to prepare this proposal? How does the administration intend to continue funding this unauthorized project if it is established? I suspect that the Committee on Resources will be holding hearings to get answers to these very troubling questions.

Quite simply, this initiative will simply replace the long established and Constitutionally protected policies that govern the use of our waterways—which are critical to our economic survival, not only to the west, but to the entire nation. That is why for the past century the Supreme Court has held in case after case that in the west it is the States who control the use of water.

Mr. Speaker, there is case after case in the Supreme Court that upholds the fact that the States own the water in the western States. Let me quote from one of the seminal Supreme Court cases on this very issue, the 1978 Supreme Court decision written by Justice Rehnquist entitled ''California v. U.S.''

□ 2230

It states: To take from the legislatures of the various States and territories the control of water at the present time would be something less than suicidal. If the appropriation and use were not under the provisions of State law, the utmost confusion would prevail.

Mr. Speaker, I agree. Idaho Code 42–101 states: All the waters of the State, when flowing in their natural channels, including the waters of all natural springs and lakes within the boundaries of the States, are declared to be the property of the State, whose duty it shall be to supervise appropriation and allotment to those diverting the same therefrom for any beneficial purposes.

Mr. Speaker, this proposal by the President will be redefining communities. It will redefine watersheds and jurisdictional boundaries. It creates a governing authority called a river community which will redefine what the river and the entire heritage area is, which extends beyond State boundaries and jurisdictional boundaries.

Mr. Speaker, this fictional entity, the river community, will then describe and define the designation which could be the length of the entire area, whether it be an entire watershed, the length of an entire river or a short stretch of river and, as I say, it may cross State boundaries.

Mr. Speaker, we are just beginning to address this issue. We need to take immediate action. I will be here Tuesday night doing a one hour special order speech with a number of my colleagues on this very subject.

We have a little thing in this country called the separation of powers. The legislative branch creates laws. The executive branch implements the laws, and the courts interpret the laws. I think the administration has forgotten about this in this particular move.

When it comes to western resources issues, the Clinton Administration has once again usurped the Congress's lawmaking authority. Nowhere in law can one find the American Heritage Rivers program. This action is tantamount to tyranny, and must stop; or as the Supreme Court warns: ''the utmost confusion will prevail.''

Lastly, Mr. Speaker, I'd like to leave the Members something to think about. Perry Pendley, in his book ''War on the West,'' wrote:

> For the environmental extremists' vision of the West is of a land nearly devoid of people and economic activity, a land devoted almost entirely to the preservation of scenery and wildlife habitat. In their vision, everything becomes a vast park through which they might drive, drink Perrier and munching on organic chips, staying occasionally in the bed-and-breakfast operations into which the homes of Westerners have been turned, with those Westerners who remain fluffing duvets and pouring cappuccino. They are well on the way to achieving their objective.

You'll be hearing more on Tuesday.

Mr. Speaker, I include for the RECORD the following:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, June 4, 1997.

MS. KATHLEEN A. MCGINTY,
Chair, Council on Environment Quality, Executive Office of the President, Washington, DC.

DEAR MS. MCGINTY: This letter is in response to your May 19, 1997 letter to Chairman Don Young, House Committee on Resources, concerning the Clinton Administration's American Heritage Rivers Initiative. This Committee has strong reservations about this unauthorized initiative, and we are fully aware of the public outcry occurring over the Federal Register Notice on this issue.

We strongly advise that the comment period for the Council on Environmental Quality (CEQ), American Heritage Rivers Initiative be extended for 90 days, until at least September 9, 1997, to provide sufficient time for the American public to express their concerns.

Furthermore, as the Committee with jurisdiction over the CEQ and the Department of the Interior (DOI), we request that you prepare a detailed briefing for this Committee, and other interested Members of Congress, to fully explain your undertaking of this initiative. The committee is especially interested in a full explanation of any reprogramming of authorized funds involved in conducting the public hearings throughout the United States in April and May, 1997; a full accounting of all personnel involved from the DOI; and, a comprehensive review of what budgetary reprogramming the planned Federal Interagency Team will require in Fiscal Year 1998. This briefing should be provided as soon as possible, but no later than June 27, 1997.

Finally, this Committee has serious concerns about this initiative to designate specific areas for special Federal assistance without any authorization from the Congress. Ironically, it would appear that CEQ has totally ignored the requirements of the National Environmental Policy Act of 1969 in undertaking this ''major Federal action.'' We look forward to your immediate response to this letter and especially to our oversight responsibility concerning the short public comment period CEQ has provided the American people.

Please contact Mr. P. Dan Smith, Legislative Staff, Subcommittee on National Parks and Public Lands at (202) 226–7736, to coordinate the briefing requested by this Committee.

Sincerely,

DON YOUNG,
Chairman, Committee on Resources.

JAMES V. HANSEN,
Chairman, Subcommittee on National Parks and Public Lands.

JOHN T. DOOLITTLE,
Chairman, Subcommittee on Water and Power.

HELEN CHENOWETH,
Chairman, Subcommittee on Forests and Forest Health.

ROBERT F. SMITH,
Chairman, Committee on Agriculture.

BARBARA CUBIN,
Chairman, Subcommittee on Energy and Mineral Resources.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON HOUSE CONCURRENT RESOLUTION 84, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEARS 1998–2002

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–117) on the resolution (H. Res. 160) waiving points of order against the conference report to accompany the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CERTAIN RESOLUTIONS REPORTED FROM COMMITTEE ON RULES

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–118) on the resolution (H. Res. 160) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

BALANCING THE BUDGET

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

Mr. SESSIONS. Mr. Speaker, not long ago his excellency, President Eduardo Frei of Chile, spoke to a joint session of the Congress. He gave us some advice. He began by saying, I want to share with you why we Chileans are ever more satisfied with the dividends of freedom, why we do not want to look back, why we wish to