

AMENDMENT NO. 4 OFFERED BY MR. RAHALL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) 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. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 220, not voting 15, as follows:

[Roll No. 383]

AYES—199

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Bartlett (MD)
Bass
Becerra
Bell
Bishop (NY)
Blumenauer
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Ehlers
Emanuel
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Frost
Gerlach
Gonzalez
Goode
Gordon
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey

Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Platts
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—220

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Beauprez
Bereuter
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonner
Bono
Boozman
Boswell
Boyd
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carson (OK)
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (TN)
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
Everett
Feeney
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Marshall
Matheson
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Saxton
Schrock
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Barton (TX)
Berkley
Berman
Bonilla
Burgess
Carter
Davis, Jo Ann
Ferguson
Gephardt
Granger
Janklow
Jefferson
Johnson, Sam
Millender-McDonald
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 2000

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 2000

AMENDMENT NO. 9 OFFERED BY MR. UDALL OF NEW MEXICO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. UDALL) 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. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 198, noes 222, not voting 14, as follows:

[Roll No. 384]

AYES—198

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Ballance
Bass
Becerra
Bell
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Case
Castle
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Ehlers
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gerlach
Gilchrest
Gonzalez
Gordon
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—222

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Chabot
Chocola
Coble
Cole
Collins
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Etheridge
Everett
Feeney
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Goode
Goodlatte
Goss
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri

Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Barton (TX)
Bereuter
Berkley
Berman
Bonilla
Burgess
Carter
Ferguson
Gephardt
Granger
Janklow
Jefferson
Johnson, Sam
Millender-McDonald

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2009

Mrs. NORTHUP changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HOLT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) 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. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 210, noes 210, not voting 14, as follows:

[Roll No. 385]

AYES—210

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Ballance
Becerra
Bell
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chabot
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Ehlers
Emanuel
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gilchrest
Gillmor
Gonzalez
Gordon
Goss
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Visclosky
Walsh
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—210

Aderholt
Akin
Alexander
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Bereuter
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonner
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Emerson
Everett
Feeney
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gingrey
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Jones (NC)
Keller
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sanders
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Velazquez
Vitter
Walden (OR)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Barton (TX)
Berkley
Berman
Bonilla
Burgess
Carter
Ferguson
Gephardt
Granger
Janklow
Jefferson
Johnson, Sam
Millender-McDonald
Souder

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2017

Mr. GIBBONS and Mr. PORTMAN changed their vote from ''aye'' to ''no.''

Mr. ROSS and Mr. TURNER of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. JOHN

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

The CHAIRMAN pro tempore (Mr. SHIMKUS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. JOHN:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to prosecute any individual for taking migratory birds as described in 20.21(i)(1)(i) of title 50, Code of Federal Regulations, on or over land or water where seeds or grains have been scattered solely as the result of manipulated regrowth of a harvested rice crop.

The CHAIRMAN pro tempore. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. JOHN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. JOHN).

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

First, let me thank Ranking Member DICKS and also Chairman TAYLOR for allowing me to offer this amendment. I also want to thank the United States Fish and Wildlife Service for their ongoing cooperation regarding a very important issue to many of my constituents in Louisiana and elsewhere around the country.

Growing up in the coastal marshes of Louisiana, also known as the Sportsman's Paradise, I am a very avid hunter and fisherman. It is a way of life for me and many other people in

the marshes of Louisiana. I am also a very active member of the Congressional Sportsmen's Caucus. Let me begin by clarifying that I adamantly oppose the practice of illegal waterfowl baiting. It is in the best interest of sportsmen, farmers and conservationists to maintain and support a healthy population of our Nation's waterfowl all across the Nation.

At the same time, however, we must also be careful to acknowledge and properly address shortcomings in the current interpretation and sometimes subjective nature of existing Federal regulations. Any misinterpretation of these regulations unintentionally prohibits legal hunting methods. This misunderstanding also prohibits agricultural producers from implementing normal agricultural practices that are essential in the preparation of next year's crops. These practices are in no way intended to bait waterfowl or undermine the Federal regulations.

For the past several years, hunters, farmers and landowners in Louisiana have experienced serious problems determining whether or not what they are doing is abiding by the intent of Federal law. As a result of the unique nature of the growing season in Louisiana and also the unique agricultural process of growing rice, there is a disagreement over what constitutes a harvested rice crop and over what constitutes normal agricultural practices under this Federal regulation.

The gray area that exists in Federal waterfowl baiting regulations may allow for the prosecution of law-abiding rice producers, landowners and hunters under certain conditions. In fact, this past hunting season was an excellent example of the confusion that this regulation causes. Rice producers went about their business of draining and preparing their fields for the winter crop, something we call in Louisiana water buffaloing. It is a practice that is used every year to smooth out the ruts and also to flatten the rice stubble that has been harvested. However, unbeknownst to some of the farmers, some of their normal agricultural practices, this water buffaloing, were actually considered by the U.S. Fish and Wildlife Service game agents to be illegal according to the current Federal regulations. As a result, 2 days before the duck season opened in Louisiana, rumors had spread rampantly all over my district, and I represent the town of Gueydan which is known as the Duck Capital of the World, but 2 days before, the rumors were rampant whether any of the rice fields that were buffaloed by these farmers, whether these hunters were going to be prosecuted and ticketed for hunting over baited fields. Many of the hunters responded by canceling their hunts, their leases; and many of the farmers were needlessly delayed in preparing their rice fields for next year's crop.

Hunting waterfowl in Louisiana, Mr. Chairman, is a very important industry. It is a way of life, it is very important for the local economy, and it is a very popular pastime for the people that visit the Sportsman's Paradise. As things stand right now, Mr. Chairman, many hunters are being intimidated out of leasing lands over this regulation about water buffaloing, even though there is an extremely valid argument that this practice is legal under Federal regulations. When these hunters cancel their leases, Mr. Chairman, not only do they needlessly miss out on a great opportunity of hunting ducks in south Louisiana, but they also take money out of the rural economies of south Louisiana that desperately need the support of a stable hunting industry. This can result in especially tough times for our rice farmers. As we all know, the past few years with the drought, the low prices have really cost the rice farmers a lot.

That being said, I want to withdraw my amendment because of the assurances that I have with the U.S. Fish and Wildlife and also with the staffs on both sides to work out this regulation. But this is an important amendment. I will continue to work towards that end. I want to thank the ranking member and the chairman.

The CHAIRMAN pro tempore. The gentleman's amendment is withdrawn.

AMENDMENT NO. 16 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. 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. 16 offered by Mr. KING of Iowa:

At the end of the bill (before the short title), add the following:

SEC. ___. MISSOURI RIVER MANAGEMENT.

In order for the Corps of Engineers to select revisions to the Missouri River Master Water Control Manual that serve and balance the diverse interests of all river uses, including electric generation hydropower, flood control, navigation, recreation, and environmental protection, and in order to manage those uses under the Annual Operating Plan for the Missouri River, during the formal consultations under the Endangered Species Act of 1973 between the Corps of Engineers and the United States Fish and Wildlife Service regarding a new biological assessment for the Missouri River Master Control Manual, none of the funds made available by this Act shall be used to subject management of the Missouri River to the imposition of any regulatory action under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The CHAIRMAN pro tempore. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I yield myself 1 minute.

We have an issue before us here in this Congress. Back in 1952, there was a large flood in the Missouri River that wiped out much of the bottomland and the farms and damaged our cities, Sioux City, Council Bluffs, Omaha, all the way down through. The Pick-Sloan program was established subsequent to that by the United States Congress for these purposes: first, flood control; second, power generation; third, agriculture production; and, fourth, barge traffic. Nothing in the record says it is set aside so that we can accommodate two birds and a fish which enter into this fray.

About 10 years ago, actually it was in October of 1993, I came out here to Washington to a Midwest flood reconstruction and cleanup conference subsequent to our 1993 devastating flood. And there, Molly Beatty, the director of Fish and Wildlife, said, ''Agriculture looks upon this flood as an economic disaster. Frankly, we here at Fish and Wildlife look upon it as habitat rehabilitation.'' That is the day I learned the names of the least tern, the piping plover, and the pallid sturgeon; and that policy is manifested today.

Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I rise in support of the King-Terry amendment. The long-term effects of reduced water flows on the Missouri River are very serious. In particular, power plants along the river rely on an adequate supply of water to operate, mostly for cooling purposes.

Nebraska's two largest providers of electric power, Omaha Public Power and Nebraska Public Power districts, are strongly opposed to any flow changes to the Corps' 2003 operating plan, and for good reason. Last year, a total of 99 percent of the public power supplied in my district was dependent upon two plants that are dependent upon the Missouri River waters. Reduced flows could cost Nebraska and Iowa power plants tens of millions of dollars and cost the constituents in my district who would have to absorb these costs. Furthermore, drastically reduced river flows could make it nearly impossible for power producers along the river to comply with Federal water laws. Adequate river flows are also necessary for other essential services along the river.

Mr. Chairman, I rise today as a cosponsor of the King-Terry amendment. We offer this legislation to bring some clarity to a confusing legal situation regarding regulation of the Missouri River. This is an important issue for Nebraska and other Missouri River Basin states. Unfortunately, it is also an issue that has pitted region against region, state against state, interest against interest.

Last weekend, a U.S. District Court judge here in Washington, D.C., ordered the U.S. Army Corps of Engineers to reduce the flow of the Missouri River in order to protect three endangered species—the least tern, piping plover and pallid sturgeon. When the Justice department asked the judge for a two-week delay on the order, so that barges could be moved off the river, the request was denied.

Since then, the Corps has determined that the D.C. district court decision is in direct conflict with a June ruling by the Eight Circuit

Court of Appeals, which ordered the Corps to maintain sufficient Missouri River flows for navigation and power generation. The Corps has also stated that its 2003 management plan is based on sound scientific and legal grounds, and has not resulted in any loss of least tern or piping plover this year. As a result, the Corps will not reduce the river's flow.

Corps officials say that reduced flows would have stranded at least 10 barges, including one near Omaha filled with 1,300 tons of fertilizer. Stranded barges pose a serious safety concern, since they could drift downstream, destroying piers, bridge supports and other infrastructure. Worse, they could spill their contents into the river.

The long-term effects of reduced flows are just as serious. In particular, power plants along the river rely on an adequate supply of water to operate—mostly for cooling purposes. Nebraska's two largest providers of electric power—Omaha Public Power and Nebraska Public Power districts—are strongly opposed to any flow changes to the Corps' 2003 Operating Plan. And for good reason. Last year, a total of 99 percent of Omaha Public Power District's generation came from Missouri River-based facilities. Nebraskans depend on these plants for reliable, low-cost electricity.

Reduced flows could cost Nebraska and Iowa power plants tens of millions of dollars. These costs would be directly passed to consumers, as downstream states would be forced to buy out-of-state electricity. Furthermore, drastically reduced river flows could make it nearly impossible for power producers along the river to comply with federal water laws.

Adequate river flows are also necessary for other essential services for river communities—including clean drinking water, proper sewage treatment, and industrial uses. I want to note that my hometown of Omaha has committed millions of dollars to new development on its riverfront. Reduced flows would dry up marinas and leave recreational boaters grounded. A vibrant, flowing river is vital for cities like Omaha and Council Bluffs, as well as every other community along the river.

The Bush Administration has announced that the Corps and the U.S. Fish and Wildlife Service will begin formal consultation next week, as they work on a new Biological Assessment under the Endangered Species Act. In the meantime, constituents in my district, and those of many of my colleagues up and down the Missouri River, need some assurances. The amendment that Mr. King and I together have offered is a temporary provision to ensure the consideration of all interests—including electrical generation, agriculture, water quality, transportation, recreation, and the environment. The legislation would also remove the legal uncertainty created by conflicting court orders, while the Corps and the Fish & Wildlife Service address the important issues.

The Administration has decided to commit an additional $42 million to help restore the Missouri River's ecosystem. I urge the House and our appropriators to work with the Administration, to ensure adequate resources are provided for this priority.

I support the basic objectives of the Endangered Species Act. But it was never intended to overshadow each and every human interest. A balanced approach to managing the Missouri River can be achieved. Rushing to satisfy special interests—without considering all the economic and public safety consequences—is neither responsible nor fair to the taxpayers or those whose livelihoods depend on the river.

Mr. Chairman, the river can be managed in a way that protects wildlife while also promoting the economy of the Midwest and the Plains states. That is the point of our amendment.

I thank the Gentleman from Iowa for yielding.

Mr. REHBERG. Mr. Chairman, I wish to claim the time in opposition.

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

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

I do not have a lot of love for the Endangered Species Act. I think that is well known within this Congress. I served on the Endangered Species Act reform committee. I think there are flaws. There are problems. But the difficulty is this is not the way to make changes within the system.

□ 2030

We had a hearing in Billings, Montana, not long ago with the general from the Army Corps of Engineers at which time we said, when are you going to get off the dime and do your job? We have been waiting for 13 years for you to put the master plan back in place. You were supposed to have done it 13 years ago. You have not to this time.

There are problems, and he told us at any given time there are lawsuits being filed by one State or another. At any given time 11 States care and there is a lawsuit ongoing.

I wish the gentleman from South Dakota (Mr. JANKLOW) was here. He was excused for health reasons, but I know I can speak for him. Because between his time when he was governor and governor, he was the attorney filing suit against the Federal Government because they had not gotten the master plan done.

We cannot just ignore recreation upstate, we cannot just ignore the Endangered Species Act, and that is what this amendment does. So while I am willing to work with anybody in this Chamber to change the Endangered Species Act to make it make more sense, they cannot just ignore the judge's ruling of last week saying that there are three species that are endangered. We can, in fact, save those species. We would like to help in Montana. We have got the reservoir to do it, but let us have a master plan. We tell the Corps of Engineers, get their job done. We would not need amendments like this if we had it in place.

We do not need this amendment, and I ask Members to oppose it.

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

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, I rise in support of the King amendment.

Actually, there are two conflicting rulings right now that govern flows, and so it is not just one. The idea here is that we want high flows in the river in the spring, which will flood thousands of acres of farmland, and very low flows in the summer, which prevent any kind of navigation. The reason to do this is so the piping plover will build their nests high up on the banks of the river and will not get flooded out.

The best way to handle this is to manually move the nests up the bank. They do not have to flood thousands of acres. They do not have to shut off the barge traffic. That is the simple way. It is the logical way to do it. And yet we are trying to mandate this thing by managing the river all because the piping plover and the least tern are endangered species or threatened species.

So we think that this whole thing can be fixed, and we support the amendment.

Mr. REHBERG. Mr. Chairman, how much time did I have to begin with in opposition? Was it 5 minutes?

The CHAIRMAN pro tempore (Mr. SHIMKUS). The gentleman has 5 minutes in opposition and has 3 minutes remaining.

Mr. REHBERG. Mr. Chairman, I yield myself 1 minute.

I believe there is going to be other opposition. They asked for time. They do not seem to be in the Chamber, so I will just take 1 more minute of time.

I do not deny that there are problems that need to be fixed. This is not the mechanism to do it.

I have been to Nebraska helping my colleague deal with the endangered species issue. I agree with him on the endangered species issue. The problem is we cannot ignore the endangered species at this time until such time as we make the changes.

Again, I call upon the Corps of Engineers to please get the master plan in place. Please let us end the litigation that continues. Let us get together, establish a consensus, work out a solution that can deal with barge traffic and recreation and the Endangered Species Act and all things that are entailed with the management of the Missouri River. But we cannot do it this way.

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

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES).

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

I rise in strong support of the King amendment. This is a very timely amendment as I held a small business hearing today in my subcommittee dealing with the Endangered Species Act and the problems arising from it.

When found in a recent court ruling, once again that ruling pushes common sense aside in favor of alleged endangered species headed toward extinction, and I refuse to sit by and watch

judges like those who wish to ban God from our Pledge of Allegiance push farmers and small businesses around. If we do nothing, we are soon going to be adding the American farmer to the list of endangered species.

This amendment inserts common sense where it is needed. Our courts act recklessly when they continue to place the concerns of animals and plants ahead of farmers and small businesses. I am taking the battle for common sense directly to the Endangered Species Act, and I welcome the gentleman from Iowa's (Mr. KING) efforts to put common sense into the management of the Missouri River.

Mr. REHBERG. Mr. Chairman, I continue to reserve the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Montana (Mr. REHBERG) has 2 minutes remaining. The gentleman from Iowa (Mr. KING) has 1 minute remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself 1 minute to speak to that issue.

Following the gentleman from Missouri (Mr. GRAVES), the point that he raises about the real endangered species here is the Midwestern farmer. It is not the Northwest rancher. It is the Midwestern farmer that is at risk here.

I have been on every stretch of that river from Gavins Point down to Nebraska City. It is a long way. I have been on most of it twice. There is a lot of habitat up there for the least tern, the piping plover, and the pallid sturgeon, and we are creating more and more habitat as the years go by, and we are doing it based on pretty shaky science.

As I look up and down that river, and I will tell the Members that the further south one goes, the shallower the banks are and the more likely it is to flood. When they unleash their spring rise, that means that the water backs up through our drainage system at the rate of about one mile a day, 12 to 15 miles from the River, more than 1 million acres at risk here. And just that piece alone is enough to have more economic impact than this species that was created as a matter of convenience, a marriage of convenience between the fisheries and recreational interests and the environmental interests. So the habitat along the sand bar also is conducive, and they are nesting in other tributaries.

Mr. Chairman, I concede the point of order to the Chair.

The CHAIRMAN pro tempore. The point of order has yet to be made.

Mr. REHBERG. Mr. Chairman, I would like to leave enough time for the chairman to raise the point order, but I see one of my speakers is now here.

The CHAIRMAN pro tempore. The chairman can raise a point of order in its own time. He does not need the gentleman's time for that. Is the gentleman prepared to yield back his time?

Mr. REHBERG. Not to this point. I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

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

When it comes to water issues, it knows no party lines, knows nothing ideological lines. It has basically one rule, upstream versus downstream; and the problem with the amendment that would be offered is that it takes no account whatsoever of the upstream interests.

In North Dakota, when they built the Pick-Sloan projects and flooded the Missouri River, it took an area of our State the size of Rhode Island and put it under a lake bed. And now, as if that was not tough enough, they want to say, by the way, the size of this lake is going to gyrate dramatically, preventing them from making recreational development or any other use of that State of Rhode Island-size lake because we have got to keep all of the tension on downstream waterflow. We do not care about upstream. We have got to float our barges.

Time moves on, and the economic interests of upstream eclipses downstream. The only thing that does not eclipse downstream is votes in the House.

The courts have ruled on this matter, and they have ruled in inconsistent ways. It is going to the Supreme Court. It is not to be decided by an amendment before the House.

POINT OF ORDER

Mr. TAYLOR of North Carolina. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.'' The amendment proposes to state a legislative position. I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. KING of Iowa. Mr. Chairman, I will concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded and sustained.

Mr. DICKS. Mr. Chairman, I move strike the last word so that the gentleman from Texas (Mr. REYES) could enter into a colloquy with our distinguished chairman.

Mr. REYES. Mr. Chairman, I thank the gentleman for yielding to me and giving me this opportunity.

I would like to enter into a colloquy with the gentleman from North Carolina (Mr. TAYLOR), the chairman of the subcommittee.

As the gentleman from North Carolina (Chairman TAYLOR) knows, in my congressional district of El Paso, Texas, we are fortunate to have a unit of the National Park Service, the Chamizal National Memorial. The Chamizal commemorates the peaceful 1967 settlement of a 100-year boundary dispute between the United States and Mexico.

Today, the Chamizal is dedicated to furthering the spirit of goodwill and understanding between two nations by using the visual, literary, and performing arts as a medium of cultural interchange. The Memorial maintains a 500-seat theater and presents more than, on the average, 300 performances a year. An outdoor stage is situated in the middle of the 66-acre park where the Park Service hosts the nationally recognized Border Folk Festival and many other significant cultural events. Also, the Memorial, which is located in one of the poorest ZIP codes in the country, sponsors a series of free outdoor concerts in the summer which often draw crowds of more than 10,000 people. In short, the Chamizal is the centerpiece of El Paso cultural and recreation life and is used frequently by visitors and residents alike.

Unfortunately, Mr. Chairman, the Chamizal lacks adequate parking facilities, especially for people with disabilities and the elderly, which significantly impedes their ability to enjoy our Memorial. Visitors are forced to park outside of the Memorial boundary and walk across very busy roadways to reach the facility, making access very difficult and oftentimes dangerous. It has gotten to the point that I am personally concerned that a visitor to the Memorial will be hurt, perhaps even killed, unless the situation is addressed.

A new 400-space parking lot is desperately needed at the Chamizal National Memorial in order to meet the needs of visitors, particularly the elderly and disabled, as have been identified in the Memorial's General Management Plan and, Mr. Chairman, more importantly, to rectify a very serious safety hazard to the visiting public.

In addition, the Chamizal is located at the main port of entry of El Paso between Mexico and the United States. This project would also allow our Park Service and their law enforcement rangers to better control and monitor access to the Memorial and to protect the security of visitors. The estimated cost would be approximately $1.2 million.

Do I have the chairman's assurance that he and our ranking member will work with me as the bill before us today goes to conference?

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I will work with the ranking member and the gentleman to resolve the problem.

Mr. REYES. Mr. Chairman, I thank the gentleman.

Mr. DICKS. Mr. Chairman, I appreciate the gentleman's leadership on this issue, and we will certainly work with him.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. 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 offered by Mr. INSLEE:

Add at the end (before the short title) the following new section:

SEC. ____. None of the funds appropriated or made available by this Act may be used to propose, finalize, or implement any change to subpart B of part 294 of title 36, Code of Federal Regulations, entitled Protection of Inventoried Roadless Areas, as added by the final rule and record of decision published in the Federal Register on January 12, 2001 (66 Fed. Reg. 3244).

The CHAIRMAN pro tempore. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 25 minutes.

The Chair recognizes the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise to offer this amendment to the House to preserve the most significant, probably the most significant, conservation measure for our precious national assets in the last decade, the 2001 roadless rule; and I do so by bringing to this House the spirit of Teddy Roosevelt who said, ''We want the active and zealous help of every man and woman farsighted enough to realize the importance from the standpoint of the Nation's welfare in the future of preserving the forests.'' That spirit of Teddy Roosevelt is one we have a chance to confirm and affirm today by upholding the roadless rule, the largest advance in our conservation history for several years.

I think it is appropriate in talking about this just for a moment to think about the national assets which are now at risk. This picture of the Tongass National Forest, it has beautiful cathedral Sitka spruce and western hemlock, and it is a national treasure. It is a jewel in the crown of our national forests. It does not deserve nor should it be clearcut, and the roadless rule we seek to preserve in this amendment would prevent that depredation.

□ 2045

It is for us to consider the ramifications of not passing this amendment, and those ramifications are clear. The failure to pass this amendment tonight will allow this administration to clear-cut hundreds of thousands of acres of our most precious national forests. This is the picture that we will see on the television screens that Americans repudiate. Because Americans, when we adopted this roadless rule, in the largest, most democratic rule of all time, 2.2 million Americans volunteered to render their opinions. And what did they say? Over 93 percent of them said do not render this clear-cutting to our most pristine national forests.

Now, there are four reasons, substantive reasons, to adopt this amendment. Reason number one: this administration wants to essentially exempt the very largest, the very most pristine, the very most ecologically productive rain forest in the entire Western Hemisphere, the Tongass National Forest, and turn it into 300,000 acres of clear-cut, arboreal rubble. And they intend to do this same thing in the Chugach National Forest. Alaska is a beautiful State. Many of our constituents have been there, and all of our constituents have an interest in not seeing this clear-cutting take place.

Second, this administration has made clear that it intends to infect the lower 49 with the same policy disease. Because this administration has said quite clearly that it intends to do an amendment to the roadless rule that will essentially allow decisionmaking authority to move towards governors, rather than the United States House of Representatives, the Senate, and the executive authority of the United States. I quote Mr. Mark Rey, the Under Secretary of State, who will propose a change ''that would allow States to play a greater role in land use decisions that affect them.'' The roadless rule, which blocks development of 58 million acres of Federal land remains law; and he said, but, we will leave it up to the governors to see where on a limited basis relief may be appropriate.

We know this for a fact. The stewardship responsibility belongs in this Chamber and this Chamber alone. There is already the ability for the governments to participate.

The third reason, if I may. This Nation is already interlaced with roads. There are 377,810 miles of roads in our national forest system, enough to circle the globe 15 times, 15 times. And the unmet needs of maintenance on those roads is $10 billion. If somehow, in the midst of our $450 billion deficits we can scrape up $5, the first $5 we ought to spend ought to be in protecting the roads that our people already enjoy going up to the lakes fishing, taking their kids hiking, which are now falling into disrepair and washing out. This is a fiscally sound measure.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to this amendment, and I yield myself such time as I may consume.

This amendment is bad policy. We should not stop all activities on the national level. Each national forest deserves to get decisions based on local commissions and based on specific situations.

We have four lawsuits going on this already. One Federal judge has already ruled that there are problems with the Clinton administration's roadless rule.

We need to have careful consideration before we lock up these areas and prevent multiple use. Wilderness area designations should be done site by site, not at this broad-brush national level.

It is possible that some forests and roadless areas may need some treatments to reduce hazardous fuels. We need to be careful that we do not make a national policy that could lead to dangerous conditions.

Half the areas covered by the Clinton roadless rule are at risk for catastrophic fire. The rule makes treatment of these areas a low priority when they should be a high priority. Already this year, fires that have started in roadless areas have destroyed hundreds of thousands of acres and burned several hundred homes.

I urge my colleagues to defeat this amendment.

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

Mr. INSLEE. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, the argument which we just heard in opposition to the amendment is that as a matter of public safety we should not continue to follow the Clinton roadless rule.

I would like to share some facts which I think undermine that argument. Ninety-eight percent of the fires that have occurred in roadless areas have been controlled while they are small. On the other hand, the Forest Service has found that fires are twice as likely to occur in roaded and log areas. Only 14 percent of roadless areas are considered at high risk for potentially devastating wildfires. There is no public safety argument to justify not having restrictions on building roads.

What really is at stake here, as was outlined by Taxpayers for Common Sense, is that our tax dollars throughout the United States are being used to subsidize the creation of these roads and national forests not for safety purposes, but to subsidize transportation for the timber industry that is harvesting timber in these parks.

Now, those of my colleagues who represent parts of the country whose economies benefit from harvesting timber do not need to apologize to fight for those jobs, but what my colleagues are not entitled to is to ask the rest of the country to subsidize those businesses.

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

Mr. DAVIS of Florida. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, did the gentleman from Florida (Mr. DAVIS) say harvesting timber in parks? Is that what the gentleman said? Does the gentleman believe that is occurring? If so, then the gentleman is misinformed. Again, the gentleman is misinformed.

Mr. DAVIS of Florida. Mr. Chairman, reclaiming my time, I am referring to commercial logging; and I know the gentleman, who is an expert in this area, can perhaps use more appropriate terminology, but here is the final point I want to make.

The statistics suggest that there is between a $13 million and a billion-dollar backlog in terms of what we need to

do to construct and maintain roads in these parks. And instead of concentrating on that, we are going to be subsidizing commercial logging by building roads not for public safety.

For those reasons, I would urge adoption of the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. MCINNIS).

Mr. MCINNIS. Mr. Chairman, first of all, I would like to point out to the gentleman from Florida (Mr. DAVIS), the gentleman is from Tampa, Florida. I am not even sure the gentleman has been out to the public lands. We live on the public lands out there. I am getting a little tired of some of my colleagues who have no idea of what public lands mean, who do not live out there on those public lands, who do not suffer the wrath of forest fires that we are suffering right now in the West. Instead, my colleagues stand up here gallantly and say, hey, the President, as the gentleman from Washington (Mr. INSLEE) says, the President is going to clear-cut tens of millions of acres. What a bunch of baloney. That has more fiction in it than Harry Potter.

Mr. Chairman, do my colleagues want to know where there is friction in this country? It is not between Democrats and Republicans; it is between you folks in the cities that have never experienced mountain life or life on the public lands, that do not know what fire does to us out there. Do my colleagues know what kills more endangered species than any other thing in this country? It is wildfire.

Now, I invite any of my colleagues to come out there sometime with the gentleman from Washington (Mr. INSLEE), either to the wilderness areas that he has proposed or, in effect, what we have here, de facto wilderness areas under this bill; and my colleagues can tell me what happens when they will not let us drive a fire truck up there. My colleagues can tell us what happens when they will not let us fly a helicopter and land it up there. My bet is during the fire season, I say to the gentleman from Florida (Mr. DAVIS), with all due respect, the gentleman is sitting comfortably in Tampa.

Mr. INSLEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in support of the Inslee amendment.

Passage of this amendment is critical because our pristine wilderness, which I have been to, I have been to the public lands, particularly our national forests, face an imminent threat.

In June, the Bush administration announced a revision to the National Roadless Area Conservation Rule to exclude those crown jewels of the national forest system, the Tongass and the Chugach, where I have been, which constitutes a quarter of the lands covered in this roadless rule. In addition, the administration gives State Governors the authority to opt out of the rule. This decision was made despite over 2.2 million comments and 600 public meetings and hearings on the roadless policy, 95 percent in support of protecting the Tongass and the Chugach.

Weakening landmark environmental protection was the most blatant example to date of this administration choosing special interests over the health and the safety of citizens and our environment. It is not enough that the administration refuses to recognize the dangers of global warming; not enough that they want to weaken the Clean Air Act. Now they want to decimate the world's last remaining old-growth temperate rain forest under the guise of preventing forest fires.

When it comes to the stewardship of our precious forestlands, it is abundantly clear that the administration's priorities have nothing to do with taxpayers or the environment. It is apparent that they have more concern for the timber industry than for the wilderness lands, the wildlands, and our national forests. And in this language, there is opportunity for fire apparatus to get through. My colleague who preceded me was wrong.

I am the author of the Alaska Rain Forest Conservation Act, with 115 bipartisan cosponsors. It would protect the Tongass and the Chugach by codifying previous policy from the administration. I believe it is time to permanently safeguard these areas of unparalleled ecological value. We cannot let these lands be exploited. They are something that we should hold dear for years to come. They are our national legacy. Support the Inslee amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I thank the chairman for yielding me this time. For those who have been speaking, there will be roadless areas in their districts.

The roadless rule was struck down this week for the second time. The first time it was reinstated by the appeal of the liberal ninth circuit. Like many of the actions that have been taken by the so-called Clinton administration, if it was an administration, on their way out of office this rule was found too unacceptable. Luckily, for the State of Alaska and the Forest Service, and the Bush administration has already realized, ANILCA, which most of my colleagues were not around, settled the matter of multiple use in Alaska forests. We cannot rewrite existing law. They are rightfully progressing with the removing of the Tongass and Chugach from consideration under this rule. Now, they will be able to use property management for all of America's forests, not just Alaskan ones.

Again, it always reminds me, why in the world would somebody from Connecticut and Florida come down to talk about the State of Alaska? I know that the gentleman from Washington (Mr. INSLEE) is from Washington State, but does not know anything about the Tongass, does not understand what we are talking about here. This is existing law. What my colleagues are trying to do is something that is incorrect to my people and to the forests, to the harvesting of the forest, which is a management tool.

And, by the way, the most we can cut out of 19 million acres in the Tongass, the most we can cut is less than 500,000 acres, if that is possible. And every time I hear this argument, I wonder where are you from. What are you thinking about? Are you just mimicking the words fed into your ears from the so-called environmental community? What an air-headed idea that is. I say shame on you.

Look at the facts. I listened to the gentleman from California (Mr. GEORGE MILLER) a while ago talking about science, including science. The studies on the Tongass have been made by the scientists. They said what we are trying to do is correct, and you want to ignore that because you are pandering to a group of people. Shame on you.

Mr. INSLEE. Mr. Chairman, I yield 1 minute and 40 seconds to myself.

Mr. Chairman, the gentleman from Alaska (Mr. YOUNG) has graciously suggested I know nothing about the Tongass National Forest. I do know this about the Tongass National Forest. Every single one of our constituents of every single Member of the House of Representatives is a coowner of the Tongass National Forest. And I know that that phoney settlement they had up there was a scam between people who used to work for the timber industry's lobbyists, not a judicial decision.

And I know another thing, in answer to this fire red herring. We are going to hear a lot about fire during this debate. We have the ability to deal with fire in the existing roadless area rule. We have the regulation right here which allows specifically, if I can read it: ''When a road is needed to protect public health and safety in cases of imminent threat of flood, fire, or other catastrophic event, road-building is permitted.''