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No. 149

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. PEASE].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 30, 1997.

I hereby designate the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

Rev. Everett W. Hannon, Jr., Pastor, the Second Baptist Church, Lexington, MO, offered the following prayer:

Most gracious Father, we come now in the name of our Lord Jesus Christ, who shed his blood on Calvary's cruel cross. We praise You for making us such a powerful nation in a short time, for we are one nation under God. We seek peace and justice for all nations.

As we gather together in these hallowed Chambers to make life-changing decisions, give us the spirit of servitude to serve our God and then the people of these United States of America.

God Almighty, You are the conductor and we are the orchestra. Please guide our decisions so that we may agree in pitch and tone making a song of victory for the entire world to behold.

In Jesus' name we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mr. PEASE). The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Tennessee [Mr. DUNCAN] come forward and lead the House in the Pledge of Allegiance.

Mr. DUNCAN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1150. An act to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes.

S. Con. Res. 37. Concurrent Resolution expressing the sense of the Congress that Little League Baseball Incorporated was established to support and develop Little League baseball worldwide and that its international character and activities should be recognized.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain ten 1-minute requests following the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, the morning prayer was delivered by Rev. Everett Hannon, who is the minister of the Second Baptist Church in my hometown of Lexington, MO. Reverend Hannon is a native of Lexington and currently resides in nearby Warrensburg, MO, with his wife Carol and their two children, Andrea and LeAndrea.

Reverend Hannon is the eldest son of Marjorie and Everett Hannon, Sr. He received his theology degree from the Central Bible College in Kansas City, MO. He has been the pastor of the Second Baptist Church for 10 years, and he is well known for his excellent sermons and devotion to the members of his congregation. Reverend Hannon also provides civic leadership in the community.

In addition to his church duties, he serves as the moderator of the Central District Missionary Baptist Association and the auditor of the Missouri State Missionary Baptist Congress.

I am pleased that this outstanding Missouri minister could be with us today, and I know the Members of this body join me in thanking Reverend Hannon for his opening prayer.

SO-CALLED OBEY COMPROMISE

(Mr. GOODLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, the President announced that he would develop a national test in 1997 without the approval of the Congress. Two hundred ninety-five Members of the Congress said, "No, you won't." The President signed a contract anyway. The President said, "I will also pilot and field test this national test in 1998, without the approval of the Congress." Two hundred ninety-five Members said, "No, you won't."

The so-called Obey compromise that we will hear about says, go, ahead, Mr. President, you can do both with the blessing of the Congress. Develop the test in 1997. Field test it and pilot in 1998.

What a slap in the face of the 295 Members of the House of Representatives. If we have \$100 million to spend, why would we spend it to tell 50 percent of our students one more time

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

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



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"You're not doing well"? They have been told that time and time again after every standardized test they have ever taken.

If this comes to the floor of the House in this manner, I would hope that all 295 would vote against the appropriation bill.

COMMITTEE HAS TRIED TO DRAFT HONEST COMPROMISE

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

Mr. OBEY. In response to the comments of the previous speaker, the gentleman from Pennsylvania [Mr. GOODLING], Mr. Speaker, I would like to take note of two facts. I notice a fax from the Office of Congressman SHADEGG which says, "Urgent, Republican leadership is pushing the David Obey proposed compromise, which sells us out on testing." That is what I hear from one side. Then I hear from Mr. Ralm Emanuel at the White House that the White House intends to veto this bill "because DAVE OBEY has sold the White House out on testing."

I would suggest that if Mr. Clinton, or the gentleman from Pennsylvania [Mr. GOODLING] or Mr. Emanuel or the gentleman from Arizona [Mr. SHADEGG] or anyone else thinks that it is so easy to put together a compromise, they sit down and talk to each other. It seems to me that that is what we need, rather than having both sides cry "sell-out" because this committee has tried to draft an honest compromise.

I have great respect for the President, and I have great respect for the gentleman from Pennsylvania [Mr. GOODLING], but I would suggest that one of them is spectacularly wrong.

LETTER FROM JULIE GORLIK

(Mr. NEUMANN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUMANN. Mr. Speaker, first in response to my colleague from Wisconsin [Mr. OBEY], we do not need a compromise, we need Washington out of our lives and we need Washington to leave education in the hands of the parents, the communities, and the school boards.

But that is not why I rose this morning. I rose because last night, as I was reading constituent mail, I got this letter from Julie Gorlik, who called our office. And here is what it says. It says that she is upset that there is assistance for unmarried, unwed mothers, for the lazy, for criminals, and for homosexuals, but there is never any help for married people who are doing their best to make ends meet and support a family and they cannot get any help from anyone. They are hard-working, honest, good people and they get discriminated against.

I rise this morning to invite Julie to tune in this evening when I will be tak-

ing the time to go through some of the things in the tax cut package that are specifically designed because we have heard this message from our constituents over and over and over again: \$500 per child for under the age of 17; the college tuition tax credit; the education savings credit to help parents save for their kids's education; the Roth IRA; and on and on we go. There will be more on this when I have 1 hour on the floor this evening.

VOUCHERS ARE FIRST STEP TO DISMANTLE PUBLIC SCHOOLS

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

Mr. PALLONE. Mr. Speaker, I have listened to the last two speeches by my Republican colleagues. I have to say I am truly amazed at the pace of the Republican leadership's antipublic education drive. The Republicans are determined this fall to make every effort to drain resources from public schools and funnel Federal dollars into private schools.

A few weeks ago the Republicans narrowly passed a bill to force vouchers on the D.C. schools. Today, amazingly, they will try to bring their voucher experiment into schools throughout the country, and they are paying for it with Federal dollars that should be used to improve the public schools.

Mr. Speaker, vouchers are just the first step in a Republican effort to dismantle the public schools. Since taking control of Congress, the Republican leadership has repeatedly tried to shut down the Education Department and slash funding for public schools.

Democrats want to improve the public schools rather than tear them down. We put forward an agenda for first-class public schools that included money for school construction, purchases for computers. Let's improve the public schools. Do not let the Republicans tear them down.

VOTE "NO" ON NUCLEAR WASTE POLICY ACT OF 1997

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, over the past several months, I have taken the same opportunity to speak to the Members of this House on numerous times regarding a very important issue to this great Nation. Today, Members of this honorable body will have the opportunity to send a clear message. By voting "no" on H.R. 1270, the Nuclear Waste Policy Act, my colleagues will send a clear message that they do not support transporting the world's deadliest material, high-level nuclear waste, through the neighborhoods of their homes or their districts.

A no vote will also send a strong message that we do support the environmental measures, such as clean air,

clean water, safe drinking water, and the National Environmental Protection Act. A no vote on H.R. 1270 will send a message that we do support States' rights.

Mr. Speaker, the facts are very clear. Transporting nuclear waste across this country will have devastating environmental consequences. Transporting nuclear waste across this country will cost the hard-working taxpayers of America billions of dollars. Let us rely on sound science, not bad politics. I strongly urge my colleagues to vote "no" on 1270.

PRESIDENT JIANG SLEEPS IN LINCOLN BEDROOM

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, let us see if this makes sense. China helps Iran. Iran threatens Israel and all the Middle East. Iran is a known major terrorist threat to America. But Uncle Sam gives China \$60 billion a year in sweetheart trade deals.

Now, if that is not enough to massage your arthritis, after all this, President Jiang is literally sleeping in the Lincoln bedroom, being wined and dined, at taxpayers' expense, by the White House.

Beam me up. This madness has gone too far. When American foreign policy goes from honest aid to the butcher at Tiananmen Square, something is wrong, Congress, very wrong. Think about it. I yield back what national security we still have left.

WHITE HOUSE AGREES TO TRANSFER OF NUCLEAR TECHNOLOGY TO COMMUNIST CHINA

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, to follow the comments of my colleague from Ohio [Mr. TRAFICANT], the revelations are as real as the headlines in today's Washington Times: "China Aided Iran Chemical Arms." And below that, a bolder headline: "Clinton-Jiang Reach Nuclear Accord."

Mr. Speaker, let me see if I have this straight. The White House agrees to a transfer of nuclear technology to the Communist Chinese in exchange for a written promise that the Chinese will not share that technology with Iran.

We are not talking neckties or notecardes or notebooks. We are not talking conventional trade here. We are talking nuclear technology. We are going to give that to Communist China? Monte Hall would not even make a deal like that on his old game show.

There must be a sweetener here, Mr. Speaker. I wonder if the Chinese Government is not going to try to find Ya Lin Charlie Trie.

REPUBLICAN LEADERSHIP CONTINUES ATTACK ON PUBLIC EDUCATION

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, education has always been the great equalizer in this Nation. It opens the doors of opportunity and provides every American child with the opportunity to live up to his or her potential. It is the public schools in this Nation where students of all economic levels, races, and creeds come together in one classroom to develop the skills that they are going to need for a successful future.

The right wing of the Republican Party has never believed in American public schools. Former Republican Presidential candidate Pat Robertson said straight out in 1994, and I quote, "abolish the public schools."

Today, the Republican leadership is continuing their attack on public education by advocating a radical experiment that would take precious taxpayer dollars out of our public schools and into private schools.

I have a message for the Republican leadership: Our children are not your guinea pigs. We need to support and strengthen our public schools, not siphon off precious funds. Stand up for public education. Reject the Gingrich voucher plan.

□ 1015

HONEST, CLEAN ELECTIONS

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

Mr. HEFLEY. Mr. Speaker, what does the other side have to hide? Why will the Immigration and Naturalization Service not comply with the law? Why will groups which have been ordered by the court to produce documents not produce those documents as required by law? Why do the Democrats refuse to come forward and demand that the LORETTA SANCHEZ election be investigated in the open for all to see to prove that only those legally able to vote did so? Why do the media refuse to get behind the calls of honest, clean elections in California?

Mr. Speaker, regardless of what the other side says, nothing can change the fact that this issue is about honest elections and the rule of law. It is not about overturning the election and declaring Bob Dornan the winner. That is simply not going to happen. It is about fair, honest, clean elections all across this country.

Mr. Speaker, again I ask the question, what does the other side have to hide?

CHINA AND FAST TRACK TRADE AUTHORITY

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

Mr. DEFAZIO. Today, coveted nuclear technology for China. But do not worry. They signed a secret non-proliferation agreement. Of course I cannot read it, my colleagues cannot read it, but they will abide by it. Ha. You bet.

Next week fast track trade authority. Make no mistake. These policies are inextricably linked by the one overarching principle of U.S. foreign policy, money, corporate profits. That is all it is about. Human rights? The United States does not care. We do not stand for that anymore. U.S. economic interests in the long term, U.S. workers? The United States does not care anymore. And even now national security is subsumed to the profits of a few huge multinational U.S.-based corporations who want to export nuclear technology. It was all last night down at the White House right here: "Forget diplomacy. Money makes the world go round."

If you like our policy toward China, you will love fast track. It promises more of the same.

TAX REFORM

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, it has been said that death and taxes are the only sure things in life. The difference between the two is at least the IRS cannot make death any worse. The instruction book for the original income tax form was just 15 pages long and the highest tax rate was 6 percent. When Congress debated this issue in this Chamber in 1913, some Members worried that the rate would someday reach the unthinkable level of 10 percent. Today the lowest Federal income tax rate is 15 percent and that 15-page booklet has swelled to more than 9,000 pages. The average American family pays more in total taxes than they do for food, clothing, and shelter combined. It is time for a complete overhaul of the Tax Code and the IRS, which have become overly burdensome and unfair.

A lot of so-called experts told us we could not reform welfare, we could not slow the rate of Washington spending, we could not balance the budget and provide tax relief for American families. Today we are told that we cannot replace the existing Tax Code with one that is simpler, fairer, and less burdensome. I say it is simply amazing what can be accomplished when we do not know what we cannot do.

VOUCHERS

(Mr. ROTHMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Speaker, today unfortunately the radical Republicans in Congress are continuing their all-

out attack on the public school system. They want it to wither on the vine because, just like with Medicare, extremists in the Republican Party in Congress do not believe in public school education. Public school education is the key that unlocks the door to the American dream for more than 90 percent of America's children, including my own 2 kids. We cannot allow the radical Republicans in Congress to destroy America's public school system. Besides, what would be next? Are we going to give people vouchers to buy books if they do not believe in the public library? Are we going to give people vouchers to buy their own swing set if they find the local town park inconvenient?

No, because America is still a country that believes in the common good and the American dream. Let us fix our public schools, let us encourage charter public schools to create competition in our public schools, but let us not pilage the public school system in America. That will not be good for America.

H.R. 2748, AIR SERVICE IMPROVEMENT ACT

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, I have just introduced H.R. 2748, the Air Service Improvement Act. This is a bill which could help bring down the cost of air travel for small- or medium-sized airports. Today it costs people in cities likes Knoxville, Syracuse, and many other places much more to fly a couple of hundred miles than it does for people in many large cities to fly to Europe or across the entire country. This bill would open up new slots for airlines to serve underserved cities. It would provide a special grant program to help airports attract low-cost airlines to help bring down ticket costs. It would set up new, faster procedures for handling anticompetitive predatory pricing complaints against some airlines. The bill would set up a loan guarantee program to help airlines purchase commuter planes if they agree to serve underserved airports for at least 1 year.

The Air Service Improvement Act, if passed, could be a major step in helping to end the great unfairness that exists today in the price of airline tickets. I urge my colleagues to join me in bringing this much needed relief for air travelers in our small- and medium-sized cities.

SAY "NO" TO VOUCHER EXPERIMENT

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

Mr. MCGOVERN. Mr. Speaker, the House is scheduled to vote today on a radical experiment with our Nation's schools. The Republican leadership wants to use school vouchers to take

badly needed funding from our public schools and divert it into private and religious schools. Make no mistake about it, this is a direct attack on public schools in America. At a time when school enrollment is soaring and Federal education funding is more and more scarce, Republicans want to undermine the public education system in this country.

Mr. Speaker, the Republican leadership's school voucher plan is part of a grander scheme to privatize K through 12 education, which could shut down neighborhood schools across the country. From California to Missouri to my own State of Massachusetts, voters have spoken loud and clear. Experimenting with school vouchers at the expense of public education is the wrong path to real education reform.

Democrats believe that we need to be improving public education in America by repairing our crumbling schools, reducing overcrowding, training more qualified teachers, wiring classrooms to the Internet, raising standards, and providing a safe and drug-free learning environment. I urge my colleagues to vote against school vouchers and for improving public education in America.

BILL LANN LEE'S NOMINATION

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

Mr. ROYCE. Mr. Speaker, I rise today to encourage the Senate to reject the nomination of Mr. Bill Lann Lee to head the Justice Department Office of Civil Rights.

Mr. Lee's career has shown him to be little more than an ideolog, intent on bending the words and meaning of the law to suit his purposes. In response to last year's California civil rights initiative barring racial preferences by government, Mr. Lee made the preposterous argument that it was unconstitutional to treat all individuals equally before the law. A Federal court swiftly rejected such reasoning on the ground that the 14th amendment does not require what it barely permits.

Similarly, with mind-bending reason, Mr. Lee argued that the decline in minority enrollment establishes that the use of grades and standardized tests as admissions criteria is discriminatory.

Radicals like Mr. Lee are swimming against the tide of court opinions and popular sentiment in standing up for race-based government preferences, and they know it. He must not be furnished with the power of the Federal Government to further pursue his out-of-touch agenda. I urge the Senate to block this nominee.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Members are reminded that they are not to urge actions on confirmation proceedings pending in the other body.

SCHOOL VOUCHERS OFFER ILLUSORY PROMISE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, our Republican friends would have us believe that school vouchers would level the playing field by providing low-income parents the same choice as wealthy parents to send their children to private and religious schools. Unfortunately, that is an illusory promise.

For one thing, the Republican proposals would provide vouchers to only a small proportion of low and moderate income families.

Second, the Republican plans would cover only a fraction of the fees that most private schools charge. Most working families would be unable to make up the difference, making the vouchers useless to them, providing the greatest benefit for the wealthy families who can already afford the cost of tuition.

Mr. Speaker, when we consider what these funds could do if applied to the improvement of public education for all of our children, raising standards, developing magnet schools, putting computers in every classroom, our choice is clear. The Republican voucher plan promises what it cannot deliver, and it would divert us from the challenge of making public education all that it can and must be.

GREATER LOCAL CONTROL IN EDUCATION

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, why are the liberals against public schools? Everyone not in the pocket of special interests which protect the status quo knows that for public schools to improve, cosmetic changes will not be enough. No matter how many times we rearrange the chairs of the curriculum, real improvement will be nothing but another empty promise.

Let us just look at the places where public schools have improved. In Cleveland, Milwaukee, the State of Minnesota, truly bold initiatives are what forced change and brought about real improvement. The other side might stop for a moment and look at all three cases. Improvements did not come from Washington, DC. Improvements did not come from another Federal program with more bureaucrats. In every case, the improvement came from greater local control, more school choice and more power to make decisions in the hands of the parents.

Oh, yes, the special interests fought the very same changes that led to real improvement every step of the way. So why are the liberals against public schools?

PUBLIC EDUCATION FOR ALL, NOT A PRIVILEGED FEW

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, just 2 weeks ago, the Republican leadership brought to this floor a so-called scholarship proposal, an experiment that would drain \$45 million out of public schools in the District of Columbia and give it to just 3 percent of students to attend private and religious schools. But taking money out of schools in the District of Columbia was not enough for them. Now they are coming after all public schools in every city, town and village in the Nation, draining resources from public schools and giving vouchers for a few to attend private and religious schools.

□ 1030

That is the Republican HELP Scholarship scheme. HELP the few, deprive the many, that is the Republican plan.

This voucher scheme will do nothing to rebuild our crumbling public schools, some overcrowded, or train teachers. Our children need our help. This is why Democrats believe in investing in public education. Public education for all, opportunity for all, scholarships for all, not vouchers for a privileged few.

FORAGE IMPROVEMENT ACT OF 1997

The SPEAKER pro tempore (Mr. PEASE). The unfinished business is the question of agreeing to the resolution (House Resolution 284) on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 277, nays 139, not voting 16, as follows:

[Roll No. 545]

YEAS—277

Aderholt	Boyd	Crane
Archer	Brady	Crapo
Armey	Brown (FL)	Cunningham
Bachus	Bryant	Danner
Baesler	Bunning	Davis (VA)
Baker	Burr	Deal
Ballenger	Burton	DeLay
Barcia	Buyer	Diaz-Balart
Barr	Callahan	Dickey
Barrett (NE)	Calvert	Dooley
Bartlett	Camp	Doolittle
Barton	Campbell	Dreier
Bass	Canady	Duncan
Bateman	Cannon	Dunn
Bereuter	Castle	Ehlers
Berman	Chabot	Ehrlich
Berry	Chambliss	Emerson
Bilbray	Chenoweth	Engel
Billirakis	Christensen	English
Bishop	Clement	Ensign
Bliley	Coble	Everett
Blunt	Coburn	Ewing
Boehrlert	Collins	Fazio
Boehner	Combest	Foley
Bonilla	Condit	Forbes
Bono	Cook	Fowler
Borski	Cooksey	Fox
Boswell	Cox	Franks (NJ)
Boucher	Cramer	Frelinghuysen

Frost	Livingston	Roukema
Galleghy	LoBiondo	Royce
Ganske	Lucas	Ryun
Gekas	Manton	Salmon
Gibbons	McClellum	Sanchez
Gilchrest	Martinez	Sandlin
Gillmor	Mascara	Sanford
Gilman	Matsui	Saxton
Goode	McCarthy (NY)	Shaw
Goodlatte	McCollum	Scarborough
Goodling	McCrery	Schaefer, Dan
Goss	McHale	Schaffer, Bob
Graham	McHugh	Sensenbrenner
Granger	McInnis	Sessions
Greenwood	McIntosh	Shadegg
Gutknecht	McIntyre	Shaw
Hall (TX)	McKeon	Shays
Hansen	Mica	Shimkus
Hastert	Miller (FL)	Shuster
Hastings (WA)	Minge	Sisisky
Hayworth	Mollohan	Skeen
Hefley	Moran (KS)	Skelton
Herger	Morella	Smith (MI)
Hill	Murtha	Smith (NJ)
Hilleary	Myrick	Smith (OR)
Hinojosa	Nethercutt	Smith (TX)
Hobson	Neumann	Smith, Linda
Hoekstra	Ney	Snowbarger
Holden	Northup	Solomon
Horn	Norwood	Souder
Hostettler	Nussle	Spence
Houghton	Ortiz	Spratt
Hulshof	Oxley	Stabenow
Hunter	Packard	Stearns
Hutchinson	Pappas	Stenholm
Hyde	Parker	Stump
Inglis	Pastor	Stupak
Istook	Paul	Sununu
Jenkins	Paxon	Talent
John	Pease	Tanner
Johnson (CT)	Peterson (MN)	Tauzin
Johnson (WI)	Peterson (PA)	Taylor (NC)
Johnson, Sam	Petri	Thomas
Jones	Pickering	Thornberry
Kaptur	Pickett	Thune
Kasich	Pitts	Thurman
Kelly	Pombo	Tiahrt
Kim	Pomeroy	Trafficant
King (NY)	Porter	Turner
Kingston	Portman	Upton
Klug	Pryce (OH)	Visclosky
Knollenberg	Quinn	Walsh
Kolbe	Radanovich	Wamp
LaFalce	Ramstad	Watkins
LaHood	Redmond	Watts (OK)
Largent	Regula	Weldon (PA)
Latham	Reyes	Weller
LaTourette	Riggs	White
Lazio	Riley	Whitfield
Leach	Rivers	Wicker
Lewis (CA)	Rogan	Wolf
Lewis (KY)	Rogers	Wynn
Linder	Rohrabacher	Young (AK)
Lipinski	Ros-Lehtinen	

NAYS—139

Abercrombie	Doyle	Kildee
Ackerman	Eshoo	Kilpatrick
Allen	Etheridge	Kind (WI)
Andrews	Evans	Klecicka
Baldacci	Farr	Klink
Barrett (WI)	Fattah	Kucinich
Becerra	Filner	Lampson
Bentsen	Flake	Lantos
Blagojevich	Ford	Levin
Blumenauer	Frank (MA)	Lewis (GA)
Bonior	Furse	Lofgren
Brown (CA)	Gejdenson	Lowe
Brown (OH)	Gephardt	Luther
Cardin	Gordon	Maloney (CT)
Carson	Green	Maloney (NY)
Clay	Gutierrez	Markey
Clayton	Hamilton	McCarthy (MO)
Clyburn	Harman	McGovern
Conyers	Hastings (FL)	McKinney
Costello	Hefner	McNulty
Coyne	Hilliard	Meehan
Cummings	Hinchee	Meek
Davis (FL)	Hoolley	Menendez
Davis (IL)	Hoyer	Millender-
DeFazio	Jackson (IL)	McDonald
DeGette	Jackson-Lee	Miller (CA)
Delahunt	(TX)	Mink
DeLauro	Jefferson	Moakley
Dellums	Johnson, E. B.	Moran (VA)
Deutsch	Kanjorski	Nadler
Dicks	Kennedy (MA)	Neal
Dingell	Kennedy (RI)	Oberstar
Doggett	Kennelly	Obey

Olver	Sabo	Taylor (MS)
Owens	Sanders	Thompson
Pallone	Sawyer	Tierney
Pascarell	Schumer	Torres
Payne	Scott	Towns
Poshard	Serrano	Velazquez
Price (NC)	Sherman	Vento
Rahall	Skaggs	Waters
Rangel	Slaughter	Watt (NC)
Rodriguez	Snyder	Waxman
Roemer	Stark	Wexler
Rothman	Stokes	Weygand
Roybal-Allard	Strickland	Woolsey
Rush	Tauscher	Yates

NOT VOTING—16

Cubin	Hall (OH)	Smith, Adam
Dixon	McDade	Weldon (FL)
Edwards	McDermott	Wise
Fawell	Metcalf	Young (FL)
Foglietta	Pelosi	
Gonzalez	Schiff	

□ 1055

Messrs. NEAL of Massachusetts, RODRIGUEZ, SHERMAN, and TIERNEY changed their vote from "yea" to "nay."

Mr. MATSUI changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 284 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2493.

□ 1056

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2493) to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands, with Mr. NUSSLE in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Alaska [Mr. YOUNG], the gentleman from Minnesota [Mr. VENTO], the gentleman from Oregon [Mr. SMITH], and the gentleman from Texas [Mr. STENHOLM] each will control 15 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. HANSEN], the chairman of the subcommittee.

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

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

Mr. Chairman, I rise in strong support of H.R. 2493, the Forage Improvement Act of 1997. This bill, introduced by my friend and colleague, Congressman BOB SMITH from Oregon, implements needed changes to current grazing laws and regulations. Congressman

SMITH has expended a great deal of effort in trying to address concerns from all sides of the grazing issue and is to be commended for not only tackling an issue which, in the past, has been very heated and controversial, but also for assembling a bill which is balanced and does no environmental harm whatsoever.

H.R. 2493 implements actions that will benefit the rancher dependent on our public lands, benefit the U.S. Treasury, and, most importantly, will greatly improve the rangeland resources over much of the West.

I would like to point out a couple of important areas that this bill addresses. This bill codifies a new grazing fee formula which sets an equitable and fair value on forage for both the rancher and the U.S. Government. In fact, if applying the new fee to the current market, there would be a grazing fee increase of 36 percent from \$1.35 to \$1.84, thus the Government benefits. The rancher benefits by getting a fee formula that is averaged over a longer time period and is easy to figure out and track, thus gaining economic stability for the industry.

Another important part of H.R. 2493 is that it would allow flexible management agreements between the Government and ranchers that will be based on performance instead of prescriptions. These agreements will only be available to those ranchers who have demonstrated good land stewardship for 5 years or more. The agreements lead to innovative approaches to grazing management and help retain good rangeland conditions.

H.R. 2493 also increases the focus of science-based monitoring programs for the rangeland conditions. It is simply impossible to make good land management decisions without knowing the condition of the land. Recently it has become apparent that the Federal Government, for numerous reasons, have not paid enough attention to the monitoring function, thus decisions, sometimes bad ones, have been made because of the lack of good monitoring data. This bill sets up a monitoring program which is based on scientifically proven protocols which will ultimately lead to better decisionmaking and improved rangeland resources.

Congressman SMITH has done an outstanding job in crafting a bill which implements needed grazing reforms while avoiding any negative environmental effects.

I support H.R. 2493, and urge all my colleagues to also add their support.

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

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of H.R. 2493. As I mentioned, this is a bill that has been worked on very hard by the chairman of the subcommittee. The chairman of the Committee on Agriculture and of course myself have worked through this legislation. I believe it goes far toward the stability of the grazing activity that takes place on public lands, protecting the lands environmentally, providing for the owners of those lands the base allotments, so they can continue their efforts to try to protect the environment through sound management of the

grazing forage areas on our public lands.

Mr. Chairman, H.R. 2493, the Forage Improvement Act, was introduced by my good friend and colleague from Oregon, Congressman BOB SMITH. Congressman SMITH should be applauded for laboring tirelessly on putting together a bill that keeps the controversy out and the common sense in regarding grazing practices on our public lands. Congressman SMITH has worked extremely hard to bring together the many sides of the grazing issue and has assembled a bill that helps the rancher whose livelihood depends on public land grazing without doing any harm to the rangeland resources. In fact, implementing this bill will ultimately improve the rangelands across the west.

Controversy and confrontation on grazing of the public lands have been raging for years. It is clear that changes in current grazing laws and regulations are not only long overdue, but are absolutely necessary in order to resolve many of the grazing issues. H.R. 2493 makes these needed changes.

For example, this bill will bring economic stability to those ranchers who use Federal land for grazing while at the same time generate additional revenue for the Federal Treasury. This will be accomplished by implementing a new grazing fee formula which is easy to understand, simple to track, and which charges a fair price to the rancher who buys access to forage from the Federal Government.

Furthermore, the changes found in H.R. 2493 will improve rangeland conditions by increasing the focus on science-based monitoring. For far too long and for a variety of excuses the Federal Government simply hasn't done its job in assessing rangeland condition through monitoring. Congressman SMITH's bill puts the emphasis back to what actually exists on the ground through a monitoring program that is science-based and which follows established protocols. This program will greatly enhance the decisionmaking process and help establish rangeland goals that are good for the land and achievable.

Moreover, H.R. 2493 will establish a program of management flexibility to those ranchers who have demonstrated good land stewardship. This will help to keep the grazing lands in good and excellent condition.

This is a good bill whose time has come. It does nothing to harm the environment. In fact, it will improve rangelands across the West. It treats the Western land grazer honestly and fairly. And in return, the U.S. Treasury makes more money and gets an improved rangeland resource.

I urge all my colleagues to support and vote for H.R. 2493.

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

□ 1100

Mr. SMITH of Oregon. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SMITH of Oregon asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Oregon. Mr. Chairman, this is a country of laws, not of men. And with respect to the issue of pasturing on public lands by grazers, we have been operating under the rule of men.

It is time, I think, to return to the question of laws, and that is exactly the purpose and the reason that we are here today.

Mr. Chairman, we have been operating in the past under the rule of one pen. Now we must operate, it seems to me, with the consent of Congress, which is the way we do business in this country.

A little historical reference about this bill. It is a very delicate issue; one that we have been discussing for many years since I have been a Member of Congress. But this is a little different this year because we have agreed now among many factions to bring a bill that has wide support and that has been discussed and rehearsed by many, many people in this country, including such divergent areas of environmentalists, of grazers, ranchers, interested people, senators, representatives. For a period of the last 4 months, this may be the widest traveled bill in America because it has been to every corner and every State and it has been examined by every person who has an interest in this whole discussion.

Mr. Chairman, in the past, ranchers who graze more than 270 million acres of public land, primarily in 16 States in the West, have been under great stress. Often there have been contradictory agency regulations that they have had to live with, even different regulations between the Forest Service and the Bureau of Land Management.

The rangeland reform issue brought 2 years ago, and much of it struck down by a judge's decision, was a frightening thing to the people who depend upon public lands. So, Mr. Chairman, here we are with a group of people, very insecure, wanting direction as to how they may proceed to live with their families on public lands in the West.

Many of my colleagues well remember the issue of the last session when a bill was passed by the Senate, came to the House, and, of course, was under great scrutiny by everyone and failed to come to the floor, and so did not pass. So this again has upset people in the West because we have no guidelines, it seems, until we pass this bill.

Mr. Chairman, we have a very moderate list of requests in this bill. We have come back from the idea of wanting everything to pass at one time to a basic idea that we need two things for the stability and the predictability of people in the West who depend upon public lands. Basically this bill is about a fee that is fair to the public grazers, and it is a fee that is fair to the Federal Government.

Mr. Chairman, also there is tenure in this bill; in other words, not extended tenure, but existing rulemaking tenure of some 10 years. If participants follow the guidelines of the Bureau of Land Management and Forest Service every year, they have the opportunity to graze for 10 years with a renewal.

From this bill, we have struck many, many controversial issues. Just to name a few, the resource advisory

councils, which were really a program promoted by Secretary Babbitt, came under great controversy simply because during the resource advisory council programs we wanted a majority vote of the resource council and the Secretary demanded a consensus; in other words, unanimous consent where one person could stop any kind of advisory council to the agencies.

Because it was controversial, we struck it from this bill. So it is existing law. We may have resource advisory councils, but they are certainly up to the various communities and the States. They are not in this bill.

Mr. Chairman, we have a lot of problems identifying allotments and base properties, and because it was controversial, we decided that we would not touch that and we would rely on existing law, which has been following several court cases in this country as far as definition of those two items.

There was a question of public access across private land and, frankly, we decided we would not touch that one either because that raises another argument, and so we dropped it out of this bill.

Now, we have left here, again, a very modest attempt to bring reason and stability to the West. It affects not one environmental law in this country. It produces nothing that would affect the environment at all. Grazing allotments are run and directed by the managers, the range managers. The number of sheep and cattle that are offered on public lands are highly regulated and counted each year.

So if there is a discrepancy, then we ought to arrange to have the public managers correct it. But it is not a part of this bill. It does not give the environmentalists any advantage. It does not give the grazers any advantage. It is a fair and reasonable offer.

Mr. Chairman, I commend this bill to my colleagues, and I ask for their support.

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

Mr. YOUNG of Alaska. Mr. Chairman, what remaining time do I have?

The CHAIRMAN. The gentleman from Alaska [Mr. YOUNG] has 14½ minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Oregon [Mr. SMITH], chairman of the Committee on Agriculture, to conduct the rest of the debate on this bill.

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

There was no objection.

PARLIAMENTARY INQUIRY

Mr. STENHOLM. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STENHOLM. It is my understanding under the rule that we have unanimous consent 1 hour of debate equally divided between the Committee

on Resources and the Committee on Agriculture and our time is divided and I control 15 minutes?

The CHAIRMAN. The gentleman is correct.

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

Mr. Chairman, I rise in strong support of H.R. 2493, the Forage Improvement Act of 1997. I would like to thank the gentleman from Oregon [Mr. SMITH], the distinguished chairman of the House Committee on Agriculture, for his hard work on this bill and for his sincere efforts to address the concerns of other Members.

Mr. Chairman, while very narrow in scope, this bill contains positive and necessary improvements to the current system for the management of grazing on Federal lands. I strongly support the requirement to use sound, verifiable science to monitor resource conditions and trends on grazing allotments. This bill allows Federal agencies to coordinate with ranchers to perform the monitoring or to hire a qualified consultant to do it.

Mr. Chairman, I firmly believe that we should base all environmental policy decisions on sound, verifiable science, and this provision is an extremely important step forward in that direction.

Additionally, this bill creates a grazing fee which provides stability and continuity for ranchers while returning a fair sum to the U.S. Treasury. It does this by ensuring the receipt of an equitable price for the product purchased by the rancher from the Government.

This bill raises grazing fees by 36 percent, and there are those who would argue that this is not enough of an increase and is just a government subsidy. But the fact of the matter is it is difficult to compare exactly all the intangibles associated with leasing public or private lands. They both contain their own unique qualities. Critics of this bill would do just as well to compare an apple to an orange.

Mr. Chairman, we must not lose sight of the fact that this bill will return fees to the U.S. Treasury that are an increase of 36 percent. For those who say this bill does not increase fees enough, similar fee increases for other Federal programs would hasten the elimination of the Federal deficit.

Finally, this bill requires the Forest Service and the Bureau of Land Management to administer grazing programs in a coordinated way. This was done to ensure that ranchers would be treated in the same manner by either agency. This just makes good sense.

Mr. Chairman, I strongly support this bill, a reasonable compromise, and I urge my colleagues to do likewise.

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

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

Ms. FURSE. Mr. Chairman, I rise in strong opposition to this bill. I am a

Westerner. I think this legislation is bad for the West.

Mr. Chairman, I have traveled in the West and I have seen firsthand the overgrazed streams whose banks have been trampled and shorn of vegetation. This is one of the reasons that we have endangered salmon in the Pacific Northwest. Our fish have few healthy streams to spawn in. The overgrazing of our public land has an enormous public impact, and that is why this bill is being opposed by taxpayer groups and opposed by environmental groups.

Sports and commercial fishermen in the Northwest once provided \$1 billion of income, but now the fishermen and fisherwomen of my district are out of work and the tackle manufacturers and the people who rely on tourism, they are losing money because there is no fish left to catch. To add insult to injury, those same constituents of mine are being asked to pay taxes to underwrite the below-market grazing fees.

Mr. Chairman, H.R. 2493 masquerades as a grazing reform bill, yet it puts grazing before the environmental health of our public rangelands. It turns grazing privileges on Federal lands into private property rights, and it expands grazing on public lands by including Forest Service lands.

For anyone who doubts the national ramifications of this legislation, this is not just a western issue. I have in my hand two editorials, one written by the Washington Post, "Subsidies for Big Ranchers," and the other written by the Herald Journal of Logan, UT. The Utah Herald Journal points out, and I quote, "The vast majority [of ranchers]—98 percent," and, Mr. Chairman, I repeat, 98 percent of ranchers, "don't even have access to public land and yet somehow they manage to stay in the black."

Now, who does have access? I go off the quote and come back in. "They include at least three Forbes billionaires, four oil and mining companies, and one national brewery," and I end the quote.

These are not small farmers. This bill provides corporate welfare to huge, huge agricultural interests.

The Washington Post, as I say, says it is a subsidy for big ranchers and it urges us to vote the bill down.

So, Mr. Chairman, both Easterners and Westerners agree that this bill is bad for the American taxpayer, bad for commercial and sports fishing groups, and bad, above all, for the environment. If it were not bad for the environment, not bad for our taxpayers, why would the taxpayer groups oppose it? Why would the environmental groups oppose it?

Mr. Chairman, I urge my colleagues, join those groups and vote "no" on this ill-advised legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, there is no, I repeat, there is no reference to private property rights in this bill. None. It conveys nothing. It yields nothing. There are eight large corporations that the

gentlewoman from Oregon [Ms. FURSE] mentioned. There are 23,000 medium-sized ranches that depend upon this bill.

Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. CHAMBLISS].

Mr. CHAMBLISS. Mr. Chairman, I am pleased to rise in strong support of the Forage Improvement Act.

Mr. Chairman, I come at this bill from a little bit different perspective than most folks that will be here speaking today because I am from the Southeast, I am not from the West. But my perspective is to ensure that the rights of hunters and fishermen all across this country are protected in this bill. And I will say to the critics of this bill who believe that it does not protect hunters and fishermen that they are wrong.

As vice chairman of the Congressional Sportsmen's Caucus, I am one of the strongest advocates of multiple use of Federal lands.

□ 1115

I want to make sure that our sportsmen and sportswomen have the opportunity to hunt and fish on Federal lands. The compromise that the gentleman from Oregon [Mr. SMITH], my chairman on the House Committee on Agriculture, has struck ensures that multiple use is protected. By working with the gentleman from Oregon [Mr. SMITH] on this issue, we have made sure that this bill is sound legislation for all of our sportsmen here to support. There is no better evidence of that than the chairman himself, who is an avid sportsman, an avid hunter and fisherman.

I urge my colleagues on the Congressional Sportsmen's Caucus to support this bill. I would say to my other colleagues, if they support farmers and ranchers and they support sportsmen and sportswomen in America, support this bill.

Mr. STENHOLM. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, I rise in strong support of H.R. 2493, the Forage Improvement Act of 1997. As the other vice chairmen of the sportsmen's caucus, I want to associate myself with the remarks of my colleague.

Grazing on public lands has been a contentious issue, as we know, for the last 20 years. The laws regulating grazing as administered by the Forest Service and the BLM have evolved to the point where it has become very hard to make a living as a public lands rancher. Our ranchers legitimately need this legislation.

The way fees are currently structured, ranchers simply are not able to plan financially from year to year. It is important to point out that this bill is much more moderate and narrow than past grazing reform proposals. I think the chairman, the gentleman from Oregon [Mr. SMITH], and the ranking

member, the gentleman from Texas [Mr. STENHOLM] should be commended for the way they have reached out to make this bill more acceptable to people.

It is time to support this modest bill which takes us in a small but extremely important step in the right direction. I urge my colleagues to support this bill.

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

Mr. Chairman, I rise in strong opposition to this bill. Fundamentally, the issue here is in terms of raising beef, raising sheep or goats as the case as this land is being used.

I would point out to my colleagues that this only affects, in essence, a dozen States. They will say 16, but quite candidly, it is only about a dozen States. Even within those States, we would find that the forage that is provided on public lands in California is 10 percent. Other Western States it may range as high as into the 30's.

Even within those States, public lands represent 50 percent of the forage. But the fact is that it takes place on 250 million acres that are under permit in terms of grazing so, indeed, this is important. But what does it mean in terms of production for farmers? It means less percent of the beef. So other farmers, others that are raising beef, they are not doing it in the thousands of animals in Minnesota, they are doing it in the hundreds.

The fact is that many of these operations are very large corporate farmers that have gained control. In fact, if we look at who has the control of this, less than 10 percent of the permittees control over 60 percent of the permits, over 60 percent of the forage, to put it more precisely. So this is a sop.

What is wrong here is that we have a system that is not being properly priced in the market. That leads to two things. First of all, it is unfair to the taxpayer. It is unfair and it leads to abuse and dependency in terms of these lands.

Most of these 250 million acres are ephemeral lands. They are marginal lands. That is why they generally remain in public ownership in many cases, not all. Some have other resources, other qualities that are wonderful. But the fact is they are marginal.

There are places in California where we have 2,500 acres for a single animal. In fact, I think the high there, in testimony that I saw, was like 3,400 acres, which is extreme. These hot desert areas, very fragile lands, we have the cows out there competing with the desert tortoise. I think it is wrong. I think that these cows end up with more miles on them than the old Chevrolet. The fact is that they become, when we put these animals on these lands, they become the dominant species.

What this bill does is to take what are in essence the BLM rules that provide for subleasing, transferring one's

permits to somebody else, with a premium payment. It eliminates the premium payment so BLM can continue to do that without the premium payment and it transfers that which is forbidden by the Forest Service today, to permit them to in fact transfer those permits.

This is an out-of-whack bill. Even with the changes that are being proposed by the gentleman from Oregon [Mr. SMITH] and the gentleman from New York [Mr. BOEHLERT], it still does not get to the essence of what is the problem here. It is not addressing the problem. It is a bad bill. It should be defeated on this floor. It should be amended. I hope we can do so.

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

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds.

I want to correct the record. Indeed, cows are competing with tortoises. I wonder how much the gentleman would pay if he were grazing tortoises.

The other question and the point I want to make here is simply that according to GAO figures, 47 percent of the permits have 100 animals or less; 38 percent have 100 to 500 animals; 15 percent of the permits have more than 500 animals. This is not exactly a huge corporate stealing program.

Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. HILL].

Mr. HILL. Mr. Chairman, I rise in strong support of the Forage Improvement Act.

As my colleagues consider this proposal, I urge them to consider the underlying values that are represented in this bill. What are those values?

Simply speaking, Mr. Chairman, the values are fairness, predictability, and stability. In the West, our Federal Government owns huge blocks of public lands. In my State of Montana it owns about 30 percent of the lands. We expect those lands to be managed in a responsible fashion, responsible to the taxpayers, and responsible to the people who use those lands.

There are some important facts, though, that my colleagues need to understand as they consider this bill. First, our rangelands are in good condition; repeat, our public rangelands are in very good condition. Second, rangelands need to be grazed. Grazing produces healthier grass. It reduces fire hazards and it increases the capacity of the land to sustain wildlife. Interestingly, cooperative grazing management with producers and local managers working together today we have healthier grass and substantially more wildlife on our public lands.

Third, grazing on the public lands is very important in sustaining local economies, local communities and in sustaining family farms and ranches. If the range is healthy and it is sustaining wildlife, why do we need this bill?

Mr. Chairman, the answer is that under this Secretary of Interior, the administration has embarked on a radical new experiment in range manage-

ment. They have thrown out 120 years of range management science. The administration has ignored local communities and it has written off family farms and ranches in the West. This bill is a moderate effort to restore predictability and stability to these communities and to these producers. How? By raising grazing fees in a predictable fashion with a predictable formula based on the price of cattle and interest rates. It creates a good return to the Treasury and it is based upon the ability to pay. It also brings stability by requiring range management to be based on proven science rather than special interests politics and most important, the bill is fair.

I urge my colleagues to do what is right. Vote "yes" on the Forage Improvement Act.

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

To continue my debate with my colleagues, as I said earlier, this affects a dozen or so States. Most of the beef raisers and others raising sheep and goats need to rely upon the marketplace in terms of what is happening. Obviously, it is not my intent or the intent to eliminate grazing from Western lands. That is of course the red flag that is raised, but that is not the purpose. In fact, I think that we want and need a collaborative and cooperative partnership with our Western colleagues in terms of trying to achieve the objectives.

The fact is that as we look at this that the receipts from the BLM are only about half of what the cost is of the grazing programs. In fact, in looking at fiscal year 1995, it is estimated grazing receipts will amount to about \$16.4 million, and the amount that was spent in managing those programs was in fact \$47,400,000. That does not include the range improvements which amounted to about \$10 million trying to take care of this.

What does this bill do to BLM's and to the Forest Service's ability to monitor? We heard about sound science. We heard about objectivity. We heard about doing this on the basis of the facts, not on the basis of politics. But then this bill suggests that if I am a BLM land manager, that I have to provide 48 hours' notice to the permittee to go on and to in fact look at this.

Remember this is public land. We are going to permit for someone to use it and we are suggesting that the manager of that land has to give 48 hours' notice so that we can go and determine whether or not in fact the monitoring of the cattle, if the sheep are properly being controlled in terms of how they are using these various allotments that are out there, this is one of the problems with this bill.

In fact, the way it is designed, and it needs to be modified, it has entirely skewed the program in a different direction with regard to what the impact is. As I said, it provides for subleasing, something that the Forest Service does not provide today. This extends the

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subleasing, which I believe leads to the very large permittees where they are transferring these permittees around. Sixty percent of the AUM's are controlled by less than 10 percent of those that hold the permits. It does not deal with number of cows. We are talking about AUM's; we are talking about the amount of forage that is being used.

Mr. Chairman, during this debate there are going to be suggestions that most States, even in the West, charge 2 to 3 times as much as the proposed increase here, which is not 30 percent. It is closer to about 15 percent. But the fact is that we are talking about AUM's here. We are comparing apples to apples in terms of what the States charge. All the States tend to charge a great deal more than the Federal Government, than this bill even proposes to. We hope to rectify that with the Klug and Vento amendments.

Mr. STENHOLM. Mr. Chairman, I yield myself 1 minute and 30 seconds.

Mr. Chairman, I join this debate with my colleague from Minnesota, as one that represents a State that has very little, if any, Federal lands involved in this. I have spent several years analyzing whether or not this is a fair rental as far as the competitiveness with other ranchers. It is not just my judgment that causes me to support the bill today. It is cattlemen from all over the United States that have agreed.

Yes, maybe it is not a perfect formula. I do not know that anyone can devise a perfect formula. But to continue to suggest that the only valid formula for charging rental rates has to be with private lands is an erroneous assumption. That is comparing apples and oranges and it is not relevant to this debate.

Also we need to understand, yes, there are a few large enterprises that are involved. But 81 percent of the Forest Service permittees are part of small- to medium-sized family ranching. The amendment that the gentleman will offer, when we get to the amending process, would make it very difficult for these individuals to make a living in ranching in the real world.

Therefore, I encourage all of our colleagues to listen carefully, particularly when you are concerned about environmental concerns. This bill is very important in this aspect. It is suggesting that we rely on sound science. This bill institutes a program of scientific range monitoring to ensure that land managers make their decision on the basis of current reliable data and not merely one's judgment. What we are debating today is one's judgment.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to correct the Record here again and talk about the facts. The facts are that indeed this is an increase of 36 percent from a \$1.35 to \$1.84 per animal unit month.

Mr. Chairman, do not be fooled by the fact that the gentleman states that we only retrieve half the cost from the grazing fee. That is not true.

If you believe the Government is efficient by adding up all the costs and then saying, well, ranchers ought to pay the cost of administering the grazing fee, then I think you are on the wrong track. The facts are that the grazers pay almost the cost but we are also paying the NEPA cost. So I think that is a public policy, not a rancher's issue.

Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri [Mrs. EMERSON].

Mrs. EMERSON. Mr. Chairman, I rise in strong support of the Forage Improvement Act. I want to thank the gentleman from Oregon [Mr. SMITH] for his strong leadership and his good commonsense effort to fix our Nation's grazing laws.

Mr. Chairman, this bill is good for our public lands and for those who depend on public lands for their livelihood. By reinforcing and clarifying the partnership between ranchers and Government, and by emphasizing better science as part of the process, the bill promotes sound grazing practices.

The fact is that America's farmers and ranchers are our best conservationists, and they are committed to working with the Government and other citizens in caring for the land.

This legislation is important to the future of family ranching operations. All of agriculture, including the ranching community, faces great market and weather uncertainties from year to year. Our Government should not add to this natural volatility by forcing confusing and conflicting grazing rules on our ranchers.

H.R. 2493 provides the stability in Federal policy that is long overdue. I urge a yes vote to support responsible public lands policies.

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

Apparently, my colleague is confused. There is some confusion about what the increase is in this bill. I am just going on the basis of the CBO. I think, for purposes of debate, I would quote and read from the document.

Using ERS's most recent data for the total gross value of production and projecting changes in cattle price and interest rates, CBO estimates that the proposed new formula would result in grazing fee averaging about 20 cents more per AUM over the 1998 to 2000 period in the western States in the grazing fee based on current law.

And I might say, in terms of the cost figures that I used, these are directly from the BLM figures. It indicates consistently, from 1991 to 1995, nearly a threefold cost in terms of the grazing program versus the receipts that come into it. So it is consistently 2-to-1, 3-to-1 more in terms of what we are spending. So there is a subsidy, in essence, here, and that is what we are facing.

No one is saying we are going to go to cost with this. But the fact is that we have got to recognize that in terms of where we are at. If we put this on a

fair market value, if we put it on a cost basis, clearly it would be to the benefit of the environment and to the taxpayer.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I do not know where the gentleman from Minnesota [Mr. VENTO] gets his numbers. In the bill, the AUM charges \$1.84, not \$1.55, as he is quoting. It is a \$6 million increase to the Treasury from grazers across this Nation.

Mr. Chairman, I yield 2½ minutes to the gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman from Oregon [Mr. SMITH] for yielding me the time.

Mr. Chairman, I rise in strong support of the Forage Improvement Act. I think it is a very well-reasoned and responsible bill that will bring some order to the bureaucratic empire of Byzantine complexity that we call Federal land management.

I applaud my colleague, the gentleman from Oregon [Mr. SMITH], chairman of the full Committee on Agriculture, for his leadership on this issue. At a time when the White House, the Congress, and State governments are working to downsize and streamline all of our governmental bureaucracies and delivery systems, this bill goes a long way toward coordinating the administration of Federal land management activities. The current, complicated regulation of Federal lands, by both the Secretary of the Interior and Secretary of Agriculture, leads to a maze of confusing and often conflicting regulations for the administration of livestock grazing.

I have spent a considerable amount of time studying the U.S. Department of Agriculture's field office downsizing and streamlining. I know the conflicts that can arise from the contradictory regulations and the overlaying bureaucracy of this massive delivery system. This is only one department, Mr. Chairman. I can only imagine the conflicting and confusing delivery system of the Federal land management when two departments are involved in this situation. Chairman SMITH is to be commended for even taking on this reform issue.

I was amused over the weekend as the Washington Post, certainly an expert in western land management, tried to explain why Congress should defeat this bill. It is a sad commentary on our time, I think, that this same newspaper that has encouraged reform of our Federal programs comes out against a bill that streamlines bureaucracy, emphasizes sound science practices, and a new grazing fee formula is implemented in the bill.

I think it is important to know that this legislation actually increases grazing fees, as has been suggested, and it does it with a new formula that is easy to understand, easier to track, and charges a fairer price. This bill is reform at its best, Mr. Chairman. I would

encourage all Members to vote for this worthy piece of legislation.

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

Mr. Chairman, I would ask the sponsor of the bill on what page of his bill does it state \$1.86? I look through the bill. I find on page 36 the calculation, but I do not find that. My source of information is not the bill, it is the calculation carried out. I can read the calculation into the RECORD, but I do not want to confuse an already confused issue.

What I am quoting is what the CBO says. In any event, we all agree that there is an increase here. A 20-cent increase is hardly going to begin to make up. That would yield about \$20 million a year. The costs, of course, are closer to \$50 million a year in terms of managing this program.

Furthermore, I point out one of the problems with this bill is that it had no hearings in the Committee on Resources. It had no consideration in the subcommittee. The subcommittee has been very assiduous in terms of hearing most of the measures that come before us, but somehow this bill during this term received no consideration in that subcommittee. No markup. It went directly to the full committee and was marked up without hearings in that instance.

It has just been 6 weeks since this bill has been introduced. So if there is confusion about it in my part or the author's part, I can well understand it. I think it could have benefited from a full hearing of what some of the radical changes are in this bill. Again, we are seeing substantial changes on the floor to accommodate some of the concerns of Members.

In fact, of course, as I look at the list of opposition, I notice that the Trout Unlimited Group remains opposed to this bill. I have heard some allude here that they are members of the sportsmen caucus. I respect them for that. I do a little hunting and fishing myself when my schedule permits it.

But the fact of the matter is that this is opposed by the groups that I have here, Trout Unlimited, it is opposed by the National Wildlife Federation, and most of the environmental groups I think that we would look to, and, of course, it is opposed by some of the taxpayers' groups that are concerned about the constant drain in terms of revenues with respect to this bill.

Mr. Chairman, this bill is neither fair to the American taxpayer nor is there a good sound policy for Federal land management. I urge my colleagues to defeat this bill.

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

The CHAIRMAN. The gentleman from Texas [Mr. STENHOLM] has 10 minutes remaining. The gentleman from Minnesota [Mr. VENTO] has 3 minutes remaining. The gentleman from Oregon [Mr. SMITH] has 13½ minutes remaining.

Mr. STENHOLM. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. BISHOP].

Mr. BISHOP. Mr. Chairman, I appreciate the gentleman from Texas [Mr. STENHOLM] for yielding.

Mr. Chairman, I rise to express my support of H.R. 2493, the Forage Improvement Act of 1997. If you take away all the rhetoric, you will find that this bill has been written in the spirit of compromise and collaboration. There is nothing in it that attempts to roll back any existing laws.

There are so many issues that Western cattlemen will still face after this bill passes that will continue to threaten their businesses. Yet, this bill will try to provide some degree of certainty sorely lacking in public land ranching. One of the most important is a requirement of scientific monitoring of resource conditions and trends on grazing allotments.

This monitoring will allow the agencies to coordinate with ranchers, to perform the monitoring, and, more importantly, it will be based on regional criteria and protocols. This would help guarantee that the ranchers' business will not be vulnerable to regulations that have no basis in science or that were created in Washington without input from professionals in their own State who understand resource issues at the local level.

Currently, all the agriculture across this Nation is having to defend itself against an onslaught of potential restrictions that lack quality data. This bill will help the Western rancher, at least, to defend himself when he is accused of abusing the one thing he is in need of the most on public lands, the forage. It will also provide the cattlemen and agency land managers a valuable management tool to make sound judgments and to better predict the future.

Let us dispense with all the cheap shots that are being levied at this bill and let us move forward. Nobody loses with this and the Western cattlemen can attempt to put a little more certainty into their families' lives.

What we do here in Washington ought to be based on science, it ought to be based on common sense, and it ought to be user-friendly to the people of this country, and in this instance particularly the ranchers who make their living and their lives by using these public lands for grazing their cattle.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I want to thank the gentleman from Georgia [Mr. BISHOP] personally. I think his statement and many others you will hear are from States that have no public land, no grazers. And I especially want to thank him for stepping up and to refute this idea that this only affects a small number of States. We are here together to represent 50 States. And I thank the gentleman from Georgia [Mr. Bishop] very much.

Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. COOKSEY], who of course has a lot of public lands.

Mr. COOKSEY. Mr. Chairman, I thank the gentleman from Oregon [Mr. SMITH] for yielding.

I, too, rise in strong support of the Forage Improvement Act, H.R. 2493, by the gentleman from Oregon [Mr. SMITH]. Mr. Chairman, first let me congratulate my good friend, the chairman of the Committee on Agriculture, for his hard work on this bill. This bill is a consensus bill that will benefit everyone involved, from the taxpayer to the livestock producer to the conservationist.

The gentleman from Oregon [Mr. SMITH] has collaborated on this bill with State and national livestock industry groups, individual producers, and environmentalists to bring predictability to our ranchers' plans for forage use.

As a physician, I rely on sound science to prescribe solutions, and I appreciate legislation that follows the same approach. The Forage Improvement Act will institute a program of scientific range monitoring on which land managers can rely. Decisions can be made on the basis of current and reliable data. This is important. Good science will predict not only the livestock producers, but also the public and the environment.

This bill provides incentives to ranchers who demonstrate they are responsible stewards of the land which allows them to enter into cooperative allotment management plans with the Department of the Interior. We all can agree that a renewed commitment to the scientific monitoring and decision-making will benefit everyone.

Another important reason to support this bill is that it streamlines the regulations of the Forest Service and Bureau of Land Management. If the rules are easier to understand, the result is that they will be adhered to. Uniformity and coordination of management is needed to straighten out the current morass of regulation. Less bureaucracy is always better.

Finally, Mr. Chairman, I am supporting this bill because ranchers, just like the farmers in my district, need predictability under Federal rules and regulations. We will always have uncertainty in the weather, but we cannot have uncertainty from the Federal Government when ranchers are deciding on how best to use their land, whether to seek financing or even to sell their ranch.

Let us pass this bill and make it easier for those who are supporting their families with long hours and a noble calling. Let us streamline the bureaucracy that exists and use sound science for the benefit of everyone.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY].

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

Mr. DOOLEY of California. Mr. Chairman, I rise in support of this Forage Improvement Act. I think that the gentleman from Oregon [Mr. SMITH] needs to be complimented in his efforts to reach out to people in the environmental community and stakeholders, as well as Federal Government, in order to try to find a way that we can put to rest an issue that has been very contentious in its consideration in past Congresses.

I think what the gentleman from Oregon [Mr. SMITH] has done is to embody some of the proposals that the Department of the Interior has been trying to utilize to ensure that we have greater cooperation from people throughout the community, as well as environmentalists so that we can ensure that the interests of the taxpayers and interests of the public trust is maintained.

I think he is also moving forward in a responsible manner, too, by asking that we revise the formula in which we calculate the price per AUM and that this bill will result in an increase of almost 36 percent in the price of rangeland. And that means benefits that are going to accrue to the taxpayers.

What is also important is, I think, he is putting it in a place in which we are going to have more of a collaborative effort to ensure that the public lands are used in a manner which is going to benefit all of us.

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I am certain that the effort of this legislation is going to ensure that our public lands that are devoted to rangeland are going to be in better condition, that they are going to ensure that there will be a financial return to them. They will also provide benefits in maintaining much of this land in open space.

Once again, I just want to reiterate that I commend the gentleman from Oregon [Mr. SMITH]. I think this legislation is a balanced and responsible approach to dealing with grazing on public lands.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. HOSTETTLER], a member of the committee.

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

Mr. HOSTETTLER. Mr. Chairman, I rise today in strong support of the gentleman from Oregon [Mr. SMITH], the chairman of the Committee on Agriculture and the gentleman from Alaska [Mr. YOUNG], the chairman of the Committee on Resources, and their effort on behalf of responsible use of publicly owned land. The fact that such a bill is necessary is just one of many problems that arise with this issue of Federal ownership of property.

Mr. Chairman, the Federal Government owns more than one-third of the 2.3 billion acres in the United States. It owns 63 percent of the 13 Western States. For a country founded in large

part due to the high regard placed on the private ownership of property, this is a curious thing. One has to wonder how the United States of America assumed all this property given that article 1, section 18, clause 17 tells us Congress has the power:

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding 10 square miles) as may, by cession of particular states, and the acceptance of congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards and other needful buildings.

Does that sound like a mandate to own 725 million acres of land? As with so many other areas of policy in government, we have gotten very, very far away from the intent of the Founding Fathers as expressed in our chief governing document, the U.S. Constitution, which each Member of this body takes an oath to uphold. With Federal ownership, you are bound to get them wanting to manage it this way and us wanting to manage it that way. Private property ownership is clearly the superior route. The Founding Fathers clearly saw Federal ownership of land as the exception rather than the rule.

Having said that, the least that we can do as Federal legislators is to give the taxpayers who use that federally owned land, their federally owned land, some regulatory relief. This bill does that. That is why I support this bill and urge my colleagues to do the same.

Mr. SMITH of Oregon. Mr. Chairman, I yield 1½ minutes to the gentleman from Oklahoma [Mr. LUCAS].

Mr. LUCAS of Oklahoma. Mr. Chairman, I rise in strong support of the Forage Improvement Act. The gentleman from Oregon [Mr. SMITH] and the gentleman from Alaska [Mr. YOUNG] should be commended by all in this body for bringing this well thought out, bipartisan piece of legislation to the floor of the People's House.

As a Congressman who still tries to earn an honest living as a cow/calf operator in western Oklahoma, or in truth I should point out, because of my responsibilities, whose wife is a cow/calf operator in western Oklahoma, I know firsthand the value that predictability and stability brings to those of us in the livestock industry. The legislation under consideration by the House today provides a uniform and consistent grazing policy that represents great progress toward enabling western ranchers the ability to plan for forage use.

This is a good bill. Yes, it raises grazing fees 36 percent. Yes, it requires coordination between the BLM and the Forest Service. Yes, it mandates scientific monitoring of grazing conditions. And yes, it creates authority for Government and ranchers to enter into cooperative management plans.

Mr. Chairman, this bill is bipartisan, it instills cooperation, increases Federal revenues, and mandates sound

science. It is a good piece of legislation that deserves passage in this House.

Mr. SMITH of Oregon. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. LAHOOD], who is also a member of the committee.

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

Mr. LAHOOD. Mr. Chairman, I rise today to encourage my colleagues to support this bipartisan bill. I want to compliment the chairman of the committee, who has tried to work with all parties to fashion a bill that makes sense. It is a little bit comical to see some people come trotting out here with ideas about the fact that this maybe does not meet all of the budget considerations they want or the environmental considerations, when in reality the chairman has worked for 7 months with every group in this town to fashion a bill that makes sense in a bipartisan way, and he deserves credit for that, and he deserves support for it, because the bill gives added stability in being able to plan for the future. With more stability, ranchers will be able to continue to be good stewards of the land, which is what I guess environmental groups want and should want.

This has been a 7-month consultation with many, many groups. It contains new cooperative management authority for agencies and ranchers and will allow more flexibility for ranchers for them to continue achieving rangeland management goals. If there has ever been a bipartisan bill come on this floor that represented all sides, this is it. I encourage the support of all of the Members on both sides of the aisle.

Mr. VENTO. Mr. Chairman, I yield myself 30 seconds. To the gentleman in the well I would say if this is such a wonderful bill which was introduced September 17, why were there not hearings in the Committee on Agriculture? Why were there not hearings in the Committee on Resources? It is not a 7-month bill. It is more like a 7-week bill that never had any hearings. That is why we are concerned. The sound science in this bill puts science in a straitjacket in terms of changing the AUM's, changing the procedure for the Forest Service.

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

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

Mr. LAHOOD. The point of fact is that the chairman has worked with a lot of different groups over a long period of time. This is not a 7-week bill. This bill has taken an extended period of time.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds. As usual, the gentleman is misleading the body. We did have hearings in the Committee on Agriculture, as witnessed by the gentleman from Texas [Mr. STENHOLM], the ranking member. So the idea we did not have hearings is wrong. This bill was referred to two committees. We took it to the full committee of the

Committee on Resources. That is all. There were hearings, so let us clear the record.

Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. BLUNT].

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

Mr. BLUNT. Mr. Chairman, I stand in strong support of this bill and appreciate the chairman's leadership in bringing really a complex set of facts together here. Under this bill, the current complicated system of regulations will become easy to understand and simple to track. Both the Federal Government and the livestock producer will benefit when these regulations are understood. For the first time, ranching families will be able to go to borrow money with some certainty about what their future looks like and it will make a big difference to them. The fee structure is changed and modernized and beneficial to the taxpayer as well. This is really a very family farmer, rancher-oriented bill. We have more cattle in our State than any State except Mr. STENHOLM's State of Texas. We do not have any grazing land in our State. Not a single Missouri farmer will benefit from the grazing land provisions of this bill. But our folks will benefit from stability in the livestock production system that this bill creates. I am strongly in support of it.

Mr. STENHOLM. Mr. Chairman, I yield myself 2 minutes. I do this for purposes of confirming what the chairman said regarding the hearings that were held in the Committee on Agriculture and the subcommittee on this bill and also to reiterate what I know the gentleman from Minnesota totally agrees with. This is an issue that has been discussed for many, many years.

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

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

Mr. VENTO. I appreciate the gentleman yielding. I did not misstate the record with regards to the Committee on Resources. There have been many oversight hearings in grazing but not on this bill. If this bill was introduced after the hearings, I think that the record would be clear with regards to that, but there were not hearings on the specific issue that is before us.

Mr. STENHOLM. Mr. Chairman, reclaiming my time, I thank the gentleman for that clarification. Again, I was only speaking of the Committee on Agriculture and also speaking of the fact that I have participated in this debate for years, as the gentleman from Minnesota has.

What the chairman has done this year is attempted, as the gentleman from Georgia earlier spoke to, to reach out to people who are willing to compromise and to find an acceptable middle ground to a question that has proven to be irresolvable over the years. What we have today is the best good-faith compromise to reach an agreement midway between extreme views.

This is what the bill before us today is all about.

We talk about the grazing fees. I think it is important for all Members who may not be as familiar with this, the grazing fee is merely for the forage and represents a small part of the overall cost of Federal lands ranching. Ranchers are responsible for fences, for water, for seeding and other improvements, keeping track of the livestock, along with anything else required by the agencies. That is where the real costs are. That is why ranchers from Texas, Georgia, Missouri, and other States do not have the objection as stated by the gentleman from Minnesota to this because based on the total cost, there is a reasonable certainty or a semblance of fairness as best that can be done in any formula. Also regarding the wildlife question, I find it fascinating when we see from 1960 to 1980 the increases of antelope, elk, and deer on these same lands that are being so misused by the livestock industry.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from Oregon for yielding me this time. I must say with all due respect to the chairman of the Committee on Agriculture, he has worked tirelessly on this piece of legislation. He has worked night and day to make sure that all factions of concern, all issues of concern have been addressed. I appreciate his efforts in that. We do have some amendments yet to add, but I just really appreciate the chairman, and this demonstrates what leadership really is all about, the ability to work with many different groups of people.

I want my colleagues to picture this. Two thousand miles away from here in southern Idaho and dozens of other rocky and rugged places in this country, ranchers eke out a modest living and put food on our plates. These families like this, this is a picture of Mr. Dick Bass, a rancher in Idaho. This is a face on this whole problem. Mr. Bass is also a county commissioner, a husband, a father, and a good American who pays his taxes and pays fees to the Federal Government for the privilege of being able to graze on the public lands. He has worked tirelessly with other county commissioners and other ranchers to bring California bighorn sheep, in cooperation with the Idaho Fish and Game, to all of southern Idaho. And now that wildlife project has been so successful that we are now exporting California bighorn sheep out to other States.

They care about the land. They have improved the land since it was ravaged at the turn of the century. These cattlemen love the land and love their work. These guys have been out working in the far reaches of their ranches for days. Lately they have come in to send faxes to us to ask in very articulate and well-reasoned letters, citing

many points about their concerns, but all they really ask is just let us keep making a living.

We have got to remember that the West has been ravaged with the shut-down of logging, with the overregulation on our lands. It is driving people from the lands. Do not drive the very shepherds that are keeping our lands healthy and vibrant. This has been the concern of the gentleman from Oregon [Mr. SMITH]. I share that concern with him. The gentleman from Oregon has brought a piece of legislation that brings financial stability into the industry and that has been very needed.

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But he also realizes, as I do, that these people have continued to battle hard weather and all kinds of bad wildlife, but they choose to stay there and be the kinds of shepherds of the land that we need, that America needs, and our industry needs.

The CHAIRMAN. The gentleman from Texas [Mr. STENHOLM] has 3¼ minutes remaining, the gentleman from Oregon [Mr. SMITH] has 2 minutes remaining and the gentleman from Minnesota [Mr. VENTO] has 2½ minutes remaining.

Mr. STENHOLM. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Oregon [Mr. SMITH] and that he be allowed to yield it as he sees fit.

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

There was no objection.

Mr. SMITH of Oregon. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I rise in support of the bill with the manager's amendment.

I want to start by thanking the gentleman from Oregon, Chairman SMITH, for his openness and willingness to stand up to people who should be his allies to get a workable bill. The gentleman from Oregon [Mr. SMITH], the chairman, has always been responsible and candid and open minded.

Whenever I or my staff had a discussion with the gentleman from Oregon, Chairman SMITH, negotiations were friendly and productive. I appreciate that, because I know that the gentleman from Oregon [Mr. SMITH] has taken grief he does not deserve for trying to do the right thing: Searching for the sensible middle ground.

As for me, my position has not wavered since negotiations began in June. We made clear from the beginning what our concerns were with this bill, and once those concerns were addressed, we supported it. Our position has not changed.

We have never linked grazing issues to those in other bills, and we have never paid any attention to anyone else who tried to assert such linkage.

Let us turn to this bill. We have come up with a fair agreement, an agreement that helps ranchers while ensuring that the bill does no damage to the environment.

Our goal in negotiations has been to ensure that public land is never treated as if it is owned by private parties. Our goal has been to ensure that Federal officials have the ability to protect the integrity of public lands. Those goals have been met.

The manager's amendment makes changes in every section of this bill. It alters or drops problematic definitions which implied there was a private property right in Federal land. It drops the section on access. It drops the section on resource advisory councils, which are working so well. It clarifies the agency's role in monitoring and sub-leasing.

The manager's amendment does all that while still providing ranchers with stability, a new fee formula, and the privilege of conveying their grazing permit when they sublease their base property, as long as the Secretary approves.

This is a good deal that should enable us to pass grazing legislation for the first time in many years. But I hope it is just the first step. We have succeeded in ensuring that this legislation allows no damage to be done to the environment. I hope some day we can pass legislation that will be fair to ranchers, while being environmentally positive.

Ranching groups and environmental groups have been working for several years behind the scenes to develop such a grazing regime. That is as surprising as it sounds. In the meantime, I urge my colleagues to support the manager's amendment and its passage. I urge support of the base bill of the gentleman from Oregon, Chairman SMITH.

Mr. SMITH of Oregon. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Illinois, [Mr. EWING].

Mr. EWING. Mr. Chairman, I am glad to rise in support of this legislation, H.R. 2493. I know how hard the gentleman has worked to bring together those in the grazing industry that are very important to their livelihood, those in the environmental community, those Representatives from the West, to fashion a bill that addresses a problem that has gone unaddressed in past Congresses and in this Congress.

It is time that this Congress move to pass meaningful legislation dealing with grazing rights, and do it in a fashion that does not offend the environmentalists in America and does not disadvantage those people in the cattle and the sheep industry in the West.

This bill does not do that. And that is important. It is important to farmers in the Midwest, that we keep our agricultural and our livestock industry healthy and viable in this country.

I congratulate the gentleman from Oregon [Mr. SMITH]. I am glad to support this bill, and I hope my colleagues will also.

Mr. VENTO. Mr. Chairman, I yield myself the balance of my time to again reiterate my opposition.

Mr. Chairman, this is an enormously important bill. I appreciate that my colleague, the chairman of the Committee on Agriculture, has worked with various groups, but the fact is at the end of the day, all the environmental groups are against it, some of the sports groups are against it, and some of the taxpayer groups are against it, because balance is not in this bill. This bill is not a balanced bill.

I regret that it did not have the type of hearings after the fact when it was written and introduced and passed so quickly that it is here and has not had the type of debate within committee.

So many questions are still confused with regard to it. There are 250 million acres of land under permit. The fact is that we have 30,000 permittees out there, but over half of them are very large. Half of the forage goes to the largest, less than 10 percent of the group.

There has been a reiteration of sound science. What is the science about increasing the number of sheep and goats per AUM? Where is the science that supports that? That is in the bill. Science is put in a straitjacket in this bill. Where is the science that says you cannot come on the land for 48 hours without notifying the individuals so you can monitor it. That puts a straitjacket on the land managers and the scientists we charge to manage the land.

What is the science that suggests that the fact is you are going to extend subleasing in the Forest Service where it does not exist today? Where is the science that says you eliminate the surcharge in terms of subleasing? Where is the science that suggests you throw out all of the regulations with regard to the Forest Service?

This sets up a whole new scheme in terms of rules and regulations. Where it lands, nobody can say. The fact is, yes, we have problems today, because this 250 million acres today is greatly competed for and has a multiple use in terms of recreation and many uses that did not exist when the basic grazing laws were written in the 1930's.

The fact is, these are important issues, laws like the Endangered Species Act. You can make a joke about the desert tortoise, but most of us would agree some of these ephemeral areas probably should not be grazed or should be closely monitored when they are.

But this bill does nothing to improve the dollars and cents given to the BLM and the Forest Service, but puts substantially new responsibilities on them, and the end consequence is the environment is going to pay, not just in dollars and cents here, in the terms of there is a \$20 million increase here, \$5 million in grazing fees, when we spend maybe twice or three times that much, some say \$400 million more in terms of enforcing grazing permits.

Mr. Chairman, this is a bad bill and should be defeated.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 45 seconds.

Mr. Chairman, I do so again to correct the record. The gentleman has expanded beyond the truth here. The point is that 76 percent of the grazers are individuals, 8.5 percent are partnerships, and 10.8 percent are corporations. This is no corporate boondoggle.

Beyond this, this does not turn additional sheep and goats on the range. That is only a billing procedure. This has nothing to do with the number of sheep and goats turned out on the public ranges.

Mr. Chairman, I yield the balance of my time to the gentleman from South Dakota [Mr. THUNE].

The CHAIRMAN. The gentleman from South Dakota is recognized for 1 minute.

Mr. THUNE. Mr. Chairman, I want to thank the Chairman for yielding me this time and credit him and the distinguished ranking minority member here, the gentleman from Texas [Mr. STENHOLM], with putting together a bill that I think does address a lot of the concerns raised.

There have been a great number of hearings over the past several years on this very subject. I come from cattle country in western South Dakota. It is an area where you have to be tough to make a living. Out there, toughness is a prerequisite. I also happen to be an avid bird hunter, an outdoorsman, that appreciates the perspective that sportsmen bring to this particular debate.

I believe the chairman has worked with all of those groups in a balanced way to come up with a commonsense approach that injects science into the equation and addresses the issue of fees in a way that provides stability for the ranchers who use these lands. It is based upon an objective set of indices, which I think yield stability to the people who are trying to make a living in the business of agriculture, particularly in the business of raising cattle and livestock, so they can make a living at this.

Mr. Chairman, this is a bill which I think accommodates a wide range of concerns. It is something that I hope all of us in this Chamber will be able to support.

Mr. FAZIO of California. Mr. Chairman, as a cosponsor of this legislation, I rise today in support of H.R. 2493, the Forage Improvement Act of 1997, sponsored by colleague BOB SMITH.

Congress has tried numerous times over the past several years to enact comprehensive reform of our Nation's rangeland grazing policy on Federal lands administered by the Bureau of Land Management and the Forest Service. The administration and the House of Representatives tried to increase grazing fees on public lands in 1993, and the Senate attempted to address some grazing fees issues in the fiscal year 1994 Interior appropriations bill. Grazing reform resurfaced again in the Senate Interior appropriations bill in 1996, and the Senate did pass a reform bill on March 21, 1996, only to die in the House.

I support the Forage Improvement Act of 1997, because I firmly believe that the Federal grazing permit system is simply too outdated and does not reflect the current needs of ranchers, communities, and the environment. Management of our public lands remains in limbo as the issue has been bounced back and forth from the House to the Senate to the administration. H.R. 2493 is the first step in the direction of a streamlined approach to managing nearly 270 million acres of rangeland in the United States.

I believe that grazing fees should be increased to reflect the value of the land that is being used. The formula provided by H.R. 2493 will result in an increase in grazing fees of between 15 and 30 percent over existing levels. This is a good start in leveling the playing field.

Participation in land use decisions by ranchers, local communities, public officials, and environmental advocates is also essential. That is why I support the manager's amendment offered by Mr. SMITH which deletes any language in the bill which would have altered the current processes of these Resource Advisory Councils, currently in place under an Executive order by Secretary Babbitt.

What we need to be successful in achieving comprehensive grazing reform this Congress is an approach where the viewpoints of all parties are taken into account from the very start. I believe that H.R. 2493 tried to incorporate this comprehensive and cooperative nature, and provides much needed and long-delayed reform of our Nation's rangeland system.

I urge my colleagues' support.

Mr. BARCIA. Mr. Chairman, I rise today in support of H.R. 2493. This is a fair bill that will not only help small to mid-size family ranchers, but end at last the contentious debate that has surrounded this policy since its inception in the early 1900's.

Under current law, the Forest Service and the Bureau of Land Management charge fees for grazing and each agency promulgates their own regulations. H.R. 2493 coordinates the efforts of the two agencies so that our citizens will not have to forage through a multitude of regulations.

This bill increases local involvement in the Resource Advisory Council by modifying the makeup of the council to include representatives from the community. The council would represent broad interests by including those who use the lands for grazing to persons interested in developing the land and from recreational users to state and local elected officials.

H.R. 2493 codifies a new fee formula that, according to the Congressional Budget Office, will not decrease the Federal Government receipts. In fact, this bill will increase the current fee for ranchers by 36 percent which will amount to approximately \$6 million more for the Federal Government over the next 5 years.

This bill will not limit access to public lands and will not change any environmental laws that are so important in protecting the natural habitat and beauty of our public lands. In fact, allowing grazing on these lands has had a positive impact on our environment because ranchers have every incentive to protect and enhance the land and its natural habitat, and they have a proven track record. Moose, deer, and elk populations have increased by over 500 percent since 1960 on these lands.

Maintaining and supporting ranching communities is important for our economy and our environment. Without the protections to the wildlife, urban development would slowly move to devastate these vast rural and environmentally sound areas. The bill will provide security for ranchers and their families and I urge my colleagues to support this measure.

Mr. MORAN of Kansas. Mr. Chairman, nothing better symbolizes the heritage of the Western United States than cattle grazing on the open range, and with over 6.5 million cattle on farms and ranches, the Big First District has more cattle than any other congressional district. The cattle rancher still stands as a picture of the American independence, battling long odds and mother nature and enjoying the rewards of a hard day's work.

This heritage is why the bill before us is so important. To say that the life of the rancher is filled with uncertainties is an understatement. Just this past week in Western Kansas, we had our first blizzard of the season. For some cattlemen, it was devastating. One rancher north of Dodge City lost 200 out of a herd of 242 yearlings. Across the State, cattle losses are estimated at nearly 20,000 head.

As Members of Congress, we cannot change the weather and we cannot control the markets, but we can and should provide stability in the terms and rates for ranchers grazing on Federal land. The bill before this chamber does just that—guarantee that Federal grazing lands are managed in a way that will ensure their healthy existence for generations to come. This legislation will assist the American rancher do what he or she does best, feed the world, and it does so in a way that helps preserve the family farm and ranch.

The Forage Improvement Act is good policy for the rancher, the taxpayer, and important for the long-term health of this Nation's grazing lands. In addition, this bill represents the right way to develop policy through consensus and bipartisan work, not through administrative fiat.

Mr. Chairman, I urge my colleagues to vote in support of this important measure.

Mr. STUMP. Mr. Chairman, the American people want responsible Federal Government and bills that make sense. We should all be pleased with the Forage Improvement Act of 1997, because it improves Federal management responsibilities and will result in a more effective grazing policy.

Currently, management of Federal grazing responsibilities fall under the purview of both the Secretary of Agriculture and the Secretary of the Interior. The bill would allow the Secretaries to work together to provide for uniform management of livestock grazing on Federal lands.

So what is there to fear from this legislation? Nothing. Nothing in the act will affect grazing in any unit of the National Park System, or National Wildlife Refuge System, or on any lands that are not Federal lands, or on any lands that are held by the United States in trust for the benefit of Indians. Nothing in this act shall be construed to limit or preclude the use of, and access to, Federal lands for hunting, fishing, recreational, watershed management, or other appropriate multiple use activities in accordance with applicable Federal and State laws and the principles of multiple use. And, nothing in this act shall be construed to affect valid existing rights, reservations, agreements, or authorizations under Federal or State law.

What the act does do is to require that to the maximum extent practicable, the Secretary of Agriculture and the Secretary of the Interior shall provide for consistent and coordinated administration of livestock grazing and management of Federal lands consistent with the laws governing such lands.

The bill is a common-sense measure that will result in coordinated resource management. By increasing consultation, cooperation, and coordination between the Forest Service, Bureau of Land Management, and affected State or Federal agencies, private land owners, and users of Federal lands, the bill will ensure that focused land management needs can be addressed in an effective and amicable manner. I wholeheartedly support the Forage Improvement Act of 1997, and urge my colleagues to vote for the bill.

Mr. VENTO. Mr. Chairman, I rise in opposition to H.R. 2493, the Forage Improvement Act, which was recently pushed through the Resources Committee without being the subject of hearings.

I have worked on and studied grazing issues for many years. We have had debates often in many different contexts since I've served in Congress. The issues are not simple; they are complex. Congress is charged with determining not just what is best for the local economies of the American West, but also what is best for the ecology of our public rangelands and the taxpayers of this country—in essence, balanced and fair policy, fiscally and environmentally. H.R. 2493 does not fulfill these challenges.

For instance, H.R. 2493 could attach a property right to grazing permits. The 1934 Taylor Grazing Act and the Supreme Court have stated clearly that grazing on public lands is a privilege, not a right. Changing grazing policy in this manner would require the taxpayers to compensate livestock operators when the Federal Government undertakes activities such as wildlife management and watershed restoration. That is not something that I think a majority in this Congress supports. This is a dramatic change which portends a significant impact upon the future of public land with such permits in effect today and tomorrow.

This bill also greatly strengthens the hand of livestock operators at the expense of the ordinary citizen. This bill provides environmental consultants hired by these operators a greater authority in ecological assessments than private citizens who are concerned about the adverse effects of grazing in the specific allotment. This bill also expands the opportunity of ranchers to sublease their permits to include Forest Service as well as BLM lands. Currently, ranchers can sublease their cheap permits to others for much higher rates. This Congress should be eliminating this significant taxpayer ripoff, not expanding it.

The biggest fiscal problem with H.R. 2493, however, is that it doesn't come to grips effectively with the subsidization of grazing fees and the fee structure. This year, it will cost livestock operators on BLM lands \$1.35 per month to feed a single cow and its calf—or \$1.35 per animal unit month [AUM]. But it will cost the taxpayers as much as \$10 in some higher cost areas to provide the services necessary to administer such permits per AUM. In the case of family ranch operators who need Federal permits to survive, in an effort to recognize and preserve a smaller operator's way

of life, this may be justified policy. But in the case of wingtip cowboys like Metropolitan Life and the Anheuser-Busch Co., both of which hold significant Federal grazing permits, I would think we could all agree that taxpayer subsidization is simply not warranted.

The continued grazing policy path of subsidization and distortion of market forces concerning the use of Federal lands for grazing invites environmental problems, short-changes administrative funding, and builds a ranching dependency that leads to the abuses evident in the practices of these corporate cowboy operators.

I will offer an amendment later on that begins the process of fixing this problem. 9 percent of the permittees control 60 percent of the forage on public lands on BLM lands and the number are similar for national forest lands. The other 91 percent are smaller ranchers—all with allotments that allow the grazing of less than 2,000 AUMs. My amendment would not change the current fee structure in H.R. 2493 for those family ranchers, and perhaps help them preserve their ranches. But the privileged few who control most of our public rangelands would have to pay more of their way. My amendment would require that permittees controlling more than 2,000 AUMs on Federal lands pay either the average fee charged by the State in which they operate, or the fee in this bill plus 25 percent. That way, we recognize family ranchers and the wingtip cowboys will pay a greater share, still subsidized but not as much. Additionally, I'm going to offer an amendment to maintain the traditional 5 sheep, 5 goats per AUM. The bill increases this by 33 percent to 7 sheep or goats per AUM, without explanation nor justification. I oppose H.R. 2493, even with the token improvements the chairman of the Agriculture Committee intends to make. I agree with him that we owe it to smaller ranchers and the American people to make our federal grazing program more efficient. We disagree on how to do this. I believe we need to put the reform in this so-called reform measure. My amendment, and others if passed would do just that.

Mr. SKAGGS. Mr. Chairman, we should not pass this bill. In fact, we should not be considering it at all.

Bringing this bill forward is not a step toward better management of the public lands or even toward greater certainty for ranchers who graze livestock on those lands. Instead, it merely revives old quarrels. It threatens to undermine important gains achieved through the hard work of consultation, cooperation, and census-building by suggesting that it may be possible to return to an earlier, less inclusive approach to land management.

For example, to debate this bill means reviving the old quarrel about grazing fees, especially since the bill's fee formula seems to have been developed without very extensive consultations and brought forward with only the sketchiest of explanations or justifications. To take just one example, neither of the two committee reports on this bill explain the basis for redefining the term "animal unit month" with respect to sheep and goats, even though the effect is to dramatically increase the amount of forage that can be purchased for the same fee. I would like to know why we're being asked to decide that sheep and goats actually eat less each month than we used to think.

I'm sure this part of the bill, and the other questions about fees, will be debated at length, as indeed they should be. But what concerns me more is the way the bill would reshape the Resource Advisory Councils and the way in which it would make it harder for the BLM and the Forest Service to do their important and difficult job of managing lands that belong to all the American people.

All of us who took part in past grazing debates remember how heated they were. Those of us from the west also remember that they came to be part of an often-partisan rhetoric about what some of our friends on the other side of the aisle liked to call the "War on the West".

But those of us from the west—and from Colorado in particular—remember something else, as well. We remember that when the debate here in Washington led to stalemate, Secretary of the Interior Bruce Babbitt—a westerner himself—came back to the west. We remember that in Colorado and throughout the west he met with the governors, the local officials, the livestock operators, and the public. We remember the discussions, the negotiations, the give-and-take. And we remember that out of that process has come a chance for a new start, a chance to put aside the old suspicions and to replace the old quarrels with a new structure of cooperation.

The Resource Advisory Councils [RACs] are central to that structure. Already they have achieved some notable successes, not just in Colorado but in other western states as well. The key to those successes has been the fact that they rest on inclusiveness and consultation, and have consensus as their goal.

But this bill originally threatened to deform the councils by replacing a search for consensus with deal-making and bloc voting and by setting the stage for limiting the views and interests to be represented by membership of future councils. This would be exactly wrong. We shouldn't do it.

I'm glad Chairman SMITH has just agreed to strike the bill's provisions regarding RACs. That's an improvement, in that it removes a bad provision, but it's not enough to salvage this legislation.

We also shouldn't make it harder for BLM and the Forest Service to properly manage their lands for multiple uses. But the bill would do that, too—by encouraging subleasing and by restricting proper monitoring of grazing practices, among other things. Again, these are steps backward, as is the bill's redefining of the term "allotment" in a way that suggests an intent to change the legal status of grazing from a permitted use of public lands into a property right—contrary to the clear language of the Taylor Grazing Act and other applicable law, and contrary to well-settled precedent.

So, Mr. Chairman, I regret that this bill is before us. It would be better for everyone—and especially for westerners—to have allowed the new processes of consultation and consensus-building to have continued to work without this distraction. But, since the new majority has chosen instead to bring this bill forward, we should do the right thing. We should reject it.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Resources printed in the bill shall be con-

sidered as an original bill for the purpose of amendment under the 5-minute rule for a period not to exceed 3 hours, and shall be considered as read before consideration of any other amendment.

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

H.R. 2493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Forage Improvement Act of 1997".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Rules of construction.

Sec. 3. Coordinated administration.

TITLE I—MANAGEMENT OF GRAZING ON FEDERAL LANDS

Sec. 101. Application of title.

Sec. 102. Definitions.

Sec. 103. Prohibited condition regarding grazing permits and leases.

Sec. 104. Monitoring.

Sec. 105. Subleasing.

Sec. 106. Cooperative allotment management plans.

Sec. 107. Fees and charges.

Sec. 108. Resource Advisory Councils.

TITLE II—MISCELLANEOUS

Sec. 201. Effective date.

Sec. 202. Issuance of new regulations.

SEC. 2. RULES OF CONSTRUCTION.

(a) LIMITATION ON APPLICATION.—Nothing in this Act shall be construed to affect grazing in any unit of the National Park System, in any unit of the National Wildlife Refuge System, in any unit of the National Forest System managed as a National Grassland by the Secretary of Agriculture under the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.), on any lands that are not Federal lands (as defined in section 102), or on any lands that are held by the United States in trust for the benefit of Indians.

(b) MULTIPLE USE ACTIVITIES NOT AFFECTED.—Nothing in this Act shall be construed to limit or preclude the use of Federal lands (as defined in section 102) for hunting, fishing, recreation, or other multiple use activities in accordance with applicable Federal and State laws and the principles of multiple use.

(c) VALID EXISTING RIGHTS.—Nothing in this Act shall be construed to affect valid existing rights, reservations, agreements, or authorizations under Federal or State law.

(d) ACCESS TO NONFEDERALLY OWNED LANDS.—Section 1323 of Public Law 96-487 (16 U.S.C. 3210) shall continue to apply with regard to access to nonfederally owned lands.

SEC. 3. COORDINATED ADMINISTRATION.

To the maximum extent practicable, the Secretary of Agriculture and the Secretary of the Interior shall provide for consistent and coordinated administration of livestock grazing and management of Federal lands (as defined in section 102), consistent with the laws governing such lands.

TITLE I—MANAGEMENT OF GRAZING ON FEDERAL LANDS

SEC. 101. APPLICATION OF TITLE.

(a) FOREST SERVICE LANDS.—This title applies to the management of grazing on National Forest System lands, by the Secretary of Agriculture under the following laws:

(1) The 11th redesignated paragraph under the heading "SURVEYING THE PUBLIC LANDS" under the heading "UNDER THE DEPARTMENT OF THE INTERIOR" in the Act of June 4, 1897 (commonly known as the Organic Administration Act of 1897) (30 Stat.

35, second full paragraph on that page; 16 U.S.C. 551).

(2) Sections 11, 12, and 19 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act of 1950) (64 Stat. 85, 88, chapter 97; 16 U.S.C. 580g, 580h, 580l).

(3) The Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.).

(4) The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(5) The National Forest Management Act of 1976 (16 U.S.C. 472a et seq.).

(6) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(7) The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

(b) BUREAU OF LAND MANAGEMENT LANDS.—This title applies to the management of grazing on Federal lands administered by the Secretary of the Interior under the following laws:

(1) The Act of June 28, 1934 (commonly known as the Taylor Grazing Act) (48 Stat. 1269, chapter 865; 43 U.S.C. 315 et seq.).

(2) The Act of August 28, 1937 (commonly known as the Oregon and California Railroad and Coos Bay Wagon Road Grant Lands Act of 1937) (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

(3) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(4) The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.).

(5) The Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.).

(c) CERTAIN OTHER UNITED STATES LANDS.—This title also applies to the management of grazing by the Secretary concerned on behalf of the head of another department or agency of the Federal Government under a memorandum of understanding.

SEC. 102. DEFINITIONS.

In this title:

(1) ALLOTMENT.—The term "allotment" means an area of Federal lands subject to an adjudicated or apportioned grazing preference that is appurtenant to a base property.

(2) AUTHORIZED OFFICER.—The term "authorized officer" means a person authorized by the Secretary concerned to administer this title, the laws specified in section 101, and regulations issued under this title and such laws.

(3) BASE PROPERTY.—The term "base property" means private or other non-Federal land, water, or water rights owned or controlled by a permittee or lessee to which a Federal allotment is appurtenant.

(4) CONSULTATION, COOPERATION, AND COORDINATION.—For the purposes of this title (and section 402(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752(d))), the term "consultation, cooperation, and coordination" means to engage in good faith efforts—

(A) to discuss and exchange views; and

(B) to act together toward a common end or purpose.

(5) FEDERAL LANDS.—The term "Federal lands" means lands outside the State of Alaska that are owned by the United States and are—

(A) included in the National Forest System; or

(B) administered by the Secretary of the Interior under the laws specified in section 101(b).

(6) GRAZING PERMIT OR LEASE.—The term "grazing permit or lease" means a document authorizing use of Federal lands for the purpose of grazing livestock—

(A) within a grazing district under section 3 of the Act of June 28, 1934 (commonly known as the Taylor Grazing Act) (48 Stat. 1270, chapter 865; 43 U.S.C. 315b);

(B) outside grazing districts under section 15 of the Act of June 28, 1934 (commonly known as the Taylor Grazing Act) (48 Stat. 1275, chapter 865; 43 U.S.C. 315m); or

(C) on National Forest System lands under section 19 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act of 1950) (64 Stat. 88, chapter 97; 16 U.S.C. 580l).

(7) LAND USE PLAN.—The term "land use plan" means—

(A) a land and resource management plan prepared by the Forest Service pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) for a unit of the National Forest System; or

(B) a resource management plan (or a management framework plan that is in effect pending completion of a resource management plan) developed in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for Federal lands administered by the Bureau of Land Management.

(8) NATIONAL FOREST SYSTEM.—The term "National Forest System" has the meaning given such term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include any lands managed as a National Grassland under the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.).

(9) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) the Secretary of Agriculture, with respect to the National Forest System; and

(B) the Secretary of the Interior, with respect to Federal lands administered by the Secretary of the Interior under the laws specified in section 101(b).

(10) SIXTEEN CONTIGUOUS WESTERN STATES.—The term "sixteen contiguous Western States" means the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

SEC. 103. PROHIBITED CONDITION REGARDING GRAZING PERMITS AND LEASES.

The Secretary concerned may not impose as a condition on a grazing permit or lease that the permittee or lessee provide access across private property unless the condition is limited to ingress and egress for Federal personnel engaged in authorized activities regarding grazing administration on Federal in-holdings.

SEC. 104. MONITORING.

(a) MONITORING.—The monitoring of conditions and trends of forage and related resources on Federal lands within allotments shall be performed only by qualified persons from the following groups:

(1) Federal, State, and local government personnel.

(2) Grazing permittees and lessees.

(3) Professional consultants retained by the United States or a permittee or lessee.

(b) MONITORING CRITERIA AND PROTOCOLS.—Such monitoring shall be conducted according to regional or state criteria and protocols selected by the Secretary concerned. The monitoring protocols shall be site specific, scientifically valid, and subject to peer review. Monitoring data shall be periodically verified.

(c) TYPES AND USE OF DATA COLLECTED.—The data collected from such monitoring shall include historical data and information, if available, but such data or information must be objective and reliable. The data and information collected from such monitoring shall be used to evaluate—

(1) the effects of ecological changes and management actions on forage and related resources over time;

(2) the effectiveness of actions in meeting management objectives contained in applicable land use plans; and

(3) the appropriateness of resource management objectives.

(d) NOTICE.—In conducting such monitoring, the Secretary concerned shall provide reasonable notice of the monitoring to affected permittees or lessees, including prior notice to the extent practicable of not less than 48 hours.

SEC. 105. SUBLEASING.

(a) PROHIBITION ON SUBLEASING GRAZING PERMIT OR LEASE.—A person issued a grazing permit or lease may not enter into an agreement with another person to allow grazing on the Federal lands covered by the grazing permit or lease by livestock that are neither owned nor controlled by the person issued the grazing permit or lease.

(b) TREATMENT OF LEASE OR SUBLEASE OF BASE PROPERTY.—The leasing or subleasing, in whole or in part, of the base property of a person issued a grazing permit or lease shall not be considered a sublease of a grazing permit or lease under subsection (a). The grazing preference associated with such base property shall be transferred to the person controlling the leased or subleased base property.

SEC. 106. COOPERATIVE ALLOTMENT MANAGEMENT PLANS.

(a) WRITTEN AGREEMENTS FOR OUTCOME-BASED STANDARDS.—An allotment management plan developed under section 402(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752(d)) may include a written agreement with a qualified grazing permittee or lessee described in subsection (b) (or a group of qualified grazing permittees or lessees) that provides for outcome-based standards, rather than prescriptive terms and conditions, for managing grazing activities in a specified geographic area. At the request of a qualified grazing permittee or lessee, the Secretary concerned shall consider including such a written agreement in an allotment management plan. An allotment management plan including such a written agreement shall be known as a cooperative allotment management plan.

(b) QUALIFIED GRAZING PERMITTEE OR LESSEE DESCRIBED.—A qualified grazing permittee or lessee referred to in subsection (a) is a person issued a grazing permit or lease who has demonstrated sound stewardship by meeting or exceeding the forage and rangeland goals contained in applicable land use plans for the previous five-year period.

(c) INCLUSION OF PERFORMANCE GOALS.—A written agreement entered into as part of an allotment management plan developed under section 402(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752(d)) shall contain performance goals that—

(1) are expressed in objective, quantifiable, and measurable terms;

(2) establish performance indicators to be used in measuring or assessing the relevant outcomes;

(3) provide a basis for comparing management results with the established performance goals; and

(4) describe the means to be used to verify and validate measured values.

(d) FEDERAL ADVISORY COMMITTEE ACT.—Activities under this section shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 107. FEES AND CHARGES.

(a) GRAZING FEES.—

(1) CALCULATION.—The fee for each animal unit month in a grazing fee year for livestock grazing on Federal lands in the sixteen contiguous western States shall be equal to the 12-year average of the total gross value of production for beef cattle for the 12 years

preceding the grazing fee year, multiplied by the 12-year average of the United States Treasury Securities six-month bill "new issue" rate, and divided by 12. The gross value of production for beef cattle shall be determined by the Economic Research Service of the Department of Agriculture in accordance with subsection (d)(1).

(2) LIMITATION.—The fee determined under paragraph (1) shall be the only grazing fee applicable to livestock owned or controlled by a person issued a grazing permit or lease.

(b) DEFINITION OF ANIMAL UNIT MONTH.—For the purposes of billing only, the term "animal unit month" means one month's use and occupancy of range by—

(1) one cow, bull, steer, heifer, horse, burro, or mule, seven sheep, or seven goats, each of which is six months of age or older on the date on which the animal begins grazing on Federal lands;

(2) any such animal regardless of age if the animal is weaned on the date on which the animal begins grazing on Federal lands; and

(3) any such animal that will become 12 months of age during the period of use authorized under a grazing permit.

(c) LIVESTOCK NOT COUNTED.—There shall not be counted as an animal unit month the use of Federal lands for grazing by an animal that is less than six months of age on the date on which the animal begins grazing on such lands and is the progeny of an animal on which a grazing fee is paid if the animal is removed from such lands before becoming 12 months of age.

(d) CRITERIA FOR ECONOMIC RESEARCH SERVICE.—

(1) GROSS VALUE OF PRODUCTION OF BEEF CATTLE.—The Economic Research Service of the Department of Agriculture shall continue to compile and report the gross value of production of beef cattle, on a dollars-per-bred-cow basis for the United States, as is currently published by the Service in: "Economic Indicators of the Farm Sector: Cost of Production—Major Field Crops and Livestock and Dairy" (Cow-calf production cash costs and returns).

(2) AVAILABILITY.—For the purposes of determining the grazing fee for a given grazing fee year, the gross value of production (as described above) for the previous calendar year shall be made available to the Secretary concerned, and published in the Federal Register, on or before February 15 of each year.

(e) TREATMENT OF OTHER FEES AND CHARGES.—

(1) AMOUNT OF FLPMA FEES AND CHARGES.—The fees and charges under section 304(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1734(a)) shall reflect processing costs and shall be adjusted periodically as such costs change, but in no case shall such fees and charges exceed the actual administrative and processing costs incurred by the Secretary concerned.

(2) NOTICE OF CHANGES.—Notice of a change in a service charge shall be published in the Federal Register.

SEC. 108. RESOURCE ADVISORY COUNCILS.

(a) ESTABLISHMENT.—

(1) JOINT ESTABLISHMENT.—The Secretary of Agriculture and the Secretary of the Interior may jointly establish and operate a Resource Advisory Council on a State, regional, or local level to provide advice on management issues regarding Federal lands in the area to be covered by the Council.

(2) ESTABLISHMENT BY SINGLE SECRETARY.—If the Federal lands in an area for which a Resource Advisory Council is to be established are under the jurisdiction of a single Secretary concerned, that Secretary concerned shall be responsible for the establishment and operation of the Resource Advisory Council.

(3) EXCEPTION.—A Resource Advisory Council shall not be established in any State, region, or local area in which the Secretaries jointly determine that there is insufficient interest in participation on a Resource Advisory Council to ensure that membership can be fairly balanced in terms of the points of view represented and the functions to be performed.

(4) TREATMENT OF EXISTING ADVISORY COUNCILS.—To the extent practicable, the Secretaries shall implement this section by modifying existing advisory councils established under section 309(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739(a)) for the purpose of providing advice regarding grazing issues.

(5) CONSULTATION.—The establishment of a Resource Advisory Council for a State, region, or local area shall be made in consultation with the Governor of the affected State.

(b) DUTIES.—Each Resource Advisory Council shall advise the Secretary concerned and appropriate State officials on—

(1) matters regarding the preparation, amendment, and implementation of land use plans within the area covered by the Council; and

(2) major management decisions, while working within the broad management objectives established for such Federal lands in applicable land use plans.

(c) VOTING.—All decisions and recommendations by a Resource Advisory Council shall be on the basis of a majority vote of its members.

(d) DISREGARD OF ADVICE.—If a Resource Advisory Council is concerned that its advice is being arbitrarily disregarded, the Resource Advisory Council may request that the Secretary concerned respond directly to the Resource Advisory Council's concerns. The Secretary concerned shall submit to the Council a written response to the request within 60 days after the Secretary receives the request. The response of the Secretary concerned shall not—

(1) constitute a decision on the merits of any issue that is or might become the subject of an administrative appeal; or

(2) be subject to appeal.

(e) MEMBERSHIP.—

(1) NUMBERS.—The Secretary of Agriculture and the Secretary of the Interior (or the Secretary concerned in the case of a Resource Advisory Council established by a single Secretary) shall appoint the members of each Resource Advisory Council. Such appointments shall be made in consultation with the Governor of the affected State or States. A Council shall consist of not less than nine members and not more than fifteen members.

(2) REPRESENTATION.—In appointing members to a Resource Advisory Council, the Secretaries or the Secretary concerned (as the case may be) shall provide for balanced and broad representation of permittees and lessees holding a grazing permit or lease and other groups, such as commercial interests, recreational users, representatives of recognized local environmental or conservation organizations, educational, professional, or academic interests, representatives of State and local government or governmental agencies, Indian tribes, and other members of the affected public.

(3) INCLUSION OF ELECTED OFFICIAL.—The Secretaries or the Secretary concerned (as the case may be) shall appoint as a member of each Resource Advisory Council at least one elected official of a general purpose government serving the people of the area covered by the Council.

(4) PROHIBITION ON CONCURRENT SERVICE.—No person may serve concurrently on more than one Resource Advisory Council.

(5) RESIDENCY REQUIREMENT.—Members of a Resource Advisory Council must reside in the geographic area covered by the Council.

(6) GRANDFATHER CLAUSE.—A person serving on the date of the enactment of this Act as a member of an advisory council established under section 309(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739(a)) for the purpose of providing advice regarding grazing issues shall serve as a member on the corresponding Resource Advisory Council established under this section for the balance of the person's term as a member on the original advisory council.

(7) SUBGROUPS.—A Resource Advisory Council may establish such subgroups as the Council considers necessary, including working groups, technical review teams, and rangeland resource groups.

(f) TERMS.—Resource Advisory Council members shall be appointed for two-year terms. Members may be appointed to additional terms at the discretion of the Secretaries or the Secretary concerned (as the case may be). The Secretaries or the Secretary concerned (as the case may be), with the concurrence of the Governor of the State in which the Council is located, may terminate the service of a member of that Council, upon written notice, if—

(1) the member no longer meets the requirements under which the member was appointed or fails or is unable to participate regularly in the work of the Council; or

(2) the Secretaries or the Secretary concerned (as the case may be) and the Governor determine that termination is in the public interest.

(g) COMPENSATION AND REIMBURSEMENT OF EXPENSES.—A member of a Resource Advisory Council shall not receive any compensation in connection with the performance of the member's duties, but shall be reimbursed for travel within the geographic area covered by the Council and per diem expenses only while on official business, as authorized by section 5703 of title 5, United States Code.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except to the extent that it is inconsistent with this title, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Resource Advisory Councils.

(i) STATE GRAZING DISTRICTS.—Resource Advisory Councils shall coordinate and cooperate with State Grazing Districts established pursuant to State law.

TITLE II—MISCELLANEOUS

SEC. 201. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

SEC. 202. ISSUANCE OF NEW REGULATIONS.

The Secretary of Agriculture and the Secretary of the Interior shall—

(1) coordinate the promulgation of new regulations to carry out this Act; and

(2) publish such regulations simultaneously not later than 180 days after the date of the enactment of this Act.

The CHAIRMAN. It shall be in order to consider the amendment printed in House Report 105-355, if offered by the gentleman from Oregon [Mr. SMITH] or his designee. That amendment shall be considered read, be debatable for 10 minutes, equally divided and controlled by a proponent and an opponent, and shall not be subject to a demand for a division of the question.

If that amendment is adopted, the bill, as amended, shall be considered as an original bill for the purpose of further amendment.

During consideration of the bill for amendment, the Chairman may accord

priority in recognition to a Member offering an amendment that has been printed in the designated place in the RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment, and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

AMENDMENT OFFERED BY MR. SMITH OF OREGON
Mr. SMITH of Oregon. Mr. Chairman, I offer a manager's amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment Offered by Mr. SMITH of Oregon:

Page 27, line 6, strike "appurtenant to" and insert "associated with".

Page 27, lines 18 and 19, strike "to which a Federal allotment is appurtenant" and insert "with which a Federal allotment is associated".

Page 27, beginning on line 20, strike paragraph (4) (and redesignate subsequent paragraphs accordingly).

Page 31, beginning on line 4, strike section 103.

Page 31, line 15, insert "resource" after "of".

Page 31, beginning on line 16, strike "of forage and related resources".

Page 32, beginning on line 9, strike subsection (c), and insert the following new subsection:

(c) TYPES AND USE OF DATA COLLECTED.—
(1) USE OF PREVIOUSLY COLLECTED DATA AND INFORMATION.—In addition to using data collected from monitoring conducted under the authority of this section, the Secretary concerned shall consider data and information collected before the date of the enactment of this Act, if available, so long as the historical data and information is objective and reliable.

(2) APPLICATION OF CRITERIA AND PROTOCOLS.—The Secretary concerned shall not accept monitoring data that does not meet the requirements of subsection (a) or (b).

(3) USE OF DATA.—The data and information collected from such monitoring shall be used to evaluate—

(A) the effects of ecological changes and management actions on resources over time;

(B) the effectiveness of actions in meeting management objectives contained in applicable land use plans; and

(C) the appropriateness of resource management objectives.

Page 33, beginning on line 14, strike subsection (b) and insert the following new subsection:

(b) TREATMENT OF LEASE OR SUBLEASE OF BASE PROPERTY.—The leasing or subleasing of the entire base property, or lease of a quantity of base property sufficient to meet the base property requirement of the Secretary concerned, of a person issued a grazing permit or lease shall not be considered a sublease of a grazing permit or lease under subsection (a). The grazing preference associated with such base property may be transferred to the person controlling the leased or subleased base property if the transfer is approved by the Secretary concerned. All terms and conditions of the existing grazing permit or lease shall bind the person controlling the leased or subleased base property.

Page 34, line 5, strike "developed" and insert "or a grazing permit or lease".

Page 34, strike lines 18 through 21 and insert the following: "management plan or a grazing permit or lease".

Page 35, line 3, insert after "plans" the following: "and in that person's grazing permit or lease".

Page 35, strike lines 4 through 9, and insert the following:

(c) INCLUSION OF PERFORMANCE GOALS.—A written agreement authorized under subsection (a) shall contain performance goals that—

Page 35, after line 19, insert the following new subsection (and redesignate the subsequent subsection accordingly):

(d) APPLICATION OF OTHER LAWS.—All requirements of law applicable to an allotment management plan and a grazing permit or lease under section 402(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752(d)), including the prohibition against extending the term of an existing grazing permit or lease, shall apply to a written agreement entered into under subsection (a).

Page 36, beginning on line 16, strike paragraph (2).

Page 39, beginning on line 9, strike section 108.

Page 46, line 10, insert after "take effect on" the following: "the first day of the first grazing season beginning after".

The CHAIRMAN. Pursuant to the rule, the gentleman from Oregon [Mr. SMITH] and a Member opposed, each will control 5 minutes.

The Chair recognizes the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman, I yield myself such time as I may consume.

As has been indicated, Mr. Chairman, this bill has been an accumulation of views over the past months from across this great country, and, as indicated by the speakers you have heard already in general debate, this is widely supported in areas of the country that have no public lands. I am very appreciative of that support, because, again, this indeed is a Western issue, and, as some say, many do not have a dog in this fight. But many have stepped forward, and we have done it on a bipartisan basis.

The gentleman from Texas [Mr. STENHOLM], the ranking member on the Committee on Agriculture, has assembled a group of Democrats who are supporting this bill enthusiastically.

So this is not a question of separating the West from the rest of the America, nor is it a question of separating one party from another, nor is it a question of separating environment from grazing. I think we have here a coordinated effort, as evidenced by those speakers who have eloquently identified this bill.

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

The CHAIRMAN. Who seeks time in opposition?

Mr. VENTO. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Minnesota [Mr. VENTO] is recognized for 5 minutes.

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

Mr. Chairman, this is a compromise of sorts. I object to it, because I do not

think it is a compromise that embraces the major flaws in the bill. It does eliminate the restructuring of the RAC's, and that is good, but the fact is that some of the underlying problems still persist.

For instance, we had talked about the fact that this bill tended to build a confusion about a property right with regard to an amendment. On page 27, the definition is less than clear than existing BLM definitions. This takes us back. The word associated with this type of compromise, it is going to be decided by a court. You are not clarifying something here; you are, in fact, moving it to the issue where someone will try to establish a property right based on this new language.

□ 1215

They eliminate some definitions that are confusing. They still have confusion with regard to monitoring, as I said, Mr. Chairman, earlier. The 48-hour provision remains in this bill. This would have prohibited agencies from conditioning grazing permits or leases, or a permittee permitting access against private property, it eliminated that agency, but with monitoring there are still problems. It is only a marginal improvement in terms of what is going on.

It is changing. They say they are for sound science, except they are writing into law the fact that you have to take into consideration some of the history, some of the other factors. This, again, is going to be open to interpretation as to what the rules and regulations are in the actual practice that evolves.

I think it is questionable. If you are trying to clarify something and provide the type of clarity that the proponents suggest or try to embrace here, it is important. Fundamentally, much of what has been discussed here is behind a facade of the venerable cowboy, but the fact is that many of these cowboys today are wearing wing-tipped shoes. Sixty percent of the forage is controlled by 10 percent of the permittees. That is the language we have.

The amendments we plan to offer will, indeed, address that, or provide the opportunity to address that in terms of trying to deal with the corporate cowboys that are, in fact, ripping us off. This amendment simply does not go far enough in terms of what it has done.

The cooperative management agreement that is talked about ties cooperative management agreements to the grazing permit or lease, changes only of marginal improvement. The underlying section continues to be seriously flawed. It goes far beyond what agencies do and it is inconsistent with FLPMA and the Taylor Grazing Act. Agencies do not allow grazing use over and above mandatory terms and conditions of the permit lease, as section 106 would do.

Mr. Chairman, this amendment as a compromise simply does not make it. That is why I am rising in opposition.

There are some things in it that are better than what is in the bill, but this is not a compromise, in my judgment.

Frankly, if this bill had been worked out and worked on for so long, why is this compromise being offered today on the floor? The fact is, this is a last-minute effort to try to put a veneer of compromise and balance on this bill, which remains unbalanced.

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

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

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

Mr. Chairman, I would like to offer a perfecting amendment to the amendment offered by the gentleman from Oregon [Mr. SMITH], in attempting to continue the good-faith efforts toward meeting some of the concerns that have been raised by those who oppose this bill.

It is my understanding that this amendment that I offer has been agreed to by all interested parties, and would basically do three things. In section 102 of the bill, it would strike the definition of the term "allotments," in section 102 of the bill it would strike the definition of the terms "base property," and in section 3, or in section 105 of the bill, it would strike subsection (b), which deals with the treatment of lease or sublease of base property.

I offer this, again, in a good-faith effort to meet some of the objections which the chairman has agreed to, and it is my understanding all of the parties have agreed to this language.

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

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

PARLIAMENTARY INQUIRIES

Mr. VENTO. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman from Minnesota [Mr. VENTO] will state his inquiry.

Mr. VENTO. Mr. Chairman, did the gentleman from Texas [Mr. STENHOLM] ask unanimous consent to modify the amendment? Is that what the gentleman had intended to do?

The CHAIRMAN. The gentleman from Texas [Mr. STENHOLM] has not offered an amendment yet. If the gentleman intends to offer an amendment, that may be done at the end of the debate on the amendment offered by Mr. SMITH. That has not yet been done.

Mr. VENTO. Further parliamentary inquiry, Mr. Chairman. Do I misunderstand that the gentleman was offering or attempting to offer the amendment at this time?

The CHAIRMAN. He has not offered the amendment as of yet.

Mr. VENTO. I thank the Chair.

PARLIAMENTARY INQUIRY

Mr. SMITH of Oregon. Mr. Chairman, I have a parliamentary inquiry, to clear up any misunderstanding.

The CHAIRMAN. The gentleman from Oregon [Mr. SMITH] will state his inquiry.

Mr. SMITH of Oregon. Mr. Chairman, it is my understanding that we are debating my amendment, and when time runs out, there will be opportunity for further amendments to my manager's amendment.

The CHAIRMAN. The gentleman from Oregon is correct.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say again that some of the opposition that the gentleman states to this bill is clarified in this amendment that is about to be presented, which basically is silent on the question of property right. It does not convey a property right nor does it deny a property right, so we go back to existing law, and we go back to court cases. That is all. The same point about monitoring.

Mr. Chairman, if the gentleman does not trust Mr. Glickman, the Secretary of Agriculture, and Mr. Babbitt, the Secretary of the Interior, who have all the responsibility for monitoring, then who should we really trust? So I think the gentleman is a little off base in the question of monitoring, and certainly he is off base on the question of the property right.

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

Mr. Chairman, I would just note to the gentleman on page 27 that the amendment the gentleman is offering right now changes the definition of "allotment" and changes the definition of "base property" to include allotment as "associated with." I think is the point.

Mr. SMITH of Oregon. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Oregon.

Mr. SMITH of Oregon. The gentleman must read the amendment forthcoming.

Mr. VENTO. I appreciate that. I was about to explain that I was catching up with what is to be offered beyond that. What was in the bill I was accurate about. What was in the amendment right now I am accurate about, right now with regard to "associated with."

These definitions have a great confusion with regard to property right, and it would end up in court. I appreciate the fact that the gentleman is going to further perfect the manager's amendment with the Stenholm amendment, but I want to just point out that I think I was accurate, and tried to be accurate. The fact is we have enough differences of opinion that we do not have to argue about that which is factually correct.

Mr. SMITH of Oregon. Mr. Chairman, I am sure the gentleman will support the bill, in that case.

Mr. VENTO. I do not think so.

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

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

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

Mr. Chairman, I would just point out to the gentleman that I understand that the amendment to be offered also will eliminate subleasing on Forest Service lands. In my time during general debate, I tried to structure my arguments based on the fact of what was in the initial manager's amendment, and now I understand the gentleman is going to change it and take some of those provisions out. I must say that they represent improvements. I commend the gentleman for that.

But there are still significant differences that we have with regard to monitoring. I still have significant differences with regard to where we need to go in terms of how we manage this 250 million acres of land. We intend to pursue those during the time of offering the amendments.

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

AMENDMENT OFFERED BY MR. STENHOLM TO THE AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. STENHOLM. Mr. Chairman, I offer the perfecting amendment to the amendment that I discussed and explained in the general debate on the chairman's part.

The Clerk read as follows:

Amendment offered by Mr. STENHOLM to the amendment offered by Mr. SMITH of Oregon:

In lieu of the amendments relating to page 27, line 6, page 27, lines 18 and 19, and page 33, beginning on line 14, insert the following amendments:

Page 27, beginning on line 3, strike paragraph (1).

Page 27, beginning on line 14, strike paragraph (3).

Page 33, beginning on line 14, strike subsection (b).

Mr. STENHOLM. Mr. Chairman, I will not take any additional time. I explained the amendment during general debate on the previous amendment. I do believe it is agreed to by all of the parties, that it is a perfecting amendment. I would urge its adoption.

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

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

Mr. VENTO. Mr. Chairman, I just want to check through this. This strikes both the definitions on section 102 on allotment on base property, and then further strikes the new (b), the new (b) that was in the amendment, is that correct, under section 105?

Mr. STENHOLM. That is correct.

Mr. VENTO. So there will be no subleasing of Forest Service allotments, and there will be no new definition of "allotment" or "base property"; is that correct?

Mr. STENHOLM. That is my understanding, but I would ask the chairman to confirm it.

Mr. SMITH of Oregon. Mr. Chairman, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Oregon.

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman for yielding.

It is exactly as identified. The problem here has been all along that there

are some who believe that this language conveys a property right, some who believe it does not. In an effort to reach agreement on this bill, we did not feel that this was the time to settle the question of the property right, so we dropped the definition so that the debate can continue through the courts, if necessary, and will be, about the issue of property right. This is no longer an issue in this bill. We do not go back, we just rely upon court decisions and interpretation as we know it today.

The other part of this bill, indeed, we drop the question of the subleasing, not that subleasing is still illegal when you sublease a priority right. However, interpretation will be continued, as it has been, by the Bureau of Land Management and by the Forest Service as they have existed before this bill arrived.

Mr. VENTO. If the gentleman will yield further, I would just point out that this does not change this, that currently when there is a sublease there is a surcharge by BLM in terms of that sublease. They put a surcharge on it in terms of their activities. This bill eliminates that surcharge. These amendments do not modify that surcharge. That still remains. Is that correct? He said this vitiates the surcharge.

Mr. SMITH of Oregon. If the gentleman will continue to yield, Mr. Chairman, it is current law. We go back to current law. It is just not addressed in this bill.

Mr. STENHOLM. Mr. Chairman, I urge the adoption of my perfecting amendment.

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

Mr. Chairman, I understand going back to current law means BLM will be able to continue to charge the surcharge in terms of subleasing. That is my understanding. There will not be subleasing on the Forest Service, there will be, of course, current law with regard to BLM.

Mr. SMITH of Oregon. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Oregon.

Mr. SMITH of Oregon. Subleasing of a permit is against the law. You cannot sublease a permit. You can sublease base property with the permit, and that is what we are talking about. We go back to current law.

Mr. VENTO. I appreciate the gentleman's clarification.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. STENHOLM] to the amendment offered by the gentleman from Oregon [Mr. SMITH].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. SMITH], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. VENTO

Mr. VENTO. Mr. Chairman, I offer amendment No. 10 printed in the RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows.

Amendment No. 10 offered by Mr. VENTO:

In section 107(a), strike paragraph (2) (page 36, lines 16 through 20) and insert the following new paragraph:

(2) DETERMINATION OF FEE.—

(A) SMALL PRODUCERS.—The holder of a grazing permit or lease, including any related person, who owns or controls livestock comprising less than 2,000 animal unit months on Federal lands pursuant to one or more grazing permits or leases shall pay the fee as calculated under paragraph (1).

(B) LARGE PRODUCERS.—The holder of a grazing permit or lease, including any related person, who owns or controls livestock comprising 2,000 or more animal unit months on Federal lands pursuant to one or more grazing permits or leases shall pay the fee as calculated under paragraph (1) for the first 2,000 animal units months. For animal unit months in excess of 2,000, the fee shall be the higher of the following:

(i) The average grazing fee (weighted by animal unit months) charged by the State during the previous grazing year for grazing on State lands in the State in which the lands covered by the grazing permit or lease are located.

(ii) The Federal grazing fee as calculated under paragraph (1), plus 25 percent of such fee.

Mr. VENTO. Mr. Chairman, this amendment was described in a Dear Colleague. What it attempts to do is to differentiate between the family rancher, providing that the existing fee formula that is in this measure would prevail, which is, as I pointed out, a substantially subsidized operation with regard to the amount that BLM or Forest Service spends or expends, and the amount of fees that are retained.

Of course, much of those fees go back to the grazing councils and back to the States. So the fact is that the Federal Government, if we look at the scoring of this, has actually even a greater cost that is associated with it. As I pointed out, many attribute nearly \$400 million to the cost of managing the 28,000 grazing permits on the various allotments.

□ 1230

The 250 million acres of land that we have grazed. And I would say to my colleagues that this affects the National Forests, it affects the Bureau of Land Management lands, it affects almost all the lands within the National Forests, whether they be wilderness, whether they be areas of special environmental concern in terms of the BLM. All of these lands are grazed. And as a matter of fact, some of the most outrageous consequences of that are viewed in some of these hot desert areas in some of the Southwest States where, of course, much of the land retained in Government ownership does not have the water, is land of quality that is not desirable for other purposes,

and the consequences when overgrazing and abuses have occurred in the past, but do not always occur but they have in the past, these lands take a long, long time to heal.

Mr. Chairman, the tragedy, I think, of this issue is not just the money, the dollars lost to the taxpayers, but it is the consequence to these ecosystems which are so important for both recreation, for the maintenance of biodiversity, and other purposes.

Today this amendment I am offering will continue the type of assistance in this bill for those that have less than 2,000 animal unit months, 2,000 AUM's. This will take care of the family farms. This gives them that opportunity to have this lower subsidized fee, but for those above that size, and that only constitutes about 9 or 10 percent of the permittees that control 60 percent, 60 percent of the forage, 60 percent of the forage or the AUM's are controlled by that group.

In numbers we can look at that. With the 28,000, we realize that we are only talking about less than 3,000 of those and these are the corporate cowboys. Many times in a competitive marketplace it can be argued that family ranchers who are struggling ought to benefit. I think that argument can be made. But under this bill the way it is structured, the same benefits go to giant corporations, to oil companies, to insurance corporations who run operations five times the size of family farm ranches and pay the same low subsidized rate.

Mr. Chairman, this is not fair to the family ranchers or the American taxpayer. This Vento amendment will make these corporate cowboys pay their fair share. The megaoperators, those with the 2,000-plus animal unit months or cow-calf groups, will pay either the State permit fee which is charged in the various States, and we are comparing apples and apples because we are talking about AUM's. So no matter what the other services, we are talking about the animal unit months. They pay that fee that is paid in that State.

Mr. Chairman, I would say that many times the Federal lands only comprise about 10 percent in the case of California, 30 percent in some other States that are public lands States. And they would either pay that rate or 25 percent above the subsidized rate that goes to these family farmers.

These corporate cowboys are hiding behind, as I said, the sod of that revered cowboy and those ranch families. I think that we ought to strip that away and actually cause them to pay a little more. They would still get a subsidized rate, but not as great.

My amendment preserves the fee formula for the small and middle operation ranchers and families. For large scale livestock operators the days of taxpayer subsidized grazing would be over. These large operators comprise less than 10 percent of the permittees, but control over 60 percent of the forage.

Mr. Chairman, the abuses of the Federal grazing program are numerous, but there are a few notorious examples. One is a Japanese company, a foreign company, operating in Montana, raising over 6,000 cows for the purpose of selling specialized beef for a foreign market. In reading articles about this, Mr. Chairman, it was pointed out that they will be willing to pay a higher fee; these Japanese operated companies; they would not object to paying that higher fee.

A national oil company grazed over 10,000 cows on Federal rangelands in 1990, and a national life insurance company grazed over 12,000 cows on Federal lands in 1990.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VENTO. Mr. Chairman, by passing the Vento amendment, we can still guarantee equitable treatment for small ranchers and taxpayers who it is estimated pay as much as \$400 million a year to continue the total Federal grazing program. The numbers that we see, of course, come in at about \$60 million or \$70 million to manage the program, and the receipts are somewhere less than \$25 million, even under this bill. So it is a three-to-one ratio, according to the BLM and the Forest Service.

A vote for the Vento amendment will take the corporate cowboys off the grazing haywagon, off the taxpayers' back, and put some real reform into this forage bill.

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

Mr. SMITH of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this whole question of fees is always controversial and charges are made back and forth, and I maintain that this fee is not a subsidy to anybody. The livestock industry in this country has never asked this Congress or the American people for one dime and I doubt if they ever will.

However, we do plan a new formula, and I oppose the Vento amendment because it destroys the idea that this formula will be in place and people can be confident in it.

The formula, by the way, was developed by a professor at New Mexico State University, and it changes the manner in which we measure the amount of money that the Federal Government should receive from an asset, a capital asset, like its lands.

The way it is done, and I think very effectively, is to measure the production of an animal on public lands. The way that is done is to determine the value of production of a cow, calf, a bull, and replacement heifers, which by the way is published every year by the Agricultural Economic Program. The value then is divided by the 6-month Treasury note.

The 6-month Treasury note is a measurement in the United States as

to how much and at what cost the Federal Government would pay for money. We use the 6-month because it is the highest of most of the Treasury bills.

Mr. Chairman, we then apply this formula over a 12-year period so we take the hills and valleys out of the production of animals on public lands and the hills and valleys out of the 6-month Treasury note.

Therefore, this capital asset now is treated like every other asset of the United States. It is treated like every other capital asset that it returns to the Treasury, the equivalent of a 6-month Treasury bill.

That is the formula that we are trying to place. The result of that formula will require an additional \$6 million of money from those people who graze on public lands. That will increase the AUM cost from currently \$1.35 per animal unit month to \$1.84 per animal unit month. And that, then, of course, that fee will be adjusted each year according to the figures amassed.

It is a simple way to place the formula. It is a fair return to the Government, and I want to ask the people in this room, and those listening, how many industries in America would come to the Congress and ask for a 36-percent increase in their cost of doing business? The livestock industry is doing that.

AMENDMENT OFFERED BY MR. KLUG TO THE AMENDMENT OFFERED BY MR. VENTO

Mr. KLUG. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUG to the amendment offered by Mr. VENTO:

Insert at the end of the amendment the following new amendments:

Strike line 25 on page 35 and all that follows through line 15 on page 36, and insert the following:

(a) BASIC FEE.—The basic fee for each animal unit month in a grazing fee year shall be equal to the rate charged for grazing on State lands in the State in which the Federal lands covered by the grazing permit or lease are located.

Page 37, beginning on line 22, strike subsection (d).

Mr. KLUG (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. KLUG. Mr. Chairman, we are going to pick up on the argument that just went on between the gentleman from Oregon [Mr. SMITH] and the gentleman from Minnesota [Mr. VENTO], and that is whether there is a subsidy involved to Western ranchers.

Let me point out that in a 1991 General Accounting Office report done on the subject, quote, and this is talking about the grazing program, "It does not achieve an objective of recovering reasonable program costs because it does not produce a fee that covers the Government's cost to manage the grazing program."

In other words, Mr. Chairman, it costs us a lot more money to run this program than we take in because of it. And I would argue that on the face of it, Mr. Chairman, that that therefore represents a subsidy.

I can remember when I was a freshman in Congress, about the time that the GAO report was done, when the Government Operations Subcommittee I was involved in took a look at ski programs across the United States and looked at the amount of money the Federal Government got where it leased lands to ski companies versus the amount of money that State governments got where it leased land to ski companies. Consistently across the board we negotiated poorer deals than the States did on land that was adjacent to one another. The same kind of ski lifts, the same kind of companies. We got shortchanged.

Mr. Chairman, this amendment today simply piggybacks off the apparent ability of States to do a better job negotiating than we can by saying that we are going to tie Federal fees to State fees.

Now, what the gentleman from Oregon [Mr. SMITH] wants to accomplish and what the cattle industry wants to accomplish is certainty. I understand that because it is tough to do business when prices go up and prices go down, when costs go up and costs go down.

Frankly, it is the kind of problem, Mr. Chairman, that my dairy farmers in Wisconsin have. They are not sure from month to month what production costs are going to be.

In this case we will do two things. We will deliver certainty because they already know what the fees are that are established at the State level, and we will return a higher value to U.S. taxpayers.

Mr. Chairman, again I hate to keep beating the same drum over and over. It costs us \$42 million to run this program. We now collect \$5.5 million. And under the best scenario under the language offered by the gentleman from Oregon [Mr. SMITH], we will collect only \$2 million more, which means we are still losing \$35 million on the deal.

Mr. Chairman, if instead we substitute language which says we are going to charge the State fees, we make more money. For example, under the bill we are debating right now the current fee that will be established will be \$1.60. The lowest State fee is Arizona, which is \$2.18. Remember, this Federal legislation now says \$1.60, which is only a slight increase.

Mr. Chairman, in the State of Nebraska it is more than \$22. If we sum those all up across all the places where grazing is allowed on BLM land or State land, the Congressional Budget Office says that gross revenues under this formula would increase \$30 million annually; \$24 million would be the Treasury's net revenues.

We do not completely break even and a number of my colleagues from the West would make the argument that

the one reason we can never break even on BLM land, just like on Forest Service land, is because those operations are run so much more inefficiently than they are run in the private sector. I would grant that that is true.

But I would also suggest that while I may not have a dog in this fight from Wisconsin, I do have a dollar invested in this fight and every single one of my taxpayers does, and it makes a lot more sense to me that rather than making \$7.5 million on the program, we make \$30 million on the program, which means we still do not break even but we get a lot closer to our goal.

The Federal Land Policy Management Act mandates a reasonable return on the dollar for Federal taxpayers. Now, we have managed to accomplish that in the oil industry and the coal industry and the gas industry, but we have not done it in grazing.

Mr. Chairman, let me also point out a couple of other dynamics in the industry. Ninety-eight percent of cattlemen in this country and 97 percent of sheep farmers in this country do not have access to Federal land. They can still stay in the business regardless of when these fees are. And of the 23,000 permit holders, the gentleman from Minnesota is absolutely right, there are some extraordinarily egregious cases. There are three Forbes billionaires who get subsidies from the Federal Government in order to graze on federally owned land. There are four oil and mining companies, and there is, intriguingly, one brewery which also gets subsidies as a result of this.

The bottom line, Mr. Chairman, is we need to return a fair price to the U.S. taxpayer. Obviously, the cattle industry and the sheep industry manage to flourish and prosper on State lands all across the West. I am convinced they will continue to flourish because they will have new certainty on Federal lands in the West. But I can also tell my colleagues that it is time we ask them to pay a fair price for the services we provide.

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

Mr. Chairman, both of these amendments, the amendment offered by the gentleman from Minnesota [Mr. VENTO] and the amendment offered by the gentleman from Wisconsin [Mr. KLUG] make an awful lot of sense.

Clearly this legislation in the last half-hour has been improved by the amendments offered by the gentleman from Texas [Mr. STENHOLM]. But now we are down to the crux of the program, which is whether or not the taxpayers of this country are entitled to have the costs of this program covered by those who benefit from it.

□ 1245

The problem we have in the existing program is that, in effect, the benefits or the formula, the new formula offered in this legislation is simply arbitrary. It does not reflect what the real cost of

doing business is or what the real potential for profit is or the qualities of the lands, which are related to those across the Federal grazing program. The fact of the matter is, as pointed out by the gentleman from Wisconsin [Mr. KLUG], it appears that the States for comparable lands are able to much better negotiate with the ranchers, with the grazers on the basis of the value of those lands. Those are the people who are competing right alongside of the people who have Federal allotments that have a much lower cost in terms of the AUM for those lands.

When the Federal grazer goes to sell their cattle, they do not sell it at a lower price because they had a lower price of production. They all go to the same auction. They all go to the same purchaser, to the slaughterhouse, however the purchaser is decided, and a price is published or bid and they do not ask whether you are a Federal cow, a State cow, or a private sector cow. And therefore, what we see is a subsidy that flows to the Federal cow, the Federal grazer, in this case, as opposed to that which goes to the person farming or grazing on private sector land and/or grazing on State lands that are in the same area, same vicinity and comparable for that production.

This has historically been a problem in the West. It certainly happens in my State of California where we have Federal water and we have State water. Federal water or State water will grow tomatoes; one is a Federal tomato and one is a State tomato. But when you go to Hunt Foods or Libby-McNeil, they do not ask if you are a Federal tomato or a State tomato. They say, this is what we are paying per ton of tomatoes. There is, in fact, a subsidy.

I think that for the moment, just as we had to finally make a decision that we were going to let the States start collecting royalties on some oil and gas because they were more efficient than the Federal Government, I think here we ought to think about and the gentleman from Wisconsin [Mr. KLUG] suggests we should be pegging the Federal return to the taxpayer based upon what the States charge because they seem to be much more efficient in getting that return to their taxpayers for this land.

Again, the formula that is presented by the gentleman from Oregon [Mr. SMITH] does not take into account the differences in the quality of the land, the land in Nebraska, the land in Colorado or up in the northern corner of California or the land in Arizona. Some cows eat creosote and have to go 40 miles an hour just to stay alive. Other cows are standing around in high clover. And there is no distinction. But there is a distinction when we get to the State leasing of these lands.

I think this is a fair, nonprejudicial way to allocate these resources. As the gentleman from Wisconsin [Mr. KLUG] points out, even this will not recover to us the full cost of doing business. But we can work on that. We can continue to work on the efficiencies and

the costs of this program by the agencies that are running it.

First of all, we have got to stop the hemorrhaging of subsidies that flow out of this program and deprive the taxpayer of that return. This Congress over the last several years, in efforts to balance the budget, has assessed fees on multiple users, even in the granddaddies of all the water projects out in California. We now every year update the cost of doing business. We charge more and more as the cost goes up. No longer do we just pass that on to the taxpayer and those irrigators have to absorb that.

That is a decision we made a number of years ago, 3 or 4 years ago, as we decided to try and reduce this Federal deficit. We should be doing the same with respect to the Federal grazing program and, with the inclusion of this amendment, we have a very substantially improved bill beyond those improvements provided by the Stenholm amendment and the recent changes by the chairman of the committee. Without it, without this amendment or the Vento amendment, this is clearly a seriously flawed program with respect to the interest of the national taxpayers.

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

Mr. Chairman, I totally agree with the gentleman from California's statement that says when a rancher brings a calf to the market, the market does not differentiate whether it is grazed on State land, Federal land or private land. As I stated during the earlier debate, the general debate, if I were convinced that this was a subsidy for Western ranchers that accrued an unfavorable advantage to them over my Texas constituency, I would not be standing here today arguing, as I am, because it would be rather foolish politically or economically.

I have spent years trying to ascertain what a fair grazing rate is. I have listened to those that make the argument today on behalf of the taxpayer that it should be much, much higher. But then I have also spent the time analyzing that many times those who have not taken all of that time really are trying to compare apples and oranges. Because as I stated before, there are other costs of a rancher doing business on Federal lands that do not accrue to a private owner. For example, the owner of the land usually furnishes the fences and fencing is a very, very expensive endeavor. I rise in opposition to the Klug amendment.

I come at it, and I do not question sincerity of the gentleman from Wisconsin [Mr. KLUG] at all. He believes there is a subsidy. I believe there is not. I believe the facts are on my side. This is for colleagues to make that determination.

One of the things that I do in the base bill, the Vento amendment, though, the 2,000 animal unit divided by 12 months, that is 167 cows per year. Now, there are very few if any real

working ranchers that can survive on this low threshold of gross receipts. So the intent of the amendment that is being amended is one of which I really ask our colleagues to take a look at it, because it displays a lack of true knowledge of the cattle industry today.

Also in the Klug amendment, having these grazing fees based upon State land rates, I think, would be an administrative nightmare. If we think the Tax Code is complex, currently let us take a look at the administrative cost. Imagine, two Federal agencies trying to implement a minimum of 11 different fee structures depending on location. I know the intent is good. At first blemish, it makes some sense. But then when you get down to the administrative cost, I find it interesting that some of the objections are dealing with the cost already of the BLM and the Forest Service in administering the program.

If we go back and study the reams of studies and papers that have gone into this, it gets into what we all commonly call an accounting gimmick, how we allocate costs. We have a BLM and we have a Forest Service in order to manage Federal lands, one use of which is grazing. But there are other uses. Wildlife, public use and the rancher only gets the use of the grazing and in return he puts an investment back into that land and it is a considerable amount of investment that they have to put into Federal land.

So I think when we look at the administrative nightmare of the Klug amendment, charging different State-based fees is going to be unfair, unless we come at the conclusion that somehow these Western ranchers are receiving a subsidy. I do not believe that the facts will bear that out. I encourage opposition to both the Klug and the Vento amendment.

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

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

Mr. VENTO. Mr. Chairman, the gentleman pointed out in my underlying amendment that 2,000 was not enough, 2,000 AUM's was not enough for a family ranch to make a living. I would point out that 91 percent of the permittees have less than 2,000 AUM's so 91 percent of them cannot be wrong, can they? Does the gentleman want to tell them that they should not be in business? Is that the point?

Mr. STENHOLM. Mr. Chairman, no, that is not the point that I was making in the debate. What I am saying, when we start picking arbitrary numbers, we begin to get into all kinds of problems with the industry which we are discussing today. That is my only point.

Mr. VENTO. Mr. Chairman, if the gentleman will continue to yield, my point is that I am trying to differentiate in terms of a family ranch in terms of, the gentleman disagrees and we disagree about the subsidy. That is fine. But in terms of the fact that they are in fact in business and furthermore,

of course, on the gentleman's time, I would point out that this formula in the bill is completely arbitrary.

The CHAIRMAN. The time of the gentleman from Texas [Mr. STENHOLM] has expired.

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

Mr. VENTO. Mr. Chairman, if the gentleman will continue to yield, the formula is completely arbitrary in terms of what the costs are with regard to BLM. It looks at what the revenue is raised by beef over a 12-year average and then what the 12-year average is for a 6-month T bill and then multiplies it out and says that is our return. But that does not have anything to do with what the cost is to the BLM or to the management side of this at all.

Mr. STENHOLM. Mr. Chairman, I do not disagree with that. My concern or my opposition to what the gentleman, both gentlemen are attempting to do, lies in the fact that nearly 50 percent of Western lands are owned by the Federal Government. Fully 50 percent of the Nation's marketable lands, 20 percent of the calves go to feed lots or are raised in Western public States. My concern is that we do not disrupt normal marketing arrangements, normal business practices in something as significant to the cattle industry as these areas are.

If I were convinced, as the gentleman is convinced, and the gentleman from Wisconsin [Mr. KLUG] is convinced and others are convinced, that there is an unfair subsidy, I would not be standing here arguing that. I am of the opinion there is not an unfair subsidy. I disagree with those that have come to different conclusions. That is my concern and why I am participating in opposing the gentleman's amendment and the Klug amendment.

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

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

Mr. KLUG. Mr. Chairman, I will accept the premise that we could disagree on whether there is a subsidy involved here or not. But if I can, let me respectfully disagree on what essentially is simpler for the Federal Government to administer.

Here is what happens. We find out what the State rate is, and on Federal lands in those States the Federal Government charges it, versus this share is equal, this is the committee report language, the share is equal to the average rate of return on 6-month Treasury bills. The averages are calculated over a 12-year period corresponding to the normal cattle market cycle, thus stabilizing prospective annual rates of change in the calculated grazing fee.

You are essentially setting up a very convoluted formula that is based on a rolling price of beef which has nothing to do with the costs of running the program on Federal lands.

The CHAIRMAN. The time of the gentleman from Texas [Mr. STENHOLM] has again expired.

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

Mr. KLUG. Mr. Chairman, if the gentleman will continue to yield, he may have a lot of objections to the amendment, but I think simplicity simply says we charge on the Federal lands what we charge on the State lands. We do not have to have a program that is going to put us through all kinds of calculated relationships based on beef prices in the future, beef prices in the past and T bill prices 12 years ago. For simplicity's sake and for administrative costs, I think it is simpler to charge on Federal lands what we charge on the State land, period, and here is the bill.

Mr. STENHOLM. Mr. Chairman, reclaiming my time, I would point out to our colleagues that the State fees that we are discussing are set based on the Federal charges and are as tainted by the current law that we are implementing. So therefore it is not nearly as simple because we are talking about changing something of which we are already basing on the Federal structure.

Mr. MILLER of Florida. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the Klug amendment. I believe the changes made to the grazing fee formula in this bill will not really change things at all.

Under this bill the Federal Government will still be using the taxpayers' hard-earned money to subsidize grazing for giant companies who do not need a government handout. This is corporate welfare and it is just plain wrong.

It cost the Federal Government, which means the taxpayers an average of nearly \$6 per animal unit month just to administer the grazing program. The Government currently charges a grazing fee at the rock-bottom price of \$1.35 per AUM. And if the Government had utilized the new formula proposed in this bill for this grazing year, that fee would have increased to only \$1.84 per AUM. That is far short of the \$5.81 per AUM it costs the taxpayers to run this program.

Even worse, the Congressional Budget Office estimates that this new formula would increase grazing fees an average of only 20 cents per AUM during the next 4 years. This is not change, and it is not fair to the American taxpayers.

Who benefits most from the grazing program? A small number of large-scale ranchers who comprise less than 10 percent of these holding grazing permits, but yet they control more than 60 percent of the land.

To help this, to help end this Government handout, my good friend from Wisconsin has offered an amendment that would make Federal grazing fees comparable to those charged by the State. State grazing fees are consistently higher than Federal grazing fees and closer to the rates charged by the private sector. As a result, the Klug

amendment would allow the Government to generate an additional \$30 million a year in revenues to help offset the cost of administering this program.

□ 1300

This is a step in the right direction. I do not think anyone can argue with the fact that the Government's grazing policies need to be reformed. There does need to be more uniformity in how Federal agencies administer grazing programs on public land. But if we are really to reform the program, we should not be leaving grazing fees essentially unchanged.

This Congress has made significant progress toward reducing waste and spending money more wisely. But the new grazing fee formula contained in this bill misses the mark.

I urge my colleagues to support the Klug amendment. A vote for this amendment will show America that Congress has committed to taking a big bite out of corporate welfare, not the taxpayers' wallets.

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

(Mr. SMITH of Oregon asked and was given permission to revise and extend his remarks.)

Mr. Chairman, I think we ought to again look at this question of fees with respect to State lands and with respect to the Vento amendment. First of all, I chased the tail of that baby for a while. In fact, I offered at one time to the livestock industry an opportunity to hold harmless the Federal Government in the management of its grazing practices, which would have meant that the fee would be determined by the cost of managing the grazing program on the Department of the Interior and Forest Service lands. I withdrew that effort simply because I would never catch up.

Now, anybody who thinks that the Federal Government is an efficient operator would please step forward. I see none. The point is that if they load up the cost, as they have in the Department of the Interior and the Forest Service, if they load up the cost in managing the fee, they can argue they will never have a fee that will compensate for the cost of the Government doing business.

Therefore, we come now to the question of what is proper and what is a fair return to the Government? I insist that this new formula is much fairer and returns an additional \$6 million to the Treasury for the purposes of grazers grazing public lands. The State land idea is wrong. We are comparing apples and oranges here. The State lands in every State are in much better condition and much higher quality than the Federal lands. They are, in many cases, pulled together in an operating unit so that there is less cost of operating from State lands. We cannot compare State lands and Federal lands in the same breath, and we should not have a fee on the State lands the same as Federal lands.

The question is many times argued about private lands here. And I ask, where is the subsidy? And I submit to my colleagues, there are four studies that I have outlined here on the board within the last 5 years that indicate that it costs more to do business on public lands if you have a public grazing permit than it does on private lands.

I would much prefer and any livestock person would much prefer to spend \$10 on AUM in a good private pasture than I would a \$1.84 in the rocks and the brush. Why? Because you get a fully equipped department with the private land. Many times the management, we get the water provided, we get the fences provided, and it costs much less money.

And then you say, why, then, do not people who graze on public lands rent private pasture? Simply is, it is not available. The answer is, it is not available. Ninety percent of the lands owned by the Federal Government in the State of Nevada, 50 percent in the State of Oregon, go down the line, there is not the availability of private land or that is where we would be. I would much prefer to turn my cattle out in Virginia at \$10 or \$15 in AUM than to graze them in my part of the State of Oregon, where you are right, we do have problems, the cows need wheels to go from water hole to water hole. So this idea that we are comparing State and private pasture to the public lands by the Federal Government is a dead wrong idea.

Now, the fair share is this. And let us again address the corporate demons. These people are talking about 8, 8 permittees out of 23,000. And when they say that great corporate pork, well, there are eight of them. But 23,000 families are out there depending on us and depending upon a fair bill. Let us keep them paying their bills. Let us keep them on the public lands. And for goodness sake, let us get a fair return by turning down the Klug amendment and the Vento amendment and adopting this very fair new proposal and program, which returns an additional amount of money to the Treasury.

Mr. VENTO. Mr. Chairman, I rise in support of the Klug amendment.

Mr. Chairman, this amendment looks familiar. It is one I offered in full committee when we marked up the bill. And fundamentally I support what the gentleman from Wisconsin [Mr. KLUG] is doing. I think if we cannot do this, it would be good to do what I am proposing at least. But this is a better amendment, frankly, in terms of trying to deal with the cost of grazing on our public lands.

As has been pointed out by the gentleman from Florida [Mr. MILLER] and the gentleman from California [Mr. MILLER], we have got the Millers agreeing, and the gentleman from Wisconsin [Mr. KLUG], the fact is that we spend nearly \$6 an AUM and receive under this bill, under CBO's suggestion, that over the next 5 years it will be about 20

cents, in fact, 20 cents more than what the fee is, \$1.55 per AUM. But if we had had this fee in effect over the last 20 years, in 15 of those years we would have gotten less back per AUM, according to the Congressional Budget Office and there is no base fee or floor in the formula so it could sink very low.

So, in fact, if we took this formula, this is not an improvement in a formula, this is a change without benefit in terms of what it does and in fact may lower the AUM fee on public lands. It certainly continues the existing type of below-market type of fees in the West. And the fact is, as the gentleman from Wisconsin [Mr. KLUG] is pointing out, that many of these States have similar lands, and, of course, such States are charging on the basis of an animal unit month, the amount of forage that it takes to raise an animal, calf-cow combination, for 1 month, the same measurement and definition in this bill.

So we are comparing apples and apples. The bill's proponents can go through all the machinations that they want, those who are advocates for this, but we are comparing the exact type of value that is being conveyed by the State and Federal AUM. No one has demonstrated that it is any different. I think it is ridiculous in some cases to raise cows and to put land to this particular use when, in fact, it takes 2,000, 3,000, 3,700 acres to raise a cow. Those cows do end up with more miles than your old Chevrolet. But the fact is that is what ranchers chose to do. And the fact is that the way this formula works, it gives them that AUM for \$1.55 a month according to CBO under this new formula.

As I said, in the last 20 years, 15 of the years they would have got lower fees. This proposal that the gentleman from Wisconsin [Mr. KLUG] has made that I proposed gives you some options. It says, let us try to get closer to what the cost of management of the program is.

The fact is that the formula of this bill is a completely arbitrary formula. It suggests, if you have the cows out there, this is the price of beef. Then the Federal Government is entitled to whatever the average beef price is for 12 years, a 6-month T-bill rate for 12 years. So it just returns a certain amount of money to us. The fact is it costs us three times that amount to run the program, three times that amount just to manage the 28,000 grazing permittees.

We can argue the Federal Government is inefficient, but the fact is that this type of discrepancy, the answer is not to continue to charge below-market prices. We need the resources so that we can, in fact, run the programs in an efficient and effective way. But the land managers are being denied that today.

In fact, if we look at the dollars spent in terms of the BLM programs, we find that they have not substantially increased for this purpose and

that I think, frankly, those public land managers do a pretty good job considering the limited resource in the area that they have. We are talking of over 250 million acres of Federal land that are given over to this particular purpose.

The Klug amendment will say that a State land, State-leased allotment right along the side of a Federal allotment would be paying, in essence, the same. In other words, when they go to market, there is no difference. And we are talking about animal unit months, the amount of forage. So the parity here is nearly absolute, as absolute as lands can be. But we look specifically at the lands to see what their productive capacity is. That is what is involved in terms of this management.

As for complexity, there is no complexity. Those that were shaming the gentleman from Wisconsin [Mr. KLUG] for complexity here have not really looked at the complexity in this entire program in terms of measuring AUM's and the ephemeral nature of some of these areas and the weather and seasonal changes. There is a lot of management responsibility that is conveyed to the BLM in terms of managing these lands properly.

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

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

Mr. MILLER of California. Mr. Chairman, I want to say again the suggestion that somehow the State grazing fees only apply to superior land is just a misnomer.

The fact is, in Arizona, in California, in Colorado, the State lands very often are right next to the Federal lands. They are carved out of the same lands. They were put there in an arbitrary fashion. And the quality is very much the same. But in Arizona are we going to pay \$2.18, and under this formula we are going to pay \$1.55? In California, we are going to pay \$500 a year minimum. Under this we do not know what we are going to pay. In Colorado, we pay \$6.50 to \$7.17. And under this we pay \$1.55.

The point is this: It is sort of like new math. Joe and Moe are both ranchers. Joe farms on Federal land, and Moe farms on State land. Joe and Moe send their cows to market. They get the same price. Joe on Federal land gets more money back than Moe on State land. What is that called? That is called a subsidy. We have to end it right now.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VENTO. Mr. Chairman, I think the Klug amendment is an improved amendment to mine. I would urge the Members to vote for it and then to vote my amendment up, as amended, or as it is. It gives us some options in terms of looking at family and ranchers. And I think that ultimately the end result

is that when you subsidize and create this kind of dependency with these types of reduced or suppressed prices, that do not reflect what the costs are to the Government, we call it a subsidy.

I think we ought to stop the subsidy for all. If we cannot do it for all, we ought to at least do it for the 9 percent of the permittees, the corporate cowboys, that control 63 percent of the forage, 63 percent of the forage by 9 percent, and try to retain it then for the family ranchers that some may feel deserve a subsidy. Frankly, I have my view on that. But I would hope we can support the Klug amendment. But if we cannot, at least let us cut it out for the corporate cowboys.

Mr. Chairman, the Klug amendment only addresses the fee issue because that is the only thing Congress needs to address at this time. The current grazing fee is \$1.35. Mr. Smith's bill would raise that by 20 cents.

This amendment would set the Federal grazing fee at the level each State charges for grazing on State lands. Every Western State charges more than the Federal Government, with several charging six times as much. Many of these State lands are of the same character as the Federal lands and the services provided are similar or identical.

The amendment is consistent and equitable, certainly more so than the fee formula contained in H.R. 2493. The bill's fee formula Members may recall is similar but even more egregious than the one that some Members tried to get enacted in the 104th Congress. It is a formula that is not based on fair market value or sound scientific principles. Terms are imprecise and confusing. Perhaps the proponents of the bill could explain exactly how they arrived at a formula that provides that the grazing fee shall equal the 12-year average of the total gross value of production for beef cattle for the 12 years preceding the grazing fee year, multiplied by the 12-year average of the U.S. Treasury securities 6-month bill "new issue" rate, divided by 12.

More importantly, the bill's fee formula is flawed in its application. If the formula had been in place the past 20 years, the grazing fee would have been less than the flawed PRIA formula fee for 15 of those years. Under the bill, ranchers would pay less in fees than they did in 1980.

Public land ranchers presently pay from 4 to 7 times less than ranchers who graze cows on private and State lands. The free market is allowed to work on private lands, yet on public lands a confusing Federal formula keeps public land grazing fees artificially low. The result? Public land ranchers, who produce just 2 percent of the beef consumed in the United States, have a decided economic advantage over ranchers who use private or State lands.

I am not aware of ranchers packing it up based on the grazing fees States charge. This amendment is a simple, direct way to address the grazing fee issue and I urge its adoption.

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

Ranching on lands that are managed by the Federal Government is very different than ranching on lands that are managed by the State government. In fact, I would like to remind the gen-

tleman from Minnesota [Mr. VENTO] and the gentleman from California [Mr. MILLER] that, indeed, ranching on State land, you deal with primarily one agency. When we are ranching on Federal lands, we are dealing with the U.S. Army Corps of Engineers, the Forest Service, the Bureau of Land Management, the National Marine Fisheries Service, the Fish and Wildlife Service, the Department of Energy, Parks from time to time, and now the tribes have more say in the governing of public lands. It goes on and on and on.

The fact is is that ranchers are responsible for their own fences on public lands, watering, seeding, keeping up wildlife, improvement of wildlife ponds, keeping track of all the livestock when there are visitors on the land, recreationists who leave gates open, keeping track of what people are doing on the allotment. It is a whole different ball game.

This is a very thoughtful formula. And, in fact, people like me, who represent people from the West, as does the gentleman from Oregon [Mr. SMITH], I personally feel like the good chairman has been far too generous with the Federal Government. But this is what we have agreed to. And I appreciate his concern. But a 36-percent increase in the animal-unit per month for every single animal? That is a huge cost of doing business.

Let me tell my colleagues some of the other things that are different about managing on Federal lands and grazing on Federal lands instead of State lands. Let me give my colleagues an example.

In Idaho, and some of the Western States, we understand that sagebrush competes with grass. Out there on the arid western lands, this is 20-mile-an-hour cow country, at best. A cow has to graze at 20 miles an hour all day long just to get enough to eat. Now we have our Federal land managers out there planting more sagebrush, which competes with the grasslands.

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

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

Mr. LEWIS of California. Mr. Chairman, I am sorry to interrupt the thought of the gentleman from Idaho [Mrs. CHENOWETH], but at this moment she just brought to mind the reality that just a few years ago we had a serious debate on this floor regarding desert lands in the West and some people were suggesting that maybe those lands would not be bad for grazing. There was an amendment on the floor which opposed grazing, which eventually passed.

The same two gentlemen on the other side of the aisle, the gentleman from California [Mr. MILLER] and the gentleman from Minnesota [Mr. VENTO] strongly opposed the grazing on that land, when it was obvious that not only would it be difficult land for grazing in terms of 20-mile-an-hour grazing, nonetheless, logical use of that land. It was

imposed by exactly the same people, who, from what I can tell, want no grazing anywhere, and especially they are ready and willing to hurt the small farmer who is hurt most by the adjustments they are discussing here.

□ 1315

Mrs. CHENOWETH. I thank the gentleman from California. I do want to say that with this fee increase, we really will be succeeding in running our cattlemen off the land. We have got to remember, this is the part of America's heritage and culture they write songs about, they copy their styles of dress back here in the East, they run their same kind of rigs back here, they make movies about them, they sing songs about them, and yet this body is willing to cut that part of America's heritage and culture loose. I say no. America is great because America is different. We are different than Madison, WI, or in Mr. VENTO's district in St. Paul. It is very, very beautiful, but even the gentleman from Minnesota said these public lands are different. They are arid. He understands that. Why is that debate different now than it was then?

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

Mrs. CHENOWETH. I yield to the gentleman from Montana.

Mr. HILL. I thank the gentlewoman for yielding. I am sure the gentlewoman is aware of the fact that there was a study in Montana, as a matter of fact, on this very subject, about the difference between State lands and Federal lands and management. One of the things that this study looked at is why is it that State lands are more productive and why is it that State lands cost less to administer than the Federal lands. They found that the State of Montana did a better job of managing its lands for lower cost. In addition to that, the lands were more productive because the objective of the management of State lands in Montana was to maximize the economic return. That is not, as I think the gentlewoman knows, the objective of management to Federal lands. It also discovered that the State provided fencing, it provided water, it provided a lot of additional amenities that the Federal Government does not provide.

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

Mr. Chairman, I thank the chair, my colleague from Iowa who is presiding over the debate this afternoon, and I thank my colleagues from the West under the leadership of the chairman of the Committee on Agriculture, my good friend from Oregon. I appreciate the spirit of the overall legislation. I rise in strong support of that, but take issue quite frankly with the amendments offered by my colleagues from Minnesota and Wisconsin.

It is important to remember a couple of things when we talk about so-called public lands, Mr. Chairman. Public

lands are not public parks. They are not public libraries. They are not public museums. Indeed, Mr. Chairman, a better definition is federally controlled land. Indeed, I would direct the attention of all my colleagues, Mr. Chairman, to Gila County, AZ, where less than 5 percent of the land in that county is owned by any private entity.

I listened with great interest to my colleague from California talk about the State of Arizona, the youngest of the 48 contiguous States, admitted to this Union on Valentine's Day, 1912. Something to remember is that one of the conditions for statehood was that Arizona had to surrender vast amounts of its territorial lands to the Federal Government as a condition for statehood. When we talk about the territorial lands, the lands surrendered to the Federal Government, we are talking about the most choice land. Indeed, if I had a dispute with my colleague on the other side from California, as he tried to lump together Arizona and other States in dealing with this and the appeal I would make to my colleague from Wisconsin, is that we are not talking about the same land. We are not saying that it is the same property, even if it is property adjacent, because the Federal Government had the right to select the acreage that it took from the territory that became the State. And it changed the whole situation there.

So indeed my colleague from Oregon is quite correct. When the Federal Government was given the pick of the land, there is a fundamental difference in that property. But I would also appeal to those in think tanks who love to talk about socialist cowboys or to those who would claim that somehow these are evil subsidies or corporate welfare, remember the history, Mr. Chairman. Do you not believe that if the ranchers of the West had the opportunity to buy private property as exists east of the Mississippi River, that they would gladly surrender the current situation for a portion of land?

Mr. Chairman, knowing that sadly sometimes policy debates are displaced by political consideration and a deliberate misunderstanding of what I am saying, let me be very clear on this point. I am not asking that all federally controlled land be put up for sale. I am not saying that. But I am saying that with the vast amount of land owned by the Federal Government, you better believe that ranchers and farmers would love to have the opportunity to have that land in private ownership. And we are forced into this situation because of the history of our Nation, because of the fact that the Federal Government insisted in territories like Arizona that became States that a majority of that land, or a significant portion of that land, be under the control of the Federal Government.

That brings us here to this debate today. That is why we need to reject the proposed amendments and embrace the overall legislation brought to the

floor by my colleague from Oregon, because we have worked to fashion a reasonable compromise. Indeed, the gentlewoman from Idaho had it right when not everything in the legislation is exactly to the liking of our constituents. But we have hammered out in the spirit of compromise to go the second mile with those east of the Mississippi River who are suburbanites, with those who believe that they can capture the issue and so misframe it as to perpetuate the myth that those who make their livings off the land are not good stewards of the land. Quite the contrary is true, Mr. Chairman. And because of conditions that exist today, because of the presence of the Federal Government, because of the history of the settlement of the West and the long and rocky road to statehood for many of the territories west of the Mississippi River, we are brought to this situation here today.

For all those who talk about subsidies, for all those who call this a form of corporate welfare, Mr. Chairman, they are dead wrong. Support the underlying legislation. Reject the proposed amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG] to the amendment offered by the gentleman from Minnesota [Mr. VENTO].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to not less than 5 minutes the time for any recorded vote that may be ordered on the underlying amendment offered by the gentleman from Minnesota [Mr. VENTO] without intervening business or debate.

The vote was taken by electronic device, and there were—ayes 205, noes 219, not voting 8, as follows:

[Roll No. 546]

AYES—205

Abercrombie	Conyers	Foglietta
Ackerman	Cook	Forbes
Allen	Costello	Ford
Andrews	Cox	Fox
Baldacci	Coyne	Frank (MA)
Barrett (WI)	Cummings	Franks (NJ)
Bass	Davis (FL)	Frelinghuysen
Becerra	Davis (IL)	Furse
Berman	Davis (VA)	Gejdenson
Bilirakis	DeFazio	Gephardt
Blagojevich	DeGette	Gilman
Blumenauer	Delahunt	Goss
Bonior	DeLauro	Green
Borski	Dellums	Greenwood
Boucher	Dickey	Gutiérrez
Brown (CA)	Dicks	Hamilton
Brown (FL)	Dingell	Harman
Brown (OH)	Dixon	Hastings (FL)
Campbell	Doggett	Hilliard
Cardin	Doyle	Hinchee
Carson	Engel	Hoekstra
Castle	Eshoo	Hooley
Chabot	Evans	Horn
Clay	Farr	Hoyer
Clayton	Fattah	Inglis
Clement	Fawell	Jackson (IL)
Clyburn	Filner	Jefferson
Coble	Flake	Johnson (CT)

Kanjorski Millender-
Kaptur McDonald
Kasich Miller (CA)
Kennedy (MA) Miller (FL)
Kennedy (RI) Minge
Kennelly Mink
Kildee Moran (VA)
Kilpatrick Morella
Kind (WI) Nadler
Kingston Neal
Klecзка Neumann
Klink Obey
Klug Olver
Kucinich Owens
LaFalce Pallone
Lampson Pappas
Lantos Pascrell
Leach Pastor
Levin Payne
Lewis (GA) Pease
Lipinski Pelosi
LoBiondo Petri
Lofgren Porter
Loweу Portman
Luther Poshard
Maloney (CT) Price (NC)
Maloney (NY) Rahall
Manton Ramstad
Markey Rangel
Mascara Rivers
Matsui Rodriguez
McCarthy (MO) Roemer
McCarthy (NY) Rohrabacher
McDade Ros-Lehtinen
McDermott Rothman
McGovern Roukema
McHale Roybal-Allard
McKinney Rush
McNulty Sabo
Meehan Sanchez
Menendez Sanders

Riley
Rogan
Rogers
Royce
Ryun
Salmon
Sandlin
Saxton
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Shimkus
Shuster
Sisisky
Skaggs
Cubin
Deutsch
Gonzalez

Skeen
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Jackson-Lee
(TX)
Moakley

Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Walsh
Wamp
Watkins
Watts (OK)
Weller
White
Wicker
Wolf
Young (AK)
Young (FL)
Schiff
Weldon (FL)
Weldon (PA)

Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Hoekstra
Hooley
Horn
Hoyer
Inglis
Jackson (IL)
Jefferson
Johnson (CT)
Johnson (WI)
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kingston
Klecзка
Klink
Klug
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Loweу
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)

McCarthy (NY)
McDade
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-
McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Moran (VA)
Morella
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pallone
Pappas
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Petri
Porter
Portman
Poshard
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roukema

Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sanford
Sawyer
Scarborough
Schumer
Sensenbrenner
Serrano
Sherman
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson
Tierney
Torres
Towns
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—8

□ 1344

Messrs. RIGGS, CRANE, ADERHOLT and SKAGGS and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from "aye" to "no."

Messrs. WEXLER, DAVIS of Florida, COX of California and ANDREWS and Ms. MCKINNEY changed their vote from "no" to "aye."

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Chairman, on rollcall vote 546, the Klug amendment to H.R. 2493, I was unavoidably detained in meetings. Had I been present, I would have voted "aye."

□ 1345

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. VENTO].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair will reduce this vote to not less than 5 minutes.

The vote was taken by electronic device, and there were—ayes 208, noes 212, not voting 12, as follows:

[Roll No. 547]

AYES—208

NOES—219

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Christensen
Coburn
Collins
Combest
Condit
Cooksey
Cramer
Crane
Crapo
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dooley
Doolittle
Dreier

Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fazio
Foley
Fowler
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kelly

Kim
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek
Metcalf
Mica
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Parker
Paul
Paxon
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Reyes
Riggs

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Berman
Bilirakis
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Cardin
Carson
Castle
Chabot

Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Doyle
Duncan

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Boswell
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cox
Cramer
Crane
Crapo
Cunningham

NOES—212

DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fazio
Foley
Fowler
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Holden
Hostettler
Houghton
Hulshof
Hunter

Hutchinson
Hyde
Istook
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Minge
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Paxon
Peterson (MN)
Peterson (PA)

Pickering	Schaefer, Dan	Tanner
Pickett	Schaffer, Bob	Tauzin
Pitts	Sessions	Taylor (NC)
Pombo	Shadegg	Thomas
Pomeroy	Shaw	Thornberry
Pryce (OH)	Shimkus	Thune
Quinn	Shuster	Thurman
Radanovich	Sisisky	Tiahrt
Redmond	Skeen	Trafficant
Regula	Smith (OR)	Turner
Reyes	Smith (TX)	Walsh
Riggs	Smith, Linda	Watkins
Riley	Snowbarger	Watts (OK)
Rogan	Solomon	Weller
Rogers	Souder	White
Ros-Lehtinen	Spence	Whitfield
Royce	Stearns	Wicker
Ryun	Stenholm	Wolf
Salmon	Stump	Young (AK)
Sandlin	Sununu	Young (FL)
Saxton	Talent	

NOT VOTING—12

Bono	Gonzalez	Scott
Cubin	Granger	Weldon (FL)
Danner	Jackson-Lee	Weldon (PA)
Deal	(TX)	
Deutsch	Schiff	

□ 1353

Mr. SMITH of Michigan changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Chairman, on rollcall vote 547 to H.R. 2493, I was unavoidably detained in meetings. Had I been present, I would have voted "aye."

PARLIAMENTARY INQUIRY

Mr. DELAY. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. DELAY. Mr. Chairman, I have a parliamentary inquiry in asking how long we hold the votes open, again.

The CHAIRMAN. This was a 5-minute vote. Five minutes is the length of time that this vote was supposed to be held open.

Mr. DELAY. In order to accommodate Members' schedules, should Members try to make the votes as quickly as possible?

The CHAIRMAN. The Speaker has made various statements on many occasions regarding this policy. I think Members are well aware of the policy.

AMENDMENT NO. 13 OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer amendment No. 13 as printed in the RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. MILLER of California:

In section 107(a), strike paragraph (2) (page 36, lines 16 through 20) and insert the following new paragraph:

(2) FEE FOR FOREIGN-OWNED OR CONTROLLED GRAZING PERMITS OR LEASES.—In the case of a grazing permit or lease held or otherwise controlled in whole or in part by a foreign corporation or a foreign individual, the fee shall be equal to the higher of the following:

(A) The average grazing fee (weighted by animal unit months) charged by the State during the previous grazing year for grazing on State lands in the State in which the

lands covered by the grazing permit or lease are located;

(B) The average grazing fee (weighted by animal unit months) charged for grazing on private lands in the State in which the lands covered by the grazing permit or lease are located.

Mr. MILLER of California. Mr. Chairman, as Members are now aware, we have just experienced two very close votes on whether or not the Federal Government ought to continue to subsidize grazing on Federal lands that are owned by the public, and continue that subsidy in a completely arbitrary fashion.

The question in the two previous amendments, first of all, was whether or not the Federal land grazers ought to pay at least those prices that are charged for rental of that land and the grazing of that land that the States charged for comparable lands within their borders, and in a very, very narrow margin, apparently the House decided that was not the case.

In the second amendment, the decision was whether or not, if we are going to subsidize these people in an arbitrary fashion to the tune of some \$30 million a year that this program loses, should we subsidize also some of the largest corporations in this country, and should we also subsidize some of the richest people in this country.

On a much narrower vote the decision was somehow, unbelievably so, that yes, we could continue to pour taxpayer dollars to the richest corporations and the richest individuals. I do not think that is how we got to a reduced deficit, but somehow we are going to continue it.

In this amendment, Mr. Chairman, the question is this for us: Do we think we ought to continue to pour Federal subsidies to those corporations that are foreign-owned, to those corporations that are grazing on Federal lands but are foreign-owned and operated here.

□ 1400

Should we continue to subsidize grazing operations that are 11,000 acres in size, 6,000 acres, 4,000 acres owned by the E.M. Remy Co. out of Switzerland, the Zenchiku Livestock Co. of 7,000 acres from Japan, Two Dot Ranch out of France and Switzerland, and it goes on and on. Should we be using taxpayers' dollars to subsidize these foreign operations?

Mr. Chairman, if that does not give my colleagues reason to pause as they cast their two previous votes to end these subsidies, we might want to understand that in some instances we are subsidizing foreign mining operations that are mining on their base properties, have gotten Federal allotments, are taking hundreds of millions of dollars off of Federal lands for which they pay no royalties to the taxpayers, and then the taxpayers are giving them additional subsidies for the grazing of the cattle.

Mr. Chairman, when will my colleagues stop insulting the American

taxpayer with this kind of program? They could not do it, they could not bring it upon themselves to say we ought to just charge what the States apparently are able to charge in a much more efficient fashion. So they could not stop the taxpayers' subsidy there.

They could not bring it upon themselves when we just singled out the top 7, 8, 9 percent of the users of this land who are among the largest and richest corporations and individuals in this country. They could not stop it there. Can they stop it here?

Mr. Chairman, they are using these taxpayer dollars to subsidize foreign corporations, some of whom are, in fact, double-dippers. They are dipping into the Federal Treasury because they are mining on Federal lands, but they do not provide any royalties for the billions of dollars that they take off in silver and gold, and then they get to dip to graze the cattle, which is incidental to their mining operation.

Mr. Chairman, at some point, at some point this body has got to understand that they are insulting the intelligence of the American people if they believe that they accept this or they think this is acceptable, because it is not and that is what we have to do.

Mr. Chairman, these foreign firms that I am asking to end the subsidy for are in the top 4 percent of the size of these cattle operations. These are not the "Mom and Pops" that some people said that they wanted to save in the last amendment from an increase in cost. This is not the family farmer; these are the big fellows who are owned by foreign corporations, who have decided they can come here and raise cattle with subsidized dollars.

Mr. Chairman, I think we ought to put an end to that. I think we ought to understand that this is a subsidy to which they are entitled, with no limits under the current law. My amendment would end that subsidy. They would simply have to pay the State rates or the private rates. We are not gouging them. We just ask that they pay what the State charges for comparable lands within their boundaries.

Mr. SMITH of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, without getting into the question of trade with foreign countries, let me read for the record a quote from the Taylor Grazing Act, and I am quoting: "Grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declaration of intention to become such, or required by naturalization laws, and to groups, associations, or corporations authorized to conduct business under the laws of the State in which the grazing district is located."

Well, Mr. Chairman, obviously if there are operations, foreign operations, they have to follow the law of this country and of the Taylor Grazing Act, so they have to be citizens.

If this is a direct assault at, let us say, the Japanese, then maybe we

ought to remind ourselves that Japan takes about \$1 billion of beef every year, maybe it is a \$2 billion market. I would suggest that if we are going to close the borders of America around this issue, then we indeed are going to cause international concerns.

Foreign countries, whomever they may be, the people must be citizens to have this permit. But if they are targeted, they will obviously retaliate. So I see no reason for this amendment. It has no place in this discussion. We have had the discussion about fee increases. This is mischief. There is no purpose in it, and I suggest we oppose it.

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

Mr. SMITH of Oregon. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I could not help but react to the remarks of the gentleman from California [Mr. MILLER] regarding the earlier two amendments that were just referenced. Indeed, in that case there was a very strong bipartisan vote in opposition to those amendments. I would hope that the same kind of logic and sense would apply to this amendment and we would get the same kind of bipartisan support.

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman.

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

Mr. Chairman, I want to speak in favor of the amendment that the gentleman from California [Mr. MILLER] has just outlined. I want to make an appeal to Members of the House.

Mr. Chairman, I am a Member of the House of Representatives, proud to serve here and I think, Mr. Chairman, you know that I have said on more than one occasion that respect for the House includes being able to win and also understand what losing is all about, being defeated.

The last two amendments did not come out the way I voted. I understand that and I accept that. But, Mr. Chairman, what I am hoping is a basic sense of fairness can prevail. Those votes were close. People were paying strict attention to what it was they were voting on. And I think we have to give the best possible motivation and express goodwill toward one another with respect to our votes.

So my appeal on asking Members to vote for this amendment is one based on fairness. With all due respect to the previous speakers, this is not a question of closing borders; this is a question of whether we are going to extend the same privileges explicit, I would say, Mr. Chairman, in the last two amendments to foreign-controlled corporations.

Mr. Chairman, I do not think that this can be reduced to an argument about whether or not we are treating our western brothers and sisters fairly or those in the majority of areas where the grazing takes place. It is one thing

for us to involve ourselves in a discussion as to what is the appropriate legislative approach on grazing land. It is another thing to subsidize foreign-controlled permittees. I do not see how we can make an argument based on fairness, based on fairness to the American taxpayer, that would allow us to do this.

All the amendment of the gentleman from California [Mr. MILLER] is saying is that if businesses come in and make these investments as a foreign-controlled permittee, that they should not be allowed to have the benefit of the American taxpayer dollar. This is not an assault on anyone overseas.

Mr. Chairman, I would be very interested to see what kind of argument would be made when we look at the kind of laws that apply against Americans being involved with owning land and being able to extract minerals or to engage in other kinds of agricultural business in other countries.

Mr. Chairman, we are always the ones that are expected to do the producing for others in terms of fairness. What we are asking for is fairness for the American taxpayer here. Surely those who in good conscience made their votes on the other two measures can look to that same conscience to see, is this really the intent of those who favored the law as it is presently applied? Is it really the intent that these foreign-controlled permittees should be involved in this way?

Mr. Chairman, this is far from mischief. I do not think it is fair to characterize it that way. This is a fundamental question about what we have as a legislative foundation for the application of these laws. We have had our arguments, we have had our discussions as to whether the existing law and how it is applied, Mr. Chairman, is fair and appropriate. Surely it is a legitimate question. Far from being capricious or mischievous, it is a legitimate question as to whether the law ever intended this.

I ask, Mr. Chairman, that as Members come to vote on this particular amendment, can they in good conscience say that it was the intent and is the intent of this legislation to subsidize the foreign-controlled permittees? I think an honest evaluation, a fair evaluation would come to the conclusion it is not. And therefore I ask that we vote favorably on the amendment offered by the gentleman from California [Mr. MILLER] in the spirit of what has been accomplished here today in terms of the legislative process.

PARLIAMENTARY INQUIRY

Mr. VENTO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VENTO. Mr. Chairman, we were allotted 3 hours of general debate under the 5-minute rule. Can the Chairman inform me as to the time remaining?

The CHAIRMAN. There is 1 hour and 30 minutes remaining in overall consideration of amendments under the rule.

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

Mr. Chairman, I believe that no matter, the Taylor Grazing Act, as the gentleman from Oregon [Mr. SMITH], our chairman and friend, related to us, obviously did not anticipate that foreign nationals would indeed be awarded the Federal grazing permits and allotments.

Here it is not just a matter of a son of an immigrant as an example that was not naturalized and had not achieved citizenship yet having that particular option, but what is assumed here is that these are actually corporations and entities that are being treated as a person but are really, in essence, subsidiaries or actually the basic holding company of an international organization registered abroad. And, of course, when we go through the laundry list of who this is, and the system of these operations, we readily recognize that we are looking at vertical integration. They want to raise the beef themselves on U.S. public lands at low rates, subsidized rates, and in fact then process it and remove it to their home market.

So it is, I believe; and I think the numbers indicate that the cost of managing the grazing program on our Federal lands is nearly three times the cost, at least three times the cost of what is actually received by virtue of these fees.

Lost in all of this debate, of course, is the question of whether or not on a multiple use pattern that these 250 million acres of land, wilderness, forests, BLM lands, whatever the designation that they have on them, what is left behind is their use and what the conflicts and problems are with such use. Whether this is the highest and best use.

Mr. Chairman, we could or should be able to agree that, at least in terms of this benefit, that those who control these lands ought not to be in the hands of foreign nationals and if such entities control such lands they ought not to receive the subsidized rates but rather pay the higher State rates.

A month ago, Mr. Chairman, on this floor there was a debate about the voluntary conservation designations that went on with regards to some of our parks and some of the other areas, like the biological reserves that were discussed which were used for research, and all of this was voluntary. Here today we have actually the control of Federal lands in a sense through this allotment and permit process, which represents a direct seasonal control by a foreign entity in terms of these lands. That is really what this is about. They are controlling the grazing allotments and fees, are basically controlling and regulating these lands, given the same responsibilities, the same stewardship responsibilities and other responsibilities that are accorded to U.S. citizens and U.S. entities and receiving the same bargain basement subsidized rate.

Mr. Chairman, we have our disagreement about the subsidy going to them. We have our disagreement about the subsidy going to the corporations, corporate cowboys, the welfare cowboys. We have our disagreements, but I would think that there would be more consensus about whether or not this ought to extend beyond the borders to other countries and to other non-nationals that are under this bill and under the law, the way it is practiced, actually have that benefit. We should stop passing on this benefit, the subsidy at least at the United States of America border.

I think if we go back to 1937, I think the intention of Congress, the intention, was that this would be a benefit, that these lands would be available to the general public, to U.S. citizens, not to foreign national corporations or foreign nationals for their benefit, to be part of an integrated conglomerate.

Mr. Chairman, I submit to the Members that this is a good amendment. I do not know that it is going to correct everything in this bill, but at least it would make a statement about what I think is one of the most egregious problems of foreign nationals exploiting these lands for their benefit.

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

Mr. Chairman, I would like to say a few words in favor of the amendment that has been offered to this bill by the gentleman from California [Mr. MILLER].

The purpose of the gentleman's amendment is very simple. It is not to restrict grazing on Federal lands at all. What the gentleman from California would do is simply ensure that foreign corporations who are using Federal lands and grazing on those Federal lands, grazing cattle and other animals on those Federal lands, pay the market price for those grazing rights, either the highest of the State or the private fee, or grazing on either State or private land.

□ 1415

This is a very reasonable amendment. It is something that should be supported by every Member of the House. Let us make it clear. We do not object to grazing on Federal lands that are suitable for grazing. We are in favor of that. Often grazing is compatible with most Federal lands. It can be in fact beneficial to some Federal lands. So we are not opposed to grazing on Federal lands.

We simply want to ensure that the American taxpayer is not taken to the cleaners by foreign corporations that are grazing their animals on Federal land at bargain basement prices, often one-third or one-fourth of the market value to graze on either private or State lands. That is what the Miller amendment would do.

This amendment simply recognizes that there are major foreign corporations from Switzerland, from France,

from Japan, that are using vast acreage in the West, thousands of acres to graze their cattle and their animals and that grazing is being subsidized by the American taxpayer.

It is high time that this practice be put to an end. What is the reason for it? There is no good reason for it whatsoever.

When Members talk about the thousands of small ranchers on Federal lands, they are not talking about major corporations such as Zenchiku, which runs a huge cattle operation on Federal lands in Montana and the Interior Department inspector general noted in a recent report that there was no limit on the grazing privileges and benefits provided to foreign corporations.

Why would the Members of this House, whether they come from the West or the East or the South or wherever they come from, why would the Members of this House want to go back to their districts and say, I just voted to ensure that foreign corporations can come here and graze their animals on Federal land and you all are going to have to pay for it, you all meaning the American citizens, the American taxpayers? That does not make any sense. I do not think anybody wants to do that. So the Miller amendment, again, does not restrict grazing on Federal land, not at all.

What it does is this, it says that if you are a foreign corporation, you want to come here and graze cattle on Federal land, you have to pay the market price. You have to pay the fair market price. It is a very capitalist amendment, as a matter of fact. It says, no subsidizing by the American taxpayer of grazing privileges for foreign companies.

Let us put these subsidies to an end. Let us make sure that the American taxpayer is not asked once again to bear the cost of grazing by major foreign corporations who are wealthy beyond the dreams of most Americans. Let us make sure that they pay the fair market value to graze their animals on Government land that is owned by all the people of this country. Let us all support the Miller amendment.

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

I just want to say that this, I can understand the emotional appeal of this argument, but the fact is that America has always had her borders open to those people who would be willing to work their trade, whether they are a corporation or not. A corporation can be two people. But being a corporation is not a bad thing in America. People who have come to this land have been encouraged to work and that is what we need to encourage them to do, Mr. Chairman.

We need to encourage them to work their trade, whether their trade be running cattle or repairing shoes or being an accountant, whatever, that is part of reaching the American dream. I just

do not believe that we should start cutting people out of their trade simply because they want a part of the American dream, they wanted to come to America and they wanted to work.

The visionaries who wrote the Taylor Grazing Act, which all of us rely on so much, clearly state in that act, and this is existing law, that grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intention to become such as required by the naturalization laws and to groups, associations or corporations authorized to conduct business under the laws of the State in which the grazing district is located.

That is very clear, Mr. Chairman. Why and how have we become a country that allows a lot of immigration into the State and then puts them in a category where we support them and they do not work? I think that this should be a nation that continues to hollow out the abilities and the visions and the opportunities for people to come to America and work their trade.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I just want to respond to the previous speaker. This amendment is not about whether or not people or corporations get to come to the United States to work their trades, which sounds very noble. This is an amendment about whether or not those corporations, when they come to America to work their trade, ought to continue to receive a Federal subsidy. It is just that simple. This is about whether or not on the Federal lands that are owned by all of the people of the United States in which people lease those lands for the purposes of engaging in grazing, whether or not those Federal, those foreign corporations ought to pay their way. This is simply about whether they should pay their way.

The notion that somehow this is not done because of the Taylor Grazing Act, the fact of the matter is, the IG's report points out that, specifically with respect to the Japanese corporation, that it is a Japanese-owned company that is operated in Montana. So this is being done. They ought to just pay their way. That is all we are asking. Just pay what grazers pay the State of California, the State of Colorado, the State of Idaho for the use of those lands and end the Federal subsidies to those people who are among the very largest of the grazers within this program.

This is not about being against people who come here and work hard. It is about large corporations that have their own wherewithal coming here and being entitled to a Federal subsidy. That is what has got to stop. There is no showing, there is no showing that these corporations need this subsidy in terms of viability.

In Idaho, we would just say that this foreign corporation should pay \$4.88 instead of \$1.55. We would say that in Montana they should pay \$4.05 instead of \$1.55. That is the purpose of this amendment.

I think clearly the American people understand it. I hope that their representatives in Congress understand it. This is just one subsidy too far for the American public.

I thank the gentlewoman for yielding to me.

Ms. PELOSI. Mr. Chairman, I rise in support of the gentleman's amendment. It is bad enough that foreign mining companies get public lands for \$5 an acre. The grazing program allows them now to graze their cattle on Federal lands at bargain basement rates.

Why should the American public subsidize the grazing activities of such foreign mining corporations as Australia's Newmont Gold and Canada's Barrick Goldstrike. When they talk about the thousands of small ranchers on Federal lands, they are not talking about the Japanese land and livestock company Zenchiku, which runs a huge cattle operation in Federal lands in Montana. Low Federal grazing fees are being used to prop up the cattle operations of such foreign firms as E. M. Remy of Switzerland and Two Dot Ranch Inc. of France and Switzerland. All the foreign firms cited range in the top 4 percent of the size of the cattle operations grazing on Federal lands.

The Interior Department Inspector General noted in a 1992 report that there was no limit on the grazing privileges and benefits provided to foreign operators. We have the opportunity to change these policies now. It is time to end the exploitation of public resources and the rip-off of the American taxpayer.

The Miller amendment makes foreign grazing operators pay the higher of either the State or private lease rates in the State in which the Federal permit or lease is located. Let us end this piece of corporate welfare for foreign firms and adopt the Miller amendment.

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

Ms. PELOSI. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentlewoman for yielding to me because in excoriating the problems with foreign operations, I did not point out, we do not intend to exclude them with the Miller amendment. What the purpose here is, is just the option that they would pay the same rate as is paid at the States. This would treat them differently than domestic corporations. Domestic individuals are treated in a favorable way by this formula and by this bill.

We do not believe that benefit should be extended to these foreign operations which really represent an integrated control in terms of coming into this country, setting up. Next they will have the timber leases. I mean if we carried this out, we could basically

have all of our natural resources controlled by foreign entities at these bargain basement prices. Whatever we feel about the type of corporate welfare we provide, we want to limit it apparently to American companies and American individuals.

Ms. PELOSI. Mr. Chairman, I thank the gentleman. I urge our colleagues to vote "aye" on the Miller amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MILLER].

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. VENTO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. VENTO:

Page 37, line 2, strike "seven" both places it appears and insert "five".

Mr. VENTO. Mr. Chairman, this amendment would change what is in the bill. In other words, an AUM, an animal unit month, which is defined as a cow-calf unit in terms of providing feed for a month, historically under the law has provided for the equivalent of five sheep or five goats to be the equivalent of a cow-calf combination for an animal unit month. This measure changes the AUM's from five to seven. In other words, it would be seven sheep or seven goats for an AUM.

Of course, by increasing the number of sheep or goats per AUM from five to seven, that change would effectively decrease the cost of grazing sheep and goats by almost one-third, by almost 33 percent. This is a taxpayer giveaway basically, yet another reduction in revenue terms of the bill. As I said, there is disagreement.

My view is that this bill will take the AUM's to \$1.55 based. That is not my estimate. That is the Congressional Budget Office. Some Members have said they disagree with that, which would be more like a 15-percent increase, not the 36-percent increase that the proponents of this have advanced as to what the bill would accomplish.

I could talk about that later. But the fee per AUM established under the bill, regardless of the type of livestock grazed in the forage area, needs to sustain a fixed number of sheep and goats, and would be unchanged by the definition, but owners of sheep and goats could purchase fewer AUM's to support the same number of animals under the new definition in the bill.

□ 1430

Some producers might increase the size of their sheep and goat herds in response to lower effective costs for grazing on public land because the grazing fees are only a fraction of the total cost for grazing on public land, or to raise sheep and goats. However, the CBO expects a net drop in the number of AUM's associated in a decrease in offsetting receipts. They are saying this will lose over half a million dol-

lars. This particular change, this definition, CBO says, will lose \$600,000 per year.

But more importantly is that besides having an arbitrary formula for establishing what the cost is for cow-calf combinations on the 250 million acres of public range that are managed under this law, besides that, this is another arbitrary change in terms of what is taking place. This is simply a gift pack to those that are raising sheep and goats on the public range.

I would suggest, as I said, that most of these grazing species, whether they be cows, burrows, or horses, on public lands that are being grazed end up being the dominant animal in terms of that particular ecosystem. In fact, very often predators have been destroyed historically to, in fact, make it safe for those cows, those goats, and those sheep. So they do become the dominant species. And they completely, shape the range by the grazing behavior.

In some cases, these grasslands and other areas can absorb that type of abuse as to what is the carrying capacity. But other areas are very fragile. In terms of extending this, I think we end up doing great harm in terms of many of those fragile ecosystems, those ephemeral types of lands that are used for grazing. And in that 250 million acres I might say, Mr. Chairman, a goodly part of it is very fragile land. And while it was looked upon as wasteland in the past, today we recognize that those ecosystems and the biodiversity that occurs there is enormously important. Some are the habitat to our spectacular types of species, some of which, unfortunately, today remain threatened or endangered. All of those are potential conflicts that need to be resolved.

I know of no basis for the change that is provided here. As I implied earlier in my comments with regard to the formula in this bill, it is a completely arbitrary formula, it has nothing to do with what the costs of managing the program, of monitoring the program. It has nothing to do with the cost of the BLM or Forest Service, who spend nearly three times as much as they take in fees in terms of trying to manage and to monitor this program.

This definition simply is a gift to those who have the permits for such allotments. We would probably have a tendency to emphasize more sheep and goat AUM's on public lands based simply on the fact that we are reducing the cost by one-third and actually having a preference for goat or sheep by virtue of the definitional change of that. That may well have a profound effect on the public range as there grazing pattern and impact is different.

I know of no analysis of this. Unfortunately, since we did not have hearings on this proposed change, we could not discuss this in the committee and raised these types of questions or heard answers from the administration or the land managers.

I urge the adoption of my amendment, Mr. Chairman, to stop this AUM definition change.

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

Mr. Chairman, as usual, the gentleman from Minnesota [Mr. VENTO], recognizing his lack of background in livestock and sheep, has misquoted and mistaken this argument. The facts are, Mr. Chairman, that the U.S. Department of Agriculture has been overcharging sheep and goat producers who graze on public lands for these many years. And why is that?

It is simply because that in 1950 the comparison between a cow and a sheep was 920 to 140 pounds. Today, the comparison is 1,120 to 147 pounds. That means, Mr. Chairman, that an animal can only consume forage equivalent to its weight.

Now, this does not affect in any way the stocking rate of sheep and goats to the ranch. If this amendment stays in the bill, it means that the stocking rate is continually organized and orchestrated and managed by the BLM and Forest Service if there are those permits available. Therefore, it only affects the billing rate. And the billing rate, to be fair to sheep producers, ought to be 7 to 1 and not 5 to 1.

Therefore, the Economic Research Service of the U.S. Department of Agriculture, in 1994, pointed out and argued the point that we should change the formula since the weight differential has changed. The bill does change the formula in fairness to the sheep and goat producers. And I point out again that the bill, when it passes, will increase to the Federal Treasury \$6 million a year. It will increase sheep and goat producers who graze on public lands by 15 cents or more per animal-unit month.

Therefore, Mr. Chairman, I suggest that we oppose the Vento amendment and exact fairness for the sheep and goat producers of this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. VENTO].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 244, not voting 12, as follows:

[Roll No. 548]

AYES—176

Abercrombie	Borski	Clyburn
Ackerman	Boucher	Coyne
Allen	Brown (CA)	Cummings
Andrews	Brown (FL)	Davis (FL)
Baldacci	Brown (OH)	Davis (IL)
Barrett (WI)	Campbell	DeFazio
Becerra	Cardin	DeGette
Bereuter	Carson	Delahunt
Berman	Chabot	DeLauro
Blagojevich	Clay	Dellums
Blumenauer	Clayton	Deutsch
Bonior	Clement	Dicks

Dingell	Lantos	Ramstad
Dixon	Leach	Rangel
Doggett	Levin	Regula
Doyle	Lewis (GA)	Rivers
Filner	Lipinski	Roemer
Engel	LoBiondo	Rothman
Eshoo	Lofgren	Roukema
Evans	Lowey	Roybal-Allard
Fattah	Luther	Rush
Filer	Maloney (CT)	Sabo
Foglietta	Maloney (NY)	Sanchez
Forbes	Manton	Sanders
Ford	Markey	Sanford
Fox	Mascara	Sawyer
Frank (MA)	Matsui	Schumer
Franks (NJ)	McCarthy (MO)	Serrano
Frelinghuysen	McCarthy (NY)	Shays
Furse	McDermott	Skaggs
Ganske	McGovern	Skelton
Gephardt	McHale	Slaughter
Gordon	McKinney	Smith, Adam
Gutierrez	McNulty	Snyder
Hamilton	Meehan	Spratt
Harman	Meek	Stabenow
Hilliard	Menendez	Stark
Hinchee	Millender-	Strickland
Hooley	McDonald	Stupak
Horn	Miller (CA)	Tauscher
Hoyer	Mink	Thurman
Jackson (IL)	Moakley	Tierney
Jackson-Lee	Mollohan	Torres
(TX)	Moran (VA)	Towns
Jefferson	Morella	Upton
Johnson (CT)	Nadler	Velazquez
Kanjorski	Neal	Vento
Kaptur	Neumann	Visclosky
Kennedy (MA)	Oberstar	Wamp
Kennedy (RI)	Obey	Waters
Kennelly	Olver	Watt (NC)
Kildee	Owens	Waxman
Kilpatrick	Pallone	Wexler
Kind (WI)	Pappas	Weygand
Kleccka	Pascrell	Woolsey
Klink	Payne	Wynn
Kucinich	Pease	Yates
LaFalce	Pelosi	
Lampson	Price (NC)	
	Rahall	

NOES—244

Aderholt	Cox	Hayworth
Archer	Cramer	Hefley
Armey	Crane	Hefner
Bachus	Crapo	Henger
Baesler	Cunningham	Hill
Baker	Davis (VA)	Hilleary
Ballenger	Deal	Hinojosa
Barcia	DeLay	Hobson
Barr	Diaz-Balart	Hoekstra
Barrett (NE)	Dickey	Holden
Bartlett	Dooley	Hostettler
Barton	Doolittle	Houghton
Bass	Dreier	Hulshof
Bateman	Dunn	Hunter
Bentsen	Edwards	Hutchinson
Berry	Ehlers	Hyde
Bilbray	Ehrlich	Inglis
Bilirakis	Emerson	Istook
Bishop	English	Jenkins
Bliley	Ensign	John
Blunt	Etheridge	Johnson (WI)
Boehlert	Everett	Johnson, E. B.
Boehner	Ewing	Johnson, Sam
Bonilla	Farr	Jones
Bono	Fawell	Kasich
Boswell	Fazio	Kelly
Boyd	Flake	Kim
Brady	Foley	King (NY)
Bryant	Frost	Kingston
Bunning	Galleghy	Klug
Burr	Gejdenson	Knollenberg
Burton	Gekas	Kolbe
Buyer	Gibbons	LaHood
Callahan	Gilchrest	Largent
Calvert	Gillmor	Latham
Camp	Gilman	LaTourette
Canady	Goode	Lazio
Cannon	Goodlatte	Lewis (CA)
Castle	Goodling	Lewis (KY)
Chambliss	Goss	Livingston
Chenoweth	Graham	Lucas
Christensen	Greenwood	Manzullo
Coble	Gutknecht	Martinez
Collins	Hall (OH)	McCollum
Combest	Hall (TX)	McCrery
Condit	Hansen	McDade
Cook	Hastert	McHugh
Cooksey	Hastings (FL)	McInnis
Costello	Hastings (WA)	McIntosh

McIntyre	Quinn	Smith, Linda
McKeon	Radanovich	Snowbarger
Metcalf	Redmond	Solomon
Mica	Reyes	Souder
Miller (FL)	Riggs	Spence
Minge	Riley	Stearns
Moran (KS)	Rodriguez	Stenholm
Murtha	Rogan	Stump
Myrick	Rogers	Sununu
Nethercutt	Rohrabacher	Talent
Ney	Ros-Lehtinen	Tanner
Northup	Royce	Tauzin
Norwood	Ryun	Taylor (MS)
Nussle	Salmon	Taylor (NC)
Ortiz	Sandlin	Thomas
Oxley	Saxton	Thompson
Packard	Scarborough	Thornberry
Parker	Schaefer, Dan	Thune
Pastor	Schaffer, Bob	Tiahrt
Paul	Scott	Traficant
Paxon	Sensenbrenner	Turner
Peterson (MN)	Sessions	Walsh
Peterson (PA)	Shadegg	Watkins
Petri	Shaw	Watts (OK)
Pickering	Sherman	Weller
Pickett	Shimkus	White
Pitts	Shuster	Whitfield
Pombo	Sisisky	Wicker
Pomeroy	Skeen	Wolf
Porter	Smith (MI)	Young (AK)
Portman	Smith (NJ)	Young (FL)
Poshard	Smith (OR)	
Pryce (OH)	Smith (TX)	

NOT VOTING—12

Coburn	Fowler	Schiff
Conyers	Gonzalez	Stokes
Cubin	Granger	Weldon (FL)
Danner	Linder	Weldon (PA)

□ 1455

Messrs. BILIRAKIS, PETRI, BONO and RODRIGUEZ changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. GINGRICH. Mr. Chairman, I move to strike the last word. Let me say first that I want to commend the chairman of the committee and his ranking member and the entire team on the Committee on Agriculture that did such a good job with producing a bipartisan bill. They worked together with Members across this House. I want to also thank the gentleman from New York [Mr. BOEHLERT], who worked on this bill. I believe we have here a very broadly based bill that does a number of very important things.

I feel particularly good about this because this summer we had a western States tour that went through Utah and Idaho and Montana and Wyoming that met with ranchers, that looked at problems of the Bureau of Land Management, that looked at challenges that we face in making sure that family ranches and family farms can survive. I want to recommend to Members from all over America that we need to work on that kind of tour here at home. We talk about trips overseas, but I think frankly sometimes to get our rural Members to go to urban areas, to get our urban Members to go to rural areas, to get Easterners to visit the West and Westerners to visit the coast, this kind of educating ourselves about our own country and talking with people in a practical way about the realities of their life changes Members' understanding of issues that may just be theoretical here in Washington, DC.

□ 1500

This bill, the Forage Improvement Act, first of all, from the taxpayers' standpoint, raises the fee on public land footage by 36 percent and has been scored by the Congressional Budget Office as something which gains revenue for the American people, but it does so in a way that actually helps the ranchers.

It makes sense for the rancher to pay the higher fee, because it also creates greater flexibility and cooperation by allowing the Secretary to enter into cooperative allotment plans with those ranchers who prove they are responsible stewards of the land, so we begin to eliminate some of the red tape and eliminate some of the more, frankly, Mickey Mouse regulations.

It streamlines an entire set of regulations between the Forest Service and the Bureau of Land Management, trying to give the American people one set of rules and regulations, rather than what are often not only overlapping, but conflicting sets of rules and regulations.

It provides for the application of sound science. Again, those who have been looking at our public lands know that we have had a tremendous increase in populations of species. We have actually had, in some areas, an explosion of population. We need to base our environmental policies and our conservation policies on an approach that starts with sound science, with finding out from biologists and botanists what is really happening, and then basing it not on theories, not on ideologies, but on what we learn from the scientists directly involved.

I believe this bill is a significant step in the right direction, and I believe it offers the hope of greater stability and greater sound economic management for family ranches across the West.

So I again want to commend the gentleman. I think this is a very important building block toward a healthy agricultural base for the United States. I think it streamlines the government, improves the yield to the taxpayer, increases the opportunity for the farmer, and does so in a way that is environmentally sound and is based on sound science.

I urge every Member to vote "yes" on this bill.

Mr. COSTELLO. Mr. Chairman, I rise today in support of H.R. 1270, the Nuclear Waste Policy Act.

The United States' 109 nuclear power plants, located in 34 states including my home state of Illinois, are running out of storage space for spent nuclear fuel. By early 1998, a quarter of our reactor sites will have exhausted their storage capacity.

The passage of the Nuclear Waste Policy Act will result in long-awaited changes to our Nation's used fuel management policy. This bill will finally begin to utilize the financial contributions of millions of Americans who have paid over \$12 billion into the Nuclear Waste Fund for the specific purpose of creating a national repository for spent fuel. Illinois has the most spent fuel of any other state—4300 met-

ric tons located in seven spent storage facilities throughout the state. Residents of Illinois have paid more than those from any other state into the Nuclear Waste Policy Fund by contributing \$1.4 billion. They deserve to have their money used for the purpose it was intended—a permanent and safe national repository. The Nuclear Waste Policy Act allows for such a removal.

The bill replaces the mandatory flat fee of one tenth of a cent per kilowatt hour with a discretionary annually adjusted fee. While the bill permits a maximum of 1.5 tenths of a cent per kilowatt hour in peak disposal site construction years, it also requires the annual fee average no more than one tenth of a cent per kilowatt hour between 1999 and 2010. Further, under this bill user fees cannot be diverted to unrelated federal programs.

Mr. Speaker, while I support this bill I, like many of my constituents, continue to be concerned about the transportation of nuclear waste. I am pleased this bill directs the Department of Energy to take all steps necessary to ensure that it is able to safely transport spent nuclear fuel to the repository. The Department of Energy also will be required to notify states through which waste will be transported and to provide those states with technical assistance and funding to train public safety officials. I support the Schaefer Manager's amendment which includes important provisions designed to minimize transportation through populated areas. The Manager's amendment also provides for the establishment of preferred rail routes for waste transportation.

Mr. Speaker, I support this bill and I am pleased spent nuclear fuel will finally be removed from the temporary storage facilities in my state and into a safe national repository where it belongs.

Mr. ACKERMAN. Mr. Chairman, I rise today in strong opposition to H.R. 1270, the Nuclear Waste Policy Act of 1997. Few policy decisions will have a more significant impact on our environment and the safety of our communities than this bill before us today. High-level waste is a daunting responsibility which must be afforded the most stringent and thorough deliberation. The determination to transport nuclear waste through 43 States, affecting 52 million people, should not be mandated by political motivations. The potential cost, in terms of the loss of life and the impact on our environment is too great to dictate arbitrary deadlines. If the scientific community is not yet prepared to support the political rhetoric coming from this floor, how can we feel qualified to preempt their authority and expertise?

When we in Congress fail to meet our deadlines on appropriations bills, we pass a continuing resolution, and extend the time afforded us to pass informed legislation. With the passage of H.R. 1270, we will be directing the Department of Energy to abide by a deadline which they are not adequately prepared to implement. By doing so, we will endanger our environment and the constituents of almost every Member in this House. As conscientious legislators, we must grant the Department of Energy the same latitude to make informed decisions that we allow ourselves. To do anything less would be the ultimate form of hypocrisy.

The scientific feasibility of the Yucca Mountain site has not yet been determined, and when every significant environmental and citi-

zen organization is in opposition to this bill, we must at least acknowledge that there are serious concerns which have not been adequately addressed. In good conscience there is simply no way we can place this deadly material in untested canisters and ship it on poorly maintained railways, through ill prepared and unaware communities, until every issue is resolved and every precaution is taken. If we pass this legislation we have failed our community, we have failed our Nation, and we have failed ourselves. I strongly urge all my colleagues to vote against this dangerously flawed bill.

The CHAIRMAN. Are there further amendments? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NEY) having assumed the chair, Mr. NUSSLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2493) to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands, pursuant to House Resolution 284, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

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

Mr. MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 182, not voting 9, as follows:

[Roll No. 549]

YEAS—242

Aderholt	Bartlett	Blunt
Archer	Barton	Boehlert
Armey	Bass	Boehner
Bachus	Bateman	Bonilla
Baesler	Bereuter	Bono
Baker	Berry	Boswell
Ballenger	Bilbray	Boyd
Barcia	Bilirakis	Brady
Barr	Bishop	Bryant
Barrett (NE)	Billey	Bunning

Burr	Hill	Petri
Burton	Hilleary	Pickering
Buyer	Hilliard	Pickett
Callahan	Hinojosa	Pitts
Calvert	Hobson	Pombo
Camp	Hoekstra	Pomeroy
Canady	Holden	Porter
Cannon	Horn	Portman
Castle	Hostettler	Pryce (OH)
Chabot	Houghton	Quinn
Chambliss	Hulshof	Radanovich
Chenoweth	Hunter	Regula
Christensen	Hutchinson	Reyes
Coble	Hyde	Riggs
Coburn	Inglis	Riley
Collins	Istook	Rodriguez
Combest	Jenkins	Rogan
Condit	John	Rogers
Cook	Johnson (WI)	Rohrabacher
Cooksey	Johnson, Sam	Ros-Lehtinen
Cox	Jones	Roukema
Cramer	Kasich	Royce
Crane	Kelly	Ryun
Crapo	Kim	Salmon
Cunningham	King (NY)	Sandlin
Davis (VA)	Kingston	Saxton
Deal	Knollenberg	Schaefer, Dan
DeLay	Kolbe	Schaffer, Bob
Diaz-Balart	LaHood	Sensenbrenner
Dickey	Largent	Sessions
Dooley	Latham	Shadegg
Doolittle	Leach	Shaw
Dreier	Lewis (CA)	Shimkus
Duncan	Lewis (KY)	Shuster
Dunn	Linder	Sisisky
Edwards	Lipinski	Smith (MI)
Ehlers	Livingston	Smith (OR)
Ehrlich	Lucas	Smith (TX)
Emerson	Manton	Smith, Linda
English	Manzullo	Snowbarger
Ensign	Martinez	Solomon
Etheridge	McCollum	Souder
Everett	McCrery	Spence
Ewing	McDade	Stearns
Fawell	McHugh	Stenholm
Fazio	McInnis	Stump
Foley	McIntosh	Sununu
Fowler	McIntyre	Talent
Frost	McKeon	Tanner
Gallegly	Metcalf	Tauzin
Ganske	Mica	Taylor (NC)
Gekas	Miller (FL)	Thomas
Gibbons	Minge	Thompson
Gilchrest	Moran (KS)	Thornberry
Gillmor	Murtha	Thune
Gilman	Myrick	Thurman
Gingrich	Nethercutt	Tiahrt
Goode	Neumann	Trafficant
Goodlatte	Ney	Turner
Goodling	Northup	Upton
Goss	Norwood	Walsh
Graham	Nussle	Wamp
Gutknecht	Oberstar	Watts (OK)
Hall (TX)	Ortiz	Weller
Hansen	Oxley	White
Hastert	Packard	Whitfield
Hastings (WA)	Parker	Wicker
Hayworth	Pastor	Wolf
Hefley	Paxon	Young (AK)
Hefner	Peterson (MN)	Young (FL)
Herger	Peterson (PA)	

NAYS—182

Abercrombie	Coyne	Frank (MA)
Ackerman	Cummings	Franks (NJ)
Allen	Davis (FL)	Frelinghuysen
Andrews	Davis (IL)	Furse
Baldacci	DeFazio	Gejdenson
Barrett (WI)	DeGette	Gephardt
Becerra	Delahunt	Gordon
Bentsen	DeLauro	Green
Berman	Dellums	Greenwood
Blagojevich	Deutsch	Gutierrez
Blumenauer	Dicks	Hall (OH)
Bonior	Dingell	Hamilton
Borski	Dixon	Harman
Boucher	Doggett	Hastings (FL)
Brown (CA)	Doyle	Hinchev
Brown (FL)	Engel	Hooley
Brown (OH)	Eshoo	Hoyer
Campbell	Evans	Jackson (IL)
Cardin	Farr	Jackson-Lee
Carson	Fattah	(TX)
Clay	Filner	Jefferson
Clayton	Flake	Johnson (CT)
Clement	Foglietta	Johnson, E. B.
Clyburn	Forbes	Kanjorski
Conyers	Ford	Kaptur
Costello	Fox	Kennedy (MA)

Kennedy (RI)	Millender-	Scarborough
Kennelly	McDonald	Schumer
Kildee	Miller (CA)	Scott
Kilpatrick	Mink	Serrano
Kind (WI)	Moakley	Shays
Klecicka	Mollohan	Sherman
Klink	Moran (VA)	Skaggs
Klug	Morella	Skeen
Kucinich	Nadler	Skelton
Quinn	Neal	Slaughter
LaFalce	Obey	Smith (NJ)
Lampson	Olver	Smith, Adam
Lantos	Owens	Snyder
LaTourette	Pallone	Spratt
Lazio	Pappas	Stabenow
Levin	Pascrell	Stark
Lewis (GA)	Paul	Strickland
LoBiondo	Payne	Stupak
Lofgren	Pease	Tauscher
Lowe	Pelosi	Taylor (MS)
Luther	Poshard	Tierney
Maloney (CT)	Price (NC)	Torres
Maloney (NY)	Rahall	Towns
Markey	Ramstad	Velazquez
Mascara	Rangel	Vento
Matsui	Redmond	Visclosky
McCarthy (MO)	Rivers	Waters
McCarthy (NY)	Roemer	Watt (NC)
McDermott	Rothman	Waxman
McGovern	Roybal-Allard	Wexler
McHale	Rush	Weygand
McKinney	Sabo	Wise
McNulty	Sanchez	Woolsey
Meehan	Sanders	Wynn
Meek	Sanford	Yates
Menendez	Sawyer	

NOT VOTING—9

Cubin	Granger	Watkins
Danner	Schiff	Weldon (FL)
Gonzalez	Stokes	Weldon (PA)

□ 1524

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. DANNER. Mr. Speaker, on rollcall vote 549 I was unavoidably detained. I would like the RECORD to show that had I been present, I would have voted "yes."

On rollcall vote 548 I was unavoidably detained. I would like the RECORD to show that had I been present, I would have voted "no."

On rollcall vote 547 I was unavoidably detained. I would like the RECORD to show that had I been present, I would have voted "no."

GENERAL LEAVE

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include extraneous matter in the RECORD on the bill, H.R. 2493.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 2493, FOR-AGE IMPROVEMENT ACT OF 1997

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2493, the Clerk be authorized to correct the table of contents, section numbers,

punctuation, citations, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2459

Mr. PAXON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of the bill, H.R. 2459.

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

There was no objection.

NUCLEAR WASTE POLICY ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 283 and rule XXIII, 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. 1270.

□ 1526

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. 1270) to amend the Nuclear Waste Policy Act of 1982, with Mr. MCINNIS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, October 29, 1997, the demand for a recorded vote on amendment No. 9 printed in House Report 105-354 offered by the gentleman from Ohio [Mr. TRAFICANT] had been postponed.

It is now in order to consider amendment No. 10 printed in that report.

The Chair has been advised that the amendment will not be offered.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 283, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 4 offered by the gentleman from Nevada [Mr. ENSIGN]; amendment No. 5 offered by the gentleman from Nevada [Mr. GIBBONS]; amendment No. 6 offered by the gentleman from Nevada [Mr. ENSIGN]; amendment No. 7 offered by the gentleman from Massachusetts [Mr. MARKEY]; amendment No. 8 offered by the gentleman from Nevada [Mr. GIBBONS]; and amendment No. 9 offered by the gentleman from Ohio [Mr. TRAFICANT].

AMENDMENT NO. 4 OFFERED BY MR. ENSIGN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 4 offered by the gentleman from Nevada [Mr. ENSIGN] on which further proceedings

were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. ENSIGN:

Page 15, insert after line 8 the following:

“(e) RISK ASSESSMENT AND COST BENEFIT.—

The Secretary shall not take any action under this Act unless the Secretary has with respect to such action conducted a risk assessment which is scientifically objective, unbiased, and inclusive of all relevant data and relies, to the extent available and practicable, on scientific findings and which is grounded in cost-benefit principles.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 135, noes 290, not voting 7, as follows:

[Roll No. 550]

AYES—135

Abercrombie	Hamilton	Moran (KS)
Ackerman	Hansen	Nadler
Andrews	Hill	Neal
Baesler	Hilleary	Neumann
Baldacci	Hinchev	Oberstar
Barr	Hooley	Obey
Barrett (WI)	Hulshof	Olver
Becerra	Istook	Owens
Berman	Jackson (IL)	Pascrell
Bishop	Jackson-Lee	Paul
Blagojevich	(TX)	Payne
Blumenauer	Kasich	Pease
Bonilla	Kelly	Pelosi
Boswell	Kennedy (RI)	Peterson (MN)
Brown (CA)	Kennelly	Pombo
Bryant	Kingston	Rahall
Cannon	Klecza	Rangel
Carson	Klug	Rivers
Christensen	Kucinich	Roemer
Clay	LaFalce	Rothman
Condit	Lampson	Roybal-Allard
Conyers	Lantos	Sanchez
Cooksey	Lewis (GA)	Schumer
Coyne	Lofgren	Serrano
Cunningham	Lowe	Shays
Davis (IL)	Lucas	Sherman
DeFazio	Luther	Smith (NJ)
DeGette	Maloney (CT)	Souder
Delahunt	Maloney (NY)	Stark
DeLauro	Markey	Stenholm
Dellums	Mascara	Stokes
Doggett	Matsui	Talent
Doyle	McCarthy (MO)	Thurman
Engel	McDermott	Tierney
English	McGovern	Torres
Ensign	McHale	Townes
Eshoo	McIntosh	Waters
Evans	McKeon	Watts (OK)
Filner	McKinney	Waxman
Flake	McNulty	Weygand
Foglietta	Meehan	Woolsey
Ford	Millender-	Wynn
Furse	McDonald	Yates
Gibbons	Miller (CA)	Young (AK)
Goodling	Mink	
Gutierrez	Moakley	

NOES—290

Aderholt	Bliley	Camp
Allen	Blunt	Campbell
Archer	Boehler	Canady
Armey	Boehner	Cardin
Bachus	Bonior	Castle
Baker	Bono	Chabot
Ballenger	Borski	Chambliss
Barcia	Boucher	Chenoweth
Barrett (NE)	Boyd	Clayton
Bartlett	Brady	Clement
Barton	Brown (FL)	Clyburn
Bass	Brown (OH)	Coble
Bateman	Bunning	Coburn
Bentsen	Burr	Collins
Bereuter	Burton	Combest
Berry	Buyer	Cook
Bilbray	Callahan	Costello
Bilirakis	Calvert	Cox

Cramer	Jefferson	Ramstad
Crane	Jenkins	Redmond
Crapo	John	Regula
Cummings	Johnson (CT)	Riggs
Danner	Johnson (WI)	Riley
Davis (FL)	Johnson, E. B.	Rodriguez
Davis (VA)	Johnson, Sam	Rogan
Deal	Jones	Rogers
DeLay	Kanjorski	Rohrabacher
Dixson	Kaptur	Ros-Lehtinen
Deutsch	Kennedy (MA)	Roukema
Diaz-Balart	Kildee	Royce
Dickey	Kilpatrick	Rush
Dicks	Kim	Ryun
Dingell	Kind (WI)	Sabo
Dixon	King (NY)	Salmon
Dooley	Klink	Sanders
Doolittle	Knollenberg	Sandlin
Dreier	Kolbe	Sanford
Duncan	LaHood	Sawyer
Dunn	Largent	Saxton
Edwards	Latham	Scarborough
Ehlers	LaTourrette	Schaefer, Dan
Ehrlich	Lazio	Schaffer, Bob
Emerson	Leach	Scott
Etheridge	Levin	Sensenbrenner
Everett	Lewis (CA)	Sessions
Ewing	Lewis (KY)	Shadegg
Farr	Linder	Shaw
Fattah	Lipinski	Shimkus
Fawell	Livingston	Shuster
Fazio	LoBiondo	Sisisky
Foley	Manton	Skaggs
Forbes	Manzullo	Skeen
Fowler	Martinez	Skelton
Fox	McCarthy (NY)	Slaughter
Frank (MA)	McCollum	Smith (MI)
Franks (NJ)	McCrary	Smith (OR)
Frelinghuysen	McDade	Smith (TX)
Frost	McHugh	Smith, Adam
Gallegly	McInnis	Smith, Linda
Ganske	McIntyre	Snowbarger
Gedjenson	Meek	Snyder
Gekas	Menendez	Solomon
Gephardt	Metcalf	Spence
Gilchrest	Mica	Spratt
Gillmor	Miller (FL)	Stabenow
Gilman	Minge	Stearns
Goode	Mollohan	Strickland
Goodlatte	Moran (VA)	Stump
Gooden	Morella	Stupak
Goss	Murtha	Sununu
Graham	Myrick	Tanner
Granger	Nethercutt	Tauscher
Green	Ney	Taylor (MS)
Greenwood	Northup	Taylor (NC)
Gutknecht	Norwood	Thomas
Hall (OH)	Nussle	Thompson
Hall (TX)	Ortiz	Thornberry
Harman	Oxley	Thune
Hastert	Packard	Tiahrt
Hastings (FL)	Pallone	Traficant
Hastings (WA)	Pappas	Turner
Hayworth	Parker	Upton
Hefley	Pastor	Velazquez
Hefner	Paxon	Vento
Herger	Peterson (PA)	Visclosky
Hilliard	Petri	Walsh
Hinojosa	Pickering	Wamp
Hobson	Pickett	Watt (NC)
Hoekstra	Pitts	Weller
Holden	Pomeroy	Wexler
Horn	Porter	White
Hostettler	Portman	Whitfield
Houghton	Poshard	Wicker
Hoyer	Price (NC)	Wise
Hunter	Pryce (OH)	Wolf
Hutchinson	Quinn	Young (FL)
Hyde	Radanovich	
Inglis		

NOT VOTING—7

Cubin	Tauzin	Weldon (PA)
Gonzalez	Watkins	
Schiff	Weldon (FL)	

□ 1552

Mrs. CLAYTON, and Messrs. DEUTSCH, KENNEDY of Massachusetts, RUSH, KLINK, and SKAGGS changed their vote from “aye” to “no.”

Mr. PETERSON of Minnesota, Mr. NEAL of Massachusetts, Mrs. KELLY, Mr. COYNE, Mr. BERMAN, Ms. ROYBAL-ALLARD, Mr. BECERRA, and Mr. RANGEL changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 283, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 5 OFFERED BY MR. GIBBONS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 5 offered by the gentleman from Nevada [Mr. GIBBONS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 5 Offered by Mr. GIBBONS:

Page 19, inset after line 16 the following:

“(e) EMERGENCY RESPONSE TEAM.—The Secretary may not plan for the transportation of spent nuclear fuel or high-level radioactive waste through any State unless the Governor of such State can certify that an adequate emergency response team exists in such State to appropriate manage any nuclear accident that may occur in such transportation.

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 112, noes 312, not voting 8, as follows:

[Roll No. 551]

AYES—112

Abercrombie	Hinchev	Pallone
Ackerman	Hooley	Pappas
Baesler	Hostettler	Pascrell
Barr	Hutchinson	Paul
Becerra	Jackson (IL)	Payne
Blagojevich	Kasich	Pease
Blumenauer	Kelly	Pelosi
Brown (FL)	Kennedy (MA)	Pombo
Bryant	Kingston	Pryce (OH)
Cannon	Klecza	Quinn
Carson	Kucinich	Rahall
Clay	LaFalce	Rangel
Collins	Lampson	Reyes
Cooksey	Lantos	Roemer
Cummings	Lewis (GA)	Rothman
Davis (IL)	Linder	Roybal-Allard
Deal	LoBiondo	Saxton
DeFazio	Lowe	Schumer
Delahunt	Lucas	Shays
Dellums	Maloney (NY)	Slaughter
Ehlers	Markey	Smith (NJ)
English	McDermott	Souder
Ensign	McGovern	Stark
Eshoo	McInnis	Stearns
Evans	McKeon	Stokes
Farr	McKinney	Talent
Filner	McNulty	Tauscher
Flake	Meehan	Thune
Forbes	Millender-	Tierney
Ford	McDonald	Torres
Franks (NJ)	Miller (CA)	Torres
Furse	Mink	Watkins
Gephardt	Moakley	Watts (OK)
Gibbons	Moran (KS)	Waxman
Gilchrest	Nadler	Weygand
Hansen	Ney	Wolf
Herger	Obey	Woolsey
Hill	Owens	Young (AK)

NOES—312

Aderholt	Foley	Menendez
Allen	Fowler	Menendez
Andrews	Fox	Metcalfe
Archer	Frank (MA)	Mica
Army	Frelinghuysen	Miller (FL)
Bachus	Frost	Minge
Baker	Gallegly	Mollohan
Baldacci	Ganske	Moran (VA)
Ballenger	Gejdenson	Morella
Barcia	Gekas	Murtha
Barrett (NE)	Gillmor	Myrick
Barrett (WI)	Gilman	Neal
Bartlett	Goode	Nethercutt
Barton	Goodlatte	Neumann
Bass	Goodling	Northup
Bateman	Gordon	Norwood
Bentsen	Goss	Nussle
Bereuter	Graham	Oberstar
Berman	Granger	Olver
Berry	Green	Ortiz
Bilbray	Greenwood	Oxley
Bilirakis	Gutiérrez	Packard
Bishop	Gutknecht	Parker
Bliley	Hall (OH)	Pastor
Blunt	Hall (TX)	Paxon
Boehlert	Hamilton	Peterson (MN)
Boehner	Harman	Peterson (PA)
Bonilla	Hastert	Petri
Bonior	Hastings (FL)	Pickering
Bono	Hastings (WA)	Pickett
Borski	Hayworth	Pitts
Boswell	Hefley	Pomeroy
Boucher	Hefner	Porter
Boyd	Hilleary	Portman
Brady	Hilliard	Poshard
Brown (CA)	Hinojosa	Price (NC)
Brown (OH)	Hobson	Radanovich
Bunning	Hoekstra	Ramstad
Burr	Holden	Redmond
Burton	Horn	Regula
Buyer	Houghton	Riggs
Callahan	Hoyer	Riley
Calvert	Hulshof	Rivers
Camp	Hunter	Rodriguez
Campbell	Hyde	Rogan
Canady	Inglis	Rogers
Cardin	Istook	Rohrabacher
Castle	Jackson-Lee	Ros-Lehtinen
Chabot	(TX)	Roukema
Chambliss	Jenkins	Royce
Chenoweth	John	Rush
Christensen	Johnson (CT)	Ryun
Clayton	Johnson (WI)	Sabo
Clement	Johnson, E. B.	Salmon
Clyburn	Johnson, Sam	Sanchez
Coble	Jones	Sanders
Coburn	Kanjorski	Sandlin
Combust	Kaptur	Sanford
Condit	Kennedy (RI)	Sawyer
Conyers	Kennelly	Scarborough
Cook	Kildee	Schaefer, Dan
Costello	Kilpatrick	Schaffer, Bob
Cox	Kim	Scott
Coyne	Kind (WI)	Sensenbrenner
Cramer	King (NY)	Serrano
Crane	Klink	Sessions
Crapo	Klug	Shadegg
Cunningham	Knollenberg	Shaw
Danner	Kolbe	Sherman
Davis (FL)	LaHood	Shimkus
Davis (VA)	Largent	Shuster
DeGette	Latham	Sisisky
DeLauro	LaTourette	Skaggs
DeLay	Lazio	Skeen
Deutsch	Leach	Skelton
Diaz-Balart	Levin	Smith (MI)
Dickey	Lewis (CA)	Smith (TX)
Dicks	Lewis (KY)	Smith, Adam
Dingell	Lipinski	Smith, Linda
Dixon	Livingston	Snowbarger
Doggett	Lofgren	Snyder
Dooley	Luther	Solomon
Doolittle	Maloney (CT)	Spence
Doyle	Manton	Spratt
Dreier	Manzullo	Stabenow
Duncan	Martinez	Stenholm
Dunn	Mascara	Strickland
Edwards	Matsui	Stump
Ehrlich	McCarthy (MO)	Stupak
Emerson	McCarthy (NY)	Sununu
Engel	McCollum	Tanner
Etheridge	McCrery	Taylor (MS)
Everett	McDade	Taylor (NC)
Ewing	McHale	Thomas
Fattah	McHugh	Thompson
Fawell	McIntosh	Thornberry
Fazio	McIntyre	Thurman
Foglietta	Meek	Tiahrt
		Towns

Traficant	Wamp	Wicker	Talent	Torres	Weygand
Turner	Waters	Wise	Tauscher	Vento	Wise
Upton	Watt (NC)	Wynn	Thomas	Watkins	Wolf
Velazquez	Weller	Yates	Thune	Watts (OK)	Woolsey
Vento	Wexler	Young (FL)	Tierney	Waxman	Young (AK)
Visclosky	White				
Walsh	Whitfield				

NOT VOTING—8

Cubin	Schiff	Weldon (FL)
Gonzalez	Smith (OR)	Weldon (PA)
Jefferson	Tauzin	

□ 1603

Mr. HILLIARD and Mrs. CLAYTON changed their vote from "aye" to "no." So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. ENSIGN
The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 6 offered by the gentleman from Nevada [Mr. ENSIGN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ENSIGN:

Page 19, insert after line 16 the following:
“(c) EMERGENCY RESPONSE.—The Secretary may not plan for the transportation of spent nuclear fuel or high-level radioactive waste in a fiscal year for which funds appropriated under section 203(c) are insufficient (as determined by the Federal Emergency Management Agency) to ensure adequate and trained emergency response teams along all the transportation routes to be used in such fiscal year.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 118, noes 305, not voting 9, as follows:

[Roll No. 552]

AYES—118

Abercrombie	Ford	McKeon
Ackerman	Furse	McKinney
Andrews	Gephardt	McNulty
Baessler	Gibbons	Meehan
Barr	Gilchrest	Millender-
Becerra	Gutiérrez	McDonald
Berman	Hansen	Miller (CA)
Blagojevich	Hill	Mink
Blumenauer	Hilleary	Moakley
Boswell	Hinchev	Moran (KS)
Bryant	Hooley	Nadler
Campbell	Hutchinson	Ney
Cannon	Jackson (IL)	Owens
Cardin	Jackson-Lee	Pallone
Carson	(TX)	Pappas
Christensen	Jefferson	Pascarell
Coburn	Kasich	Paul
Cooksey	Kelly	Payne
Davis (IL)	Kennedy (MA)	Pelosi
DeFazio	Kennedy (RI)	Pryce (OH)
DeGette	Kingston	Rahall
Delahunt	Kucinich	Reyes
DeLauro	LaFalce	Rivers
Dellums	Lampson	Rothman
Dixon	Lantos	Roybal-Allard
Doggett	Lewis (GA)	Sanchez
Doyle	Linder	Schumer
Engel	Lowe	Serrano
English	Lucas	Shays
Ensign	Luther	Sherman
Eshoo	Maloney (NY)	Smith (NJ)
Evans	Markey	Souder
Filner	McCarthy (MO)	Stabenow
Flake	McDermott	Stark
Forbes	McGovern	Stokes

NOES—305

Aderholt	Fowler	McIntyre
Allen	Fox	Meek
Archer	Frank (MA)	Menendez
Army	Franks (NJ)	Metcalfe
Bachus	Frelinghuysen	Mica
Baker	Frost	Miller (FL)
Baldacci	Gallegly	Minge
Ballenger	Ganske	Mollohan
Barcia	Gejdenson	Moran (VA)
Barrett (NE)	Gekas	Morella
Barrett (WI)	Gillmor	Murtha
Barton	Gilman	Myrick
Bass	Goode	Neal
Bateman	Goodlatte	Nethercutt
Bentsen	Goodling	Neumann
Bereuter	Gordon	Northup
Berry	Goss	Norwood
Bilbray	Graham	Nussle
Bilirakis	Granger	Oberstar
Bishop	Green	Obey
Bliley	Greenwood	Olver
Blunt	Gutknecht	Ortiz
Boehlert	Hall (OH)	Oxley
Boehner	Hall (TX)	Packard
Bonilla	Hamilton	Parker
Bonior	Harman	Pastor
Bono	Hastert	Paxon
Borski	Hastings (FL)	Pease
Boucher	Hastings (WA)	Peterson (MN)
Boyd	Hayworth	Peterson (PA)
Brady	Hefley	Petri
Brown (CA)	Hefner	Pickering
Brown (FL)	Herger	Pickett
Brown (OH)	Hilliard	Pitts
Bunning	Hinojosa	Pombo
Burr	Hobson	Pomeroy
Burton	Hoekstra	Porter
Buyer	Holden	Portman
Callahan	Horn	Poshard
Calvert	Hostettler	Price (NC)
Camp	Houghton	Quinn
Canady	Hoyer	Radanovich
Castle	Hulshof	Ramstad
Chabot	Hunter	Rangel
Chambliss	Hyde	Regula
Chenoweth	Inglis	Regula
Clay	Istook	Riggs
Clayton	Jenkins	Riley
Clement	John	Rodriguez
Clyburn	Johnson (CT)	Roemer
Coble	Johnson (WI)	Rogan
Collins	Johnson, E. B.	Rogers
Combust	Jones	Rohrabacher
Condit	Kanjorski	Ros-Lehtinen
Conyers	Kaptur	Roukema
Cook	Kennelly	Royce
Costello	Kildee	Rush
Cox	Kilpatrick	Ryun
Coyne	Kim	Sabo
Cramer	Kind (WI)	Salmon
Crane	King (NY)	Sanders
Crapo	Kleczka	Sandlin
Cummings	Klink	Sanford
Cunningham	Klug	Sawyer
Danner	Knollenberg	Saxton
Davis (FL)	Kolbe	Scarborough
Davis (VA)	LaHood	Schaefer, Dan
Deal	Largent	Schaefer, Bob
DeLay	Latham	Scott
Deutsch	LaTourette	Sensenbrenner
Diaz-Balart	Lazio	Sessions
Dickey	Leach	Shadegg
Dicks	Levin	Shaw
Dingell	Lewis (CA)	Shimkus
Dooley	Lewis (KY)	Shuster
Doolittle	Lipinski	Sisisky
Dreier	Livingston	Skaggs
Duncan	LoBiondo	Skeen
Dunn	Lofgren	Skelton
Edwards	Maloney (CT)	Slaughter
Ehlers	Manton	Smith (MI)
Ehrlich	Manzullo	Smith (OR)
Emerson	Martinez	Smith (TX)
Etheridge	Mascara	Smith, Adam
Everett	Matsui	Smith, Linda
Ewing	McCarthy (NY)	Snowbarger
Farr	McCollum	Snyder
Fattah	McCrery	Solomon
Fawell	McDade	Spence
Fazio	McHale	Spratt
Foglietta	McHugh	Stearns
Foley	McInnis	Stenholm

Strickland Tiahrt Watt (NC)
 Stump Towns Weller
 Stupak Traficant Wexler
 Sununu Turner White
 Tanner Upton Whitfield
 Taylor (MS) Velazquez Wicker
 Taylor (NC) Visclosky Wynn
 Thompson Walsh Yates
 Thornberry Wamp Young (FL)
 Thurman Waters

Smith, Adam Taylor (MS)
 Souder Thompson
 Stabenow Tierney
 Stark Torres
 Stokes Velazquez
 Strickland Vento
 Tauscher Walsh Waters

White Watt (NC)
 Whitfield Watts (OK)
 Wicker Waxman
 Wynn Weygand
 Young (AK) Wisse
 Young (FL) Wolf
 Weldon (FL) Woolsey
 Weldon (PA) Yates

NOT VOTING—8

□ 1621

NOT VOTING—9

Bartlett Johnson, Sam Tauszin
 Cubin McIntosh Weldon (FL)
 Gonzalez Schiff Weldon (PA)

□ 1611

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. MARKEY

The CHAIRMAN. The unfinished
 business is the demand for a recorded
 vote on amendment No. 7 offered by
 the gentleman from Massachusetts
 [Mr. MARKEY] on which further pro-
 ceedings were postponed and on which
 the noes prevailed by voice vote.

The Clerk will redesignate the
 amendment.

The text of the amendment is as fol-
 lows:

AMENDMENT NO. 7 OFFERED BY MR. MARKEY:

Page 36, strike line 18 and all that follows
 through line 9 on page 39.

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 de-
 vice, and there were—ayes 151, noes 273,
 not voting 8, as follows:

[Roll No. 553]

AYES—151

Abercrombie Ford McHale
 Ackerman Frank (MA) McKinney
 Allen Franks (NJ) McNulty
 Andrews Frost Meehan
 Baesler Furse Menendez
 Baldacci Gejdenson Millender-
 Barrett (WI) Gephardt McDonald
 Becerra Gibbons Miller (CA)
 Bentsen Green Mink
 Berman Crane Moakley
 Blagojevich Hall (OH) Moran (VA)
 Blumenauer Hefner Nadler
 Boehlert Hinchey Neal
 Boswell Hooley Oberstar
 Brown (CA) Jackson (IL) Obey
 Brown (OH) Jackson-Lee Olver
 Campbell (TX) Owens
 Carson Jefferson Pallone
 Clay Johnson, E. B. Pascrell
 Clayton Kaptur Payne
 Conyers Kennedy (MA) Pelosi
 Cooksey Kennedy (RI) Portman
 Costello Kennelly Poshard
 Coyne Kleczka Price (NC)
 Cummings Kucinich Rahall
 Davis (IL) LaFalce Ramstad
 DeFazio Lampson Rangel
 DeGette Lantos Rivers
 Delahunt Lewis (GA) Rodriguez
 DeLauro Livingston Roemer
 Dellums LoBiondo Rothman
 Dicks Lofgren Roybal-Allard
 Dixon Lowey Sabo
 Doggett Lucas Sanchez
 Engel Luther Sanders
 Ensign Maloney (CT) Sawyer
 Eshoo Maloney (NY) Schumer
 Evans Markey Serrano
 Farr Matsui Shays
 Fattah McCarthy (MO) Sherman
 Filner McCarthy (NY) Skaggs
 Flake McDermott Slaughter
 Forbes McGovern Smith (NJ)

Aderholt Ganske
 Archer Gekas
 Armev Gilchrist
 Bachus Gillmor
 Baker Gilman
 Ballenger Goode
 Barcia Goodlatte
 Barr Goodling
 Barrett (NE) Gordon
 Bartlett Bartlett
 Barton Barton
 Bass Granger
 Bateman Greenwood
 Bereuter Gutknecht
 Berry Hall (TX)
 Bilbray Hamilton
 Bilirakis Harman
 Bishop Hastert
 Bliley Hastings (FL)
 Blunt Hastings (WA)
 Boehner Hayworth
 Bonilla Hefley
 Bonior Hill
 Bono Hilleary
 Borski Hilliard
 Boucher Hinojosa
 Boyd Hobson
 Brady Hoekstra
 Brown (FL) Holden
 Bryant Horn
 Bunning Hostettler
 Burr Houghton
 Burton Hoyer
 Buyer Hulshof
 Callahan Hunter
 Calvert Hutchinson
 Camp Hyde
 Canady Inglis
 Cannon Istook
 Cardin Jenkins
 Castle John
 Chabot Johnson (CT)
 Chambliss Johnson (WI)
 Chenoweth Johnson, Sam
 Christensen Jones
 Clement Kanjorski
 Clyburn Kasich
 Coble Kelly
 Coburn Kildee
 Collins Kilpatrick
 Combust Kim
 Condit Kind (WI)
 Cook King (NY)
 Cox Kingstrom
 Cramer Klink
 Crane Klug
 Crapo Knollenberg
 Cunningham Kolbe
 Danner LaHood
 Davis (FL) Largent
 Davis (VA) Latham
 Deal LaTourrette
 DeLay Lazio
 Deutsch Leach
 Diaz-Balart Levin
 Dickey Lewis (CA)
 Dingell Lewis (KY)
 Dooley Linder
 Doolittle Lipinski
 Doyle Manton
 Dreier Manzilla
 Duncan Martinez
 Dunn Mascara
 Edwards McCollum
 Ehlers McCrery
 Ehrlich McDade
 Emerson McHugh
 English McInnis
 Etheridge McIntosh
 Everett McIntyre
 Ewing McKeon
 Fawell Meek
 Fazio Metcalf
 Foglietta Mica
 Foley Miller (FL)
 Fowler Minge
 Fox Mollohan
 Frelinghuysen Moran (KS)
 Gallegly Morella

Murtha Myrick
 Nethercunn
 Neumann
 Ney
 Northup
 Norwood
 Nussle
 Ortiz
 Oxley
 Packard
 Pappas
 Parker
 Pastor
 Paul
 Paxon
 Pease
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pickett
 Pitts
 Pombo
 Pomeroy
 Porter
 Pryce (OH)
 Quinn
 Radanovich
 Redmond
 Regula
 Reyes
 Riggs
 Riley
 Rogan
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Roukema
 Royce
 Rush
 Ryun
 Salmon
 Sandlin
 Sanford
 Saxton
 Scarborough
 Schaefer, Dan
 Schaffer, Bob
 Scott
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shimkus
 Shuster
 Siskisky
 Skeen
 Skelton
 Smith (MI)
 Smith (OR)
 Smith (TX)
 Smith, Linda
 Snowbarger
 Snyder
 Solomon
 Spence
 Spratt
 Stearns
 Stenholm
 Stump
 Stupak
 Sununu
 Tanner
 Thomas
 Thornberry
 Thune
 Thurman
 Tiahrt
 Towns
 Traficant
 Turner
 Upton
 Visclosky
 Wamp
 Watkins
 Weller
 Wexler

So the amendment was rejected.
 The result of the vote announced as
 above recorded.

AMENDMENT NO. 8 OFFERED BY MR. GIBBONS

The CHAIRMAN. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Nevada [Mr. GIBBONS]
 on which further proceedings were
 postponed and on which the noes pre-
 vailed by voice vote.

The Clerk will redesignate the
 amendment.

The text of the amendment is as fol-
 lows:

AMENDMENT NO. 8 OFFERED BY MR. GIBBONS:

Page 55, beginning in line 3 strike “, except
 that” and all that follows through line 21
 and insert a period.

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 de-
 vice, and there were—ayes 67, noes 357,
 not voting 8, as follows:

[Roll No. 554]

AYES—67

Becerra Hansen Miller (CA)
 Berman Hinchey Mink
 Cannon Hooley Nadler
 Carson Jackson (IL) Owens
 Clay Jackson-Lee Pallone
 Clayton (TX) Payne
 Conyers Kennedy (RI) Pelosi
 Cooksey Kennelly Rahall
 Davis (IL) Kucinich Reyes
 DeFazio LaFalce Roybal-Allard
 DeGette Lampson Serrano
 Delahunt Lewis (GA) Shays
 DeLauro Lowey Souder
 Dellums Lucas Stark
 Dixon Maloney (NY) Stokes
 Doggett Markey Tierney
 Ensign Martinez Torres
 Eshoo McDermott Vento
 Evans McGovern Waters
 Filner McKinney Watt (NC)
 Furse McNulty Waxman
 Gejdenson Millender- Woolsey
 Gibbons McDonald Young (AK)

NOES—357

Abercrombie Blagojevich Campbell
 Ackerman Bliley Canady
 Aderholt Blumenauer Cardin
 Allen Blunt Castle
 Andrews Boehlert Chabot
 Archer Boehner Chambliss
 Armev Bonilla Chenoweth
 Bachus Bonior Christensen
 Baesler Bono Clement
 Baker Borski Clyburn
 Baldacci Boswell Coble
 Ballenger Boucher Coburn
 Boyd Collins
 Barr Brady Combust
 Barrett (NE) Brown (CA) Condit
 Barrett (WI) Brown (FL) Cook
 Bartlett Brown (OH) Costello
 Barton Bryant Cox
 Bass Bunning Coyne
 Bateman Burr Cramer
 Bentsen Burton Crane
 Berry Buyer Crapo
 Bilbray Callahan Cummings
 Bilirakis Calvert Cunningham
 Bishop Camp Danner

Davis (FL) Kasich
 Davis (VA) Kelly
 Deal Kennedy (MA)
 DeLay Kildee
 Deutsch Kilpatrick
 Diaz-Balart Kim
 Dickey Kind (WI)
 Dicks King (NY)
 Dingell Kingston
 Dooley Kleczka
 Doolittle Klink
 Doyle Klug
 Dreier Knollenberg
 Duncan Kolbe
 Dunn LaHood
 Edwards Lantos
 Ehlers Largent
 Ehrlich Latham
 Emerson LaTourette
 Engel Lazio
 English Leach
 Etheridge Levin
 Everett Lewis (CA)
 Ewing Lewis (KY)
 Farr Linder
 Fattah Lipinski
 Fawell Livingston
 Fazio LoBiondo
 Flake Lofgren
 Foglietta Luther
 Foley Maloney (CT)
 Forbes Manton
 Ford Manzullo
 Fowler Mascara
 Fox Matsui
 Frank (MA) McCarthy (MO)
 Franks (NJ) McCarthy (NY)
 Frelinghuysen McCollum
 Frost McCrery
 Galleghy McDade
 Ganske McHale
 Gekas McHugh
 Gephardt McInnis
 Gilchrest McIntosh
 Gillmor McIntyre
 Gilman McKeon
 Goode Meehan
 Goodlatte Meek
 Goodling Menendez
 Gordon Metcalf
 Goss Mica
 Graham Miller (FL)
 Granger Minge
 Green Moakley
 Greenwood Mollohan
 Gutierrez Moran (KS)
 Hall (OH) Moran (VA)
 Hall (TX) Morella
 Hamilton Murtha
 Harman Myrick
 Hastert Neal
 Hastings (FL) Nethercutt
 Hastings (WA) Neumann
 Hayworth Ney
 Hefley Northup
 Hefner Norwood
 Hergert Nussle
 Hill Oberstar
 Hilleary Obey
 Hilliard Oliver
 Hinojosa Ortiz
 Hobson Oxley
 Hoekstra Packard
 Holden Parker
 Horn Pascrell
 Hostettler Paston
 Houghton Paul
 Hoyer Paxon
 Hulshof Pease
 Hunter Peterson (MN)
 Hutchinson Peterson (PA)
 Hyde Petri
 Inglis Pickering
 Istook Pickett
 Jefferson Pitts
 Jenkins Pombo
 Johnson (CT) Pomeroy
 Johnson (WI) Porter
 Johnson, E. B. Portman
 Johnson, Sam Poshard
 Jones Price (NC)
 Kanjorski Price (OH)
 Kaptur Quinn

NOT VOTING—8

Bereuter John
 Cubin Schiff
 Gonzalez Taylor (NC)

Radanovich
 Ramstad
 Rangel
 Redmond
 Regula
 Riggs
 Riley
 Rivers
 Rodriguez
 Roemer
 Rogan
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Rothman
 Roukema
 Royce
 Rush
 Ryan
 Sabo
 Salmon
 Sanchez
 Sanders
 Sandlin
 Sanford
 Sawyer
 Saxton
 Scarborough
 Schaefer, Dan
 Schaffer, Bob
 Schumer
 Scott
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Sherman
 Shimkus
 Shuster
 Siskiy
 Skaggs
 Skeen
 Skelton
 Slaughter
 Smith (MI)
 Smith (NJ)
 Smith (OR)
 Smith (TX)
 Smith, Adam
 Smith, Linda
 Snowbarger
 Snyder
 Solomon
 Spence
 Spratt
 Stabenow
 Stearns
 Stenholm
 Strickland
 Stump
 Stupak
 Sununu
 Talent
 Tanner
 Tauscher
 Tauzin
 Taylor (MS)
 Thomas
 Thompson
 Thornberry
 Thune
 Thurman
 Tiahrt
 Towns
 Traficant
 Turner
 Upton
 Velazquez
 Vislosky
 Walsh
 Wamp
 Watkins
 Watts (OK)
 Weller
 Wexler
 Weygand
 White
 Whitfield
 Wicker
 Wise
 Wolf
 Wynn
 Yates
 Young (FL)

□ 1631

Mr. MEEHAN changed his vote from "aye" to "no."
 Ms. PELOSI and Mr. NADLER changed their vote from "no" to "aye."
 So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. TRAFICANT
 The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.
 The text of the amendment is as follows:

Amendment No. 9 offered by Mr. TRAFICANT:
 Page 81, insert after line 13 the following:
"SEC. 510. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

"(a) IN GENERAL.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Act should be American-made.

"(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available under this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

"(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available under this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

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 407, noes 2, answered "present" 15, not voting 8, as follows:

[Roll No. 555]
 AYES—407

Abercrombie Barton
 Ackerman Bass
 Aderholt Bateman
 Allen Bentsen
 Andrews Bereuter
 Archer Bertran
 Army Berry
 Bachus Bilbray
 Baesler Bilirakis
 Baker Bishop
 Baldacci Blagojevich
 Ballenger Bliley
 Barcia Blumenauer
 Barr Blunt
 Barrett (NE) Boehlert
 Barrett (WI) Boehner
 Bartlett Bonilla

Camp
 Campbell
 Canady
 Cannon
 Cardin
 Carson
 Castle
 Chabot
 Chambliss
 Chenoweth
 Christensen
 Clay
 Clayton
 Clyburn
 Coble
 Coburn
 Collins
 Combest
 Condit
 Cook
 Cooksey
 Costello
 Cox
 Coyne
 Cramer
 Crane
 Crapo
 Cummings
 Cunningham
 Danner
 Davis (FL)
 Davis (IL)
 Davis (VA)
 Deal
 DeFazio
 DeGette
 Delahunt
 DeLauro
 DeLay
 Dellums
 Deutsch
 Diaz-Balart
 Dickey
 Dicks
 Dingell
 Dixon
 Doggett
 Dooley
 Doolittle
 Doyle
 Dreier
 Duncan
 Dunn
 Edwards
 Ehlers
 Ehrlich
 Emerson
 Engel
 English
 Ensign
 Eshoo
 Etheridge
 Evans
 Everett
 Ewing
 Farr
 Fattah
 Fazio
 Flake
 Foglietta
 Foley
 Forbes
 Ford
 Fowler
 Fox
 Frank (MA)
 Franks (NJ)
 Frelinghuysen
 Frost
 Galleghy
 Ganske
 Gejdenson
 Gekas
 Gephardt
 Gibbons
 Gilchrest
 Gillmor
 Gilman
 Goode
 Goodlatte
 Goodling
 Gordon
 Goss
 Graham
 Granger
 Green
 Greenwood
 Gutknecht

Hall (OH)
 Hall (TX)
 Hamilton
 Hansen
 Harman
 Hastert
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Hefley
 Hefner
 Hergert
 Hill
 Hilleary
 Hilliard
 Hinchey
 Hobson
 Hoekstra
 Holden
 Hooley
 Horn
 Hostettler
 Houghton
 Hoyer
 Hulshof
 Hunter
 Hutchinson
 Hyde
 Inglis
 Istook
 Jackson (IL)
 Jackson-Lee (TX)
 Jefferson
 Jenkins
 John
 Johnson (CT)
 Johnson (WI)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Kanjorski
 Kaptur
 Kasich
 Kelly
 Kennedy (MA)
 Kennedy (RI)
 Kennelly
 Kildee
 Kilpatrick
 Kim
 Kind (WI)
 King (NY)
 Kingston
 Kleczka
 Klink
 Klug
 Knollenberg
 Kolbe
 Kucinich
 LaFalce
 LaHood
 Lampton
 Lantos
 Largent
 Latham
 LaTourette
 Lazio
 Leach
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 Livingston
 LoBiondo
 Lofgren
 Lowey
 Lucas
 Luther
 Maloney (CT)
 Maloney (NY)
 Manton
 Manzullo
 Markey
 Mascara
 Matsui
 McCarthy (MO)
 McCarthy (NY)
 McCollum
 McCrery
 McDade
 McDermott
 McGovern
 McHale
 McHugh
 McInnis
 McIntosh

McIntyre
 McKeon
 McKinney
 McNulty
 Meehan
 Meek
 Metcalf
 Millender-McDonald
 Miller (CA)
 Miller (FL)
 Minge
 Mink
 Moakley
 Mollohan
 Moran (KS)
 Moran (VA)
 Morella
 Murtha
 Myrick
 Nadler
 Neal
 Nethercutt
 Neumann
 Ney
 Northup
 Norwood
 Nussle
 Oberstar
 Obey
 Oliver
 Owens
 Oxley
 Packard
 Pallone
 Pappas
 Parker
 Pascrell
 Paul
 Paxon
 Payne
 Pease
 Pelosi
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pickett
 Pitts
 Pombo
 Pomeroy
 Porter
 Portman
 Poshard
 Price (NC)
 Pryce (OH)
 Quinn
 Radanovich
 Ramstad
 Rangel
 Redmond
 Regula
 Riley
 Rivers
 Roemer
 Rogan
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Rothman
 Roukema
 Royce
 Rush
 Ryan
 Sabo
 Salmon
 Sanchez
 Sanders
 Sandlin
 Sanford
 Sawyer
 Saxton
 Scarborough
 Schaefer, Dan
 Schaffer, Bob
 Schumer
 Scott
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Shimkus
 Shuster
 Siskiy
 Skaggs
 Skeen

Skelton	Stupak	Wamp
Slaughter	Sununu	Waters
Smith (MI)	Talent	Watkins
Smith (NJ)	Tanner	Watt (NC)
Smith (OR)	Tauscher	Watts (OK)
Smith (TX)	Tauzin	Waxman
Smith, Adam	Taylor (MS)	Weller
Smith, Linda	Thomas	Wexler
Snowbarger	Thompson	Weygand
Snyder	Thornberry	White
Solomon	Thune	Whitfield
Souder	Thurman	Wicker
Spence	Tiahrt	Wise
Spratt	Tierney	Wolf
Stabenow	Towns	Woolsey
Stark	Traficant	Wynn
Stearns	Turner	Yates
Stenholm	Upton	Young (AK)
Stokes	Vento	Young (FL)
Strickland	Visclosky	
Stump	Walsh	

NOES—2

Conyers Furse

ANSWERED "PRESENT"—15

Becerra	Menendez	Rodriguez
Filner	Ortiz	Roybal-Allard
Gutierrez	Pastor	Serrano
Hinojosa	Rahall	Torres
Martinez	Reyes	Velazquez

NOT VOTING—8

Cubin	Mica	Weldon (FL)
Fawell	Schiff	Weldon (PA)
Gonzalez	Taylor (NC)	

□ 1639

Mr. PASTOR changed his vote from "aye" to "present."

Ms. VELAZQUEZ changed her vote from "no" to "present."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MICA. Mr. Chairman, on rollcall No. 555, I was unavoidably detained. Had I been present, I would have voted "yes."

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HAYWORTH) having assumed the chair, Mr. MCINNIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1270) to amend the Nuclear Waste Policy Act of 1982, pursuant to House Resolution 283, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MARKEY. I am opposed to the bill in its current form, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MARKEY moves to recommit the bill H.R. 1270 to the Committee on Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 23, line 3, after the period insert "Contractors transporting spent nuclear fuel or high-level radioactive waste under any such contract shall not be indemnified under section 170d. of the Atomic Energy Act of 1954 for any liability resulting from negligence, gross negligence, or willful misconduct in connection with such transportation."

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MARKEY] is recognized for 5 minutes in support of his motion to recommit.

□ 1645

Mr. MARKEY. Mr. Speaker, this recommitment motion is the amendment the nuclear industry does not want Members to vote on, which is why the Committee on Rules did not put it in order. The reason that the nuclear industry does not want us to vote on this amendment is that, as opposed to Nevada getting all the waste, or the nuclear site having the waste taken from it, this amendment deals with the transportation of the waste through Members' districts and what the liability is of the trucking company, of the rail company that has responsibility for this material.

Throughout the entire night last night we heard that an accident cannot happen, that these cannisters are so strong, and if a train hit the cannister, the train would be hurt. We were told that the Governor does not have to certify that transport is safe. We were told that the mayors and the local selectmen do not even have to have a role in public health or safety. But, buried in this bill is a total indemnification against liability of the trucking or the rail company if an accident occurs in Members' districts.

Mr. Speaker, 43 States are going to have these materials riding through them. What happens if the trucking company engages in gross misconduct, if the trucking company engages in gross negligence? They are still not liable.

Mr. Speaker, if the truck driver is on antidepressants, is drunk, is driving 80 miles an hour, careens into our community with this nuclear material, the company is not liable. My amendment makes the company liable. That is the only way we are going to make them accountable, to make sure they hire good drivers, to make sure they have the right kinds of protections built into the trucks, into the railcars. That

is what this amendment is all about, plain and simple, just accountability for the companies who are carrying this dangerous material through every one of our districts. That is where it hits our districts, where it hits our people.

Mr. Speaker, I yield to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, H.R. 1270 does in fact assume that Congress and the Members here are experts, not the scientists. H.R. 1270 says that we are going to ignore what the Nuclear Waste Technical Review Board said, that there is no hurry, there is no urgency.

As a matter of fact, if we put interim storage, and by the way, this bill is not about Yucca Mountain, this bill is about interim storage of nuclear waste at the Nevada test site. If we put interim storage at the Nevada test site, we will hurt the characterization process of Yucca Mountain. This bill is not about science, this is about politics. This is about all of us thinking that we are experts, over the geologists and all the scientists at the Nuclear Waste Technical Board and the like.

Mr. MARKEY. Reclaiming my time, Mr. Speaker, so this amendment is the mobile Chernobyl amendment. It will be coming through Members' districts. The police, the local PTAs, everyone will be asking questions. When they are told that the drivers are not liable, that the railroad companies are not liable, there are going to be a lot of questions to answer.

If there is only going to be one yes vote on recommitment, vote to include this liability for our districts when it is coming through our hometowns.

Mr. ENSIGN. If the gentleman will continue to yield, Mr. Speaker, the other thing about this bill is this bill does ignore private property rights and ignores States' rights. The 10th amendment reserves the power to the States and people that it does not specifically grant to the Federal Government in the Constitution.

The State of Nevada never had nuclear waste produced in its State. This is not a national security issue, this is about commercial nuclear waste trying to be shipped by other States to the State of Nevada. The gentleman from Idaho has good moral arguments because their State has had nuclear waste shoved down their throats. That is why he wants this bill, to get it out of his State, but it is no more right to send it to his State or to my State. This is wrong. It ignores private property rights as well as States' rights.

I urge a "yes" vote on the motion to recommit, and a "no" vote on H.R. 1270.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I rise to speak in opposition to the motion to recommit.

The SPEAKER pro tempore [Mr. HAYWORTH]. The gentleman from Colorado [Mr. DAN SCHAEFER] is recognized for 5 minutes.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Speaker, once again, the entire story has not been told. The fact is that this amendment would amend the Price-Anderson Act, a statute that was carefully crafted over two entire Congresses with great deliberation. There has been no hearing on this amendment, and it makes a dramatic change in an area of law that has always been very controversial.

This is not a simple matter. Contractor liability was hotly contested when the Price-Anderson Act was debated in the 100th and 101st Congresses. Congress did not bar indemnification of contractors from damages resulting from negligence out of recognition that such a course would be inconsistent with the purposes of the Price-Anderson Act. Why?

The fact is that although the impression was made in the debate in favor of this motion that there would be no compensation for those who might be injured by accidents involving nuclear transmission of fuel, the Price-Anderson Act does provide for compensation. It simply provides that it is done through a process that will provide immediate compensation to victims, rather than forcing them into expensive and protracted litigation.

Again, this is an issue that has been debated hotly over two Congresses. It will be visited again in the reauthorization of the Price-Anderson Act before transportation begins, and the impression that was tried to be made by those who debated in favor of this motion that there is no compensation for victims of such accidents is simply false. There is a system of compensation in place. This amendment should be rejected.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield to the gentleman from Texas [Mr. HALL], my ranking member.

Mr. HALL of Texas. Mr. Speaker, the only change that I see in this is that it amends the Price-Anderson Act. That is an act that we very carefully crafted over two Congresses. There has been no hearing on this amendment. All in the world this is, by a very clever and articulate and a fine Member of Congress, it is a last gasp, the last grasp, the last opportunity to derail us finding a place for the nuclear waste. That is absolutely all it is.

The purpose of the Price-Anderson Act is to provide a means of quickly compensating the victims of a nuclear accident. Let me say this: This amendment, this motion, is not timely, it is not necessary, and it is not debated. There has been absolutely no hearing on it.

The Price-Anderson Act has to be reauthorized by the year 2002. Nuclear waste shipments will not begin until 2002, so there is no reason to act on this amendment today, since transportation will not begin until 5 long years from now. Why the urgency this after-

noon? It is just to derail this amendment today. It is very clever, very well presented, but it just does not hold up.

The situation could be different 5 years from now. At least the committee system would have 60 long months to work, to hear, to notify and have input from people more knowledgeable than any of us here. I think it is unnecessary, it is dangerous, it is untimely, and it is unneeded. I urge that we defeat it.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Speaker, I thank the gentleman for yielding to me.

I would like to have the Members' attention for just a minute. I am not going to yell, wail, or scream. I just want to tell the Members what the facts are.

Mr. Speaker, the Price-Anderson Act was enacted between the 100th and 101st Congresses on a bipartisan basis so people, if there was a nuclear accident, people could get compensation immediately. What this amendment would do, the amendment offered by the gentleman from Massachusetts [Mr. MARKEY], it would throw things into the courts. It may be 5 years or 6 years or 10 years before anybody would ever get compensated if, in fact, there ever was a nuclear accident, and there has not been.

So what the gentleman from Massachusetts [Mr. MARKEY] would like to do is to hand this over to the trial lawyers, to the courts, to the private settlement issue, and not get victims compensated immediately.

What we are asking in this bill, what the Price-Anderson Act does, is compensate victims immediately so they can take care of their health problems or their physical problems, or any property damage that they received. This amendment ought to stay in place. Price-Anderson ought to stay in place, and we should reject the Markey amendment.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—ayes 142, noes 283, not voting 7, as follows:

[Roll No. 556]

AYES—142

Abercrombie	Hastings (FL)	Ney
Ackerman	Hefner	Obestar
Andrews	Hinchey	Obey
Baesler	Hinojosa	Owens
Barrett (WI)	Hookey	Pallone
Becerra	Jackson (IL)	Pascrell
Bentsen	Jackson-Lee	Paul
Berman	(TX)	Payne
Blagojevich	Jefferson	Pelosi
Blumenauer	Johnson, E. B.	Rahall
Borski	Kanjorski	Rangel
Boswell	Kaptur	Reyes
Brown (CA)	Kennedy (MA)	Rivers
Brown (FL)	Kennedy (RI)	Rodriguez
Brown (OH)	Kennelly	Roemer
Cardin	Kind (WI)	Rothman
Carson	Kleccka	Roybal-Allard
Clay	Klink	Sabo
Clayton	Kucinich	Sanchez
Conyers	LaFalce	Sanders
Coyne	Lampson	Sawyer
Cummings	Lantos	Schumer
Davis (IL)	Lewis (GA)	Serrano
DeFazio	Lofgren	Shays
DeGette	Lowey	Sherman
Delahunt	Luther	Skaggs
DeLauro	Maloney (CT)	Slaughter
Dellums	Maloney (NY)	Smith (NJ)
Dingell	Markey	Smith, Adam
Dixon	Martinez	Souder
Doggett	Matsui	Stark
Engel	McCarthy (MO)	Stokes
Ensign	McCarthy (NY)	Strickland
Eshoo	McDermott	Talent
Evans	McGovern	Tauscher
Farr	McHale	Thompson
Fattah	McKeon	Thurman
Filner	McKinney	Tierney
Flake	McNulty	Torres
Furse	Meehan	Velazquez
Gejdenson	Meek	Vento
Gephardt	Millender-	Visclosky
Gibbons	McDonald	Waters
Green	Miller (CA)	Waxman
Gutierrez	Mink	Weygand
Hall (OH)	Moakley	Wolf
Hamilton	Nadler	Woolsey
Harman	Neal	Yates

NOES—283

Aderholt	Clyburn	Frelinghuysen
Allen	Coble	Frost
Archer	Coburn	Gallegly
Armey	Collins	Ganske
Bachus	Combest	Gekas
Baker	Condit	Gilchrest
Baldacci	Cook	Gillmor
Ballenger	Cooksey	Gilman
Barcia	Costello	Goode
Barr	Cox	Goodlatte
Barrett (NE)	Cramer	Goodling
Bartlett	Crane	Gordon
Barton	Crapo	Goss
Bass	Cunningham	Graham
Bateman	Danner	Granger
Bereuter	Davis (FL)	Greenwood
Berry	Davis (VA)	Gutknecht
Bilbray	Deal	Hall (TX)
Bilirakis	DeLay	Hansen
Bishop	Deutsch	Hastert
Bliley	Diaz-Balart	Hastings (WA)
Blunt	Dickey	Hayworth
Boehlert	Dicks	Hefley
Boehner	Dooley	Herger
Bonilla	Doolittle	Hill
Bono	Doyle	Hilleary
Boucher	Dreier	Hilliard
Boyd	Duncan	Hobson
Brady	Dunn	Hoekstra
Bryant	Edwards	Holden
Bunning	Ehlers	Horn
Burr	Ehrlich	Hostettler
Burton	Emerson	Houghton
Buyer	English	Hoyer
Callahan	Etheridge	Hulshof
Calvert	Everett	Hunter
Camp	Ewing	Hutchinson
Campbell	Fawell	Hyde
Canady	Fazio	Inglis
Cannon	Foley	Istook
Castle	Forbes	Jenkins
Chabot	Ford	John
Chambliss	Fowler	Johnson (CT)
Chenoweth	Fox	Johnson (WI)
Christensen	Frank (MA)	Johnson, Sam
Clement	Franks (NJ)	Jones

Kasich
Kelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
Menendez
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Northup
Norwood

NOT VOTING—7

Bonior
Cubin
Foglietta

□ 1715

Mr. STRICKLAND changed his vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on passage of the bill.

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

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 307, noes 120, not voting 6, as follows:

[Roll No. 557]

AYES—307

Aderholt
Allen
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman

Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Boyd

Shaw
Shimkus
Shuster
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaefer, Bob
Scott
Sensenbrenner
Sessions
Shadegg

NOT VOTING—7

Gonzalez
Schiff
Weldon (FL)
Weldon (PA)
Weldon (FL)

Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Etheridge
Everett
Ewing
Fattah
Fawell
Fazio
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Horn

Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntyre
Meeke
Menendez
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paxon
Peterson (MN)
Peterson (PA)
Petri

NOES—120

Abercrombie
Ackerman
Andrews
Baesler
Barrett (WI)
Becerra
Berman
Blagojevich
Blumenauer

Pickering
Pickett
Pitts
Porter
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Ramstad
Redmond
Regula
Riggs
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Ryun
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaefer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tanner
Tausin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watt (NC)
Watts (OK)
Weller
Wexler
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

Ensign
Eshoo
Evans
Farr
Filner
Foglietta
Furse
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hamilton
Hansen
Harman
Hastings (FL)
Herger
Hinchey
Hooley
Jackson (IL)
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Klecza
Kucinich
LaFalce
Lampson
Lantos
Lewis (CA)
Lewis (GA)
Lofgren

NOT VOTING—6

Coburn
Cubin

NOT VOTING—6

Gonzalez
Schiff

□ 1727

Messrs. BRYANT, CHRISTENSEN, and MCCRERY changed their vote from "no" to "aye."

So the bill was passed.

The result of vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill, H.R. 1270.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1270, UNCLEAR WASTE POLICY ACT OF 1997

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent the Clerk be authorized to make technical corrections in the engrossment of the bill, H.R. 1270, including corrections in spelling, punctuation, section numbering and cross-referencing.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Mr. MENENDEZ. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 290) pursuant to clause 2 of rule IX.

Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dixon
Doggett
English

The SPEAKER (Mr. HEFLEY). The Clerk will report the resolution.

The Clerk read as follows:

HOUSE RESOLUTION 290

Whereas Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the allegations made by Mr. Robert Dornan have been found to be largely without merit, including his charges of improper voting from a business, rather than a residential address; underage voting; double voting; and charges of unusually large numbers of individuals voting from the same address. It was found that those accused of voting from the same address included a Marines Barracks and the domicile of nuns; that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana Zoo; that duplicate voting was by different individuals; and that those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the privacy rights of United States citizens have been violated by the Committee's improper use of those INS records;

Whereas the INS itself has questioned the validity and accuracy of the Committee's use of INS documents;

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and have all the information they need regarding who voted in the 46th District and all the information they need to make a judgment concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to produce or present any credible evidence sufficient to change the outcome of the election of Congresswoman Sanchez and is now, in place of producing such credible evidence, pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has after nearly one year not shown or provided any credible evidence sufficient to demonstrate that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it:

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

□ 1730

The SPEAKER pro tempore (Mr. HEFLEY). The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Mr. MENENDEZ. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 212, noes 198, answered "present" 3, not voting 19, as follows:

[Roll No. 558]

AYES—212

Aderholt	Ewing	LoBiondo
Archer	Fawell	Lucas
Armey	Foley	Manzullo
Bachus	Fowler	McCollum
Baker	Fox	McCrery
Ballenger	Franks (NJ)	McDade
Barrett (NE)	Frelinghuysen	McHugh
Bartlett	Gallegly	McInnis
Barton	Ganske	McIntosh
Bass	Gibbons	McKeon
Bateman	Gilchrest	Mica
Bereuter	Gillmor	Miller (FL)
Bilbray	Gilman	Moran (KS)
Bilirakis	Goodlatte	Morella
Bliley	Goodling	Myrick
Blunt	Goss	Nethercutt
Boehkert	Graham	Neumann
Boehner	Granger	Ney
Bonilla	Greenwood	Northup
Bono	Gutknecht	Norwood
Brady	Hansen	Nussle
Bryant	Hastert	Oxley
Bunning	Hastings (WA)	Packard
Burr	Hayworth	Pappas
Burton	Hefley	Parker
Buyer	Herger	Paul
Callahan	Hill	Paxon
Calvert	Hilleary	Pease
Camp	Hobson	Peterson (PA)
Campbell	Hoekstra	Petri
Canady	Horn	Pickering
Cannon	Hostettler	Pitts
Castle	Hulshof	Pombo
Chabot	Hunter	Porter
Chambliss	Hutchinson	Portman
Chenoweth	Hyde	Pryce (OH)
Christensen	Inglis	Quinn
Coble	Istook	Radanovich
Collins	Jenkins	Ramstad
Combust	Johnson (CT)	Redmond
Cook	Johnson, Sam	Regula
Cooksey	Jones	Riggs
Cox	Kasich	Riley
Crane	Kelly	Rogan
Crapo	Kim	Rogers
Cunningham	King (NY)	Rohrabacher
Davis (VA)	Kingston	Ros-Lehtinen
Deal	Klug	Roukema
Diaz-Balart	Knollenberg	Royce
Dickey	Kolbe	Ryun
Dreier	LaHood	Salmon
Duncan	Largent	Sanford
Dunn	Latham	Saxton
Ehlers	LaTourette	Scarborough
Ehrlich	Lazio	Schaefer, Dan
Emerson	Lewis (CA)	Schaffer, Bob
English	Lewis (KY)	Sensenbrenner
Ensign	Linder	Sessions
Everett	Livingston	Shadegg

Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon

Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traffant

Upton
Walsh
Wamp
Watkins
Watts (OK)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—198

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Forbes
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt

Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchev
Hinojosa
Holden
Hoolley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Menendez
Fazio
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler

Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

ANSWERED "PRESENT"—3

Coburn Sanchez Souder

NOT VOTING—19

Barr	Houghton	Payne
Cubin	Klecicka	Schiff
DeLay	Leach	Weldon (FL)
Doolittle	Manton	Weldon (PA)
Foglietta	McHale	Young (AK)
Gekas	Meek	
Gonzalez	Metcalfe	

□ 1753

Mr. Barcia and Ms. Carson changed their vote from "aye" to "no."
So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HEFLEY). Before we go to the next resolution, the Chair would remind the Members that these votes should not come as a surprise. Members are expected to be here and vote within the 15-minute time limit.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 291) pursuant to clause 2 of rule IX.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 291

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California has met only on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California, and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit; charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing

these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now, therefore, be it

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Ms. ROYBAL-ALLARD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 200, answered "present" 3, not voting 13, as follows:

[Roll No. 559]

AYES—216

Aderholt	Collins	Goss
Archer	Combest	Graham
Armey	Cook	Granger
Bachus	Cooksey	Greenwood
Baker	Crane	Gutknecht
Ballenger	Crapo	Hansen
Barr	Cunningham	Hastert
Barrett (NE)	Davis (VA)	Hastings (WA)
Bartlett	Deal	Hayworth
Barton	DeLay	Hefley
Bass	Diaz-Balart	Herger
Bateman	Dickey	Hill
Bereuter	Doolittle	Hilleary
Bilbray	Dreier	Hobson
Bilirakis	Duncan	Hoekstra
Bliley	Dunn	Horn
Blunt	Ehlers	Hostettler
Boehkert	Ehrlich	Hulshof
Boehner	Emerson	Hunter
Bonilla	English	Hutchinson
Brady	Ensign	Hyde
Bryant	Everett	Inglis
Bunning	Ewing	Istook
Burr	Fawell	Jenkins
Burton	Foley	Johnson (CT)
Buyer	Fowler	Johnson, Sam
Callahan	Fox	Jones
Calvert	Franks (NJ)	Kasich
Camp	Frelinghuysen	Kelly
Campbell	Galleghy	Kim
Canady	Ganske	King (NY)
Cannon	Gekas	Kingston
Castle	Gibbons	Klug
Chabot	Gilchrest	Knollenberg
Chambliss	Gillmor	Kolbe
Chenoweth	Gilman	LaHood
Christensen	Goodlatte	Largent
Coble	Goodling	Latham

LaTourette	Paxon	Shimkus
Lazio	Pease	Shuster
Leach	Peterson (PA)	Skeen
Lewis (CA)	Petri	Smith (MI)
Lewis (KY)	Pickering	Smith (NJ)
Linder	Pitts	Smith (OR)
Livingston	Pombo	Smith (TX)
LoBiondo	Porter	Smith, Linda
Lucas	Portman	Snowbarger
Manzullo	Pryce (OH)	Solomon
McCollum	Quinn	Spence
McCrery	Radanovich	Stearns
McDade	Ramstad	Stump
McHugh	Redmond	Sununu
McInnis	Regula	Talent
McIntosh	Riggs	Tauzin
McKeon	Riley	Taylor (NC)
Metcalfe	Rogan	Thomas
Mica	Rogers	Thornberry
Miller (FL)	Rohrabacher	Thune
Moran (KS)	Ros-Lehtinen	Tiahrt
Morella	Roukema	Trafficant
Myrick	Royce	Upton
Nethercutt	Ryun	Walsh
Neumann	Salmon	Wamp
Ney	Sanford	Watkins
Northup	Saxton	Watts (OK)
Norwood	Scarborough	Weller
Nussle	Schaefer, Dan	White
Oxley	Schaffer, Bob	Whitfield
Packard	Sensenbrenner	Wickler
Pappas	Sessions	Wolf
Parker	Shaw	Young (AK)
Paul	Shays	Young (FL)

NOES—200

Abercrombie	Frank (MA)	Meek
Ackerman	Frost	Menendez
Allen	Furse	Millender-
Andrews	Gejdenson	McDonald
Baesler	Gephardt	Miller (CA)
Baldacci	Goode	Minge
Barcia	Gordon	Mink
Barrett (WI)	Green	Mollohan
Becerra	Gutierrez	Moran (VA)
Bentsen	Hall (OH)	Murtha
Berman	Hall (TX)	Nadler
Berry	Hamilton	Neal
Bishop	Harman	Oberstar
Blagojevich	Hastings (FL)	Obey
Blumenauer	Hefner	Olver
Bonior	Hilliard	Ortiz
Bono	Hinchee	Owens
Borski	Hinojosa	Pallone
Boswell	Holden	Pascrell
Boucher	Hooley	Pastor
Boyd	Hoyer	Pelosi
Brown (CA)	Jackson (IL)	Peterson (MN)
Brown (FL)	Jackson-Lee	Pickett
Brown (OH)	(TX)	Pomeroy
Cardin	Jefferson	Poshard
Carson	John	Price (NC)
Clay	Johnson (WI)	Rahall
Clayton	Johnson, E.B.	Rangel
Clement	Kanjorski	Reyes
Clyburn	Kaptur	Rivers
Condit	Kennedy (MA)	Rodriguez
Conyers	Kennedy (RI)	Roemer
Costello	Kennelly	Rothman
Coyne	Kildee	Roybal-Allard
Cramer	Kilpatrick	Rush
Cumings	Kind (WI)	Sabo
Danner	Kleccka	Sanders
Davis (FL)	Klink	Sandlin
Davis (IL)	Kucinich	Sawyer
DeFazio	LaFalce	Schumer
DeGette	Lampson	Scott
Delahunt	Lantos	Serrano
DeLauro	Levin	Sherman
Dellums	Lewis (GA)	Sisisky
Deutsch	Lipinski	Skaggs
Dicks	Lofgren	Skelton
Dingell	Lowey	Slaughter
Dixon	Luther	Smith, Adam
Doggett	Maloney (CT)	Snyder
Dooley	Maloney (NY)	Spratt
Doyle	Markey	Stabenow
Edwards	Martinez	Stark
Engel	Mascara	Stenholm
Eshoo	Matsui	Stokes
Etheridge	McCarthy (MO)	Strickland
Evans	McCarthy (NY)	Stupak
Farr	McDermott	Tanner
Fattah	McGovern	Tauscher
Fazio	McHale	Taylor (MS)
Filner	McIntyre	Thompson
Flake	McKinney	Thurman
Forbes	McNulty	Tierney
Ford	Meehan	Torres

Towns	Waters	Wise
Turner	Watt (NC)	Woolsey
Velazquez	Waxman	Wynn
Vento	Wexler	
Visclosky	Weygand	

ANSWERED "PRESENT"—3

Coburn	Sanchez	Shadegg
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NOT VOTING—13

Cox	Manton	Weldon (FL)
Cubin	Moakley	Weldon (PA)
Foglietta	Payne	Yates
Gonzalez	Schiff	
Houghton	Souder	

□ 1816

Mr. SPRATT changed his vote from "aye" to "no."

Mrs. JOHNSON of Connecticut and Mr. SNOWBARGER changed their vote from "no" to "aye."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. NORTON. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 292) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore [Mr. HEFLEY]. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 292

Whereas, Loretta Sanchez has been duly elected to represent the 46th District of California; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met only on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California, and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Ms. NORTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 187, answered "present" 4, not voting 27, as follows:

[Roll No. 560]

AYES—214

Aderholt	Bunning	Cunningham
Archer	Burr	Davis (VA)
Armey	Buyer	Deal
Bachus	Callahan	DeLay
Baker	Calvert	Diaz-Balart
Ballenger	Camp	Dickey
Barr	Campbell	Doolittle
Bartlett	Canady	Dreier
Barton	Cannon	Duncan
Bass	Castle	Dunn
Bateman	Chabot	Ehlers
Bilbray	Chambless	Ehrlich
Bilirakis	Chenoweth	Emerson
Bilely	Christensen	English
Blunt	Coble	Ensign
Boehlert	Collins	Everett
Boehner	Combest	Ewing
Bonilla	Cook	Fawell
Bono	Cooksey	Foley
Brady	Crane	Fowler
Bryant	Crapo	Fox

Franks (NJ)	Lazio	Rogers
Frelinghuysen	Leach	Rohrabacher
Galleghy	Lewis (CA)	Ros-Lehtinen
Ganske	Lewis (KY)	Roukema
Gekas	Linder	Royce
Gibbons	Livingston	Ryun
Gilchrest	LoBiondo	Salmon
Gillmor	Lucas	Sanford
Gilman	Manzullo	Saxton
Goodlatte	McCollum	Scarborough
Goodling	McCrery	Schaefer, Dan
Goss	McDade	Schaffer, Bob
Graham	McHugh	Sensenbrenner
Granger	McInnis	Sessions
Greenwood	McIntosh	Shaw
Gutknecht	McKeon	Shays
Hansen	Metcalf	Shimkus
Hastert	Mica	Shuster
Hastings (WA)	Miller (FL)	Skeen
Hayworth	Moran (KS)	Smith (MI)
Hefley	Morella	Smith (NJ)
Herger	Myrick	Smith (OR)
Hill	Nethercutt	Smith (TX)
Hilleary	Neumann	Smith, Linda
Hobson	Ney	Snowbarger
Hoekstra	Northup	Solomon
Horn	Norwood	Spence
Hostettler	Nussle	Stearns
Houghton	Oxley	Stump
Hulshof	Packard	Sununu
Hunter	Pappas	Talent
Hutchinson	Parker	Tauzin
Hyde	Paul	Taylor (NC)
Inglis	Paxon	Thomas
Istook	Pease	Thornberry
Jenkins	Peterson (PA)	Thune
Johnson (CT)	Petri	Tiahrt
Johnson, Sam	Pickering	Trafficant
Jones	Pitts	Upton
Kasich	Pombo	Walsh
Kelly	Porter	Watkins
Kim	Portman	Watts (OK)
King (NY)	Pryce (OH)	Weller
Kingston	Quinn	White
Klug	Radanovich	Whitfield
Knollenberg	Ramstad	Wicker
Kolbe	Redmond	Wolf
LaHood	Regula	Young (AK)
Largent	Riggs	Young (FL)
Latham	Riley	
LaTourette	Rogan	

NOES—187

Abercrombie	Dooley	Kennelly
Ackerman	Doyle	Kildee
Allen	Edwards	Kilpatrick
Andrews	Engel	Kind (WI)
Baesler	Eshoo	Kleczka
Baldacci	Etheridge	Klink
Barcia	Evans	Kucinich
Barrett (WI)	Farr	LaFalce
Becerra	Fattah	Lampson
Bentsen	Fazio	Lantos
Berman	Filner	Levin
Berry	Flake	Lewis (GA)
Bishop	Forbes	Lipinski
Blagojevich	Ford	Lofgren
Blumenauer	Frank (MA)	Lowe
Bonior	Frost	Luther
Borski	Furse	Maloney (CT)
Boswell	Gejdenson	Markey
Boucher	Gephardt	Martinez
Boyd	Goode	Mascara
Brown (CA)	Gordon	Matsui
Brown (FL)	Green	McCarthy (MO)
Brown (OH)	Gutierrez	McCarthy (NY)
Cardin	Hall (OH)	McDermott
Carson	Hall (TX)	McGovern
Clay	Hamilton	McHale
Clement	Harman	McIntyre
Clyburn	Hastings (FL)	McKinney
Condit	Hefner	McNulty
Conyers	Hilliard	Meehan
Costello	Hinchee	Menendez
Coyne	Hinojosa	Miller (CA)
Cramer	Holden	Minge
Cummings	Hoolley	Mink
Danner	Hoyer	Mollohan
Davis (IL)	Jackson (IL)	Moran (VA)
DeFazio	Jackson-Lee	Murtha
DeGette	(TX)	Nadler
Delahunt	Jefferson	Neal
DeLauro	John	Oberstar
Dellums	Johnson (WI)	Obey
Deutsch	Johnson, E. B.	Olver
Dicks	Kanjorski	Ortiz
Dingell	Kaptur	Pascrell
Dixon	Kennedy (MA)	Pastor
Doggett	Kennedy (RI)	Peterson (MN)

Pickett	Scott	Tauscher
Pomeroy	Serrano	Thompson
Poshard	Sherman	Thurman
Price (NC)	Sisisky	Tierney
Rahall	Skaggs	Torres
Reyes	Skelton	Towns
Rivers	Slaughter	Turner
Rodriguez	Smith, Adam	Velazquez
Roemer	Snyder	Vento
Rothman	Spratt	Visclosky
Roybal-Allard	Stabenow	Waters
Rush	Stark	Watt (NC)
Sabo	Stenholm	Wexler
Sanders	Stokes	Weygand
Sandlin	Strickland	Wise
Sawyer	Stupak	Wynn
Schumer	Tanner	

ANSWERED "PRESENT"—4

Coburn	Shadegg
Sanchez	Wamp

NOT VOTING—27

Barrett (NE)	Manton	Schiff
Bereuter	Meek	Souder
Burton	Millender-	Taylor (MS)
Clayton	McDonald	Waxman
Cox	Moakley	Weldon (FL)
Cubin	Owens	Weldon (PA)
Davis (FL)	Pallone	Woolsey
Foglietta	Payne	Yates
Gonzalez	Pelosi	
Maloney (NY)	Rangel	

□ 1838

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MILLENDER-McDONALD. Mr. Speaker, on rollcall No. 560, I was coming down the aisle when the Speaker closed the vote before I was able to cast my vote. Had I been able to vote, I would have voted "no."

PERSONAL EXPLANATION

Mr. PALLONE. Mr. Speaker, on rollcall No. 560, I was in the well of the House Chamber, and the Speaker did not notice that I was trying to vote. Had I been recognized, I would have voted "no."

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Mr. CONDIT. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 293) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. HEFLEY). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 293

Whereas Loretta Sanchez was issued a certificate of election as the elected Member of Congress from the 46th District of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas a Notice of Contest of Election was filed with the Clerk of House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26th, 1997 in Washington, D.C. on April 19th, 1997 in Orange County, California, and October 24, 1997 in Washington, D.C.; and

Whereas the Committee on the House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas or review; and

Whereas, the Committee on the House Oversight should complete its review of this matter and bring the matter forward for the House of Representatives to vote upon and now therefore be it:

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Mr. CONDIT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 212, noes 190, answered "present" 4, not voting 26, as follows:

[Roll No. 561]

AYES—212

Aderholt	Canady	Everett
Archer	Cannon	Ewing
Bachus	Castle	Fawell
Baker	Chabot	Fowler
Ballenger	Chambliss	Fox
Barr	Chenoweth	Franks (NJ)
Bartlett	Christensen	Frelinghuysen
Barton	Coble	Gallegly
Bass	Collins	Ganske
Bateman	Combest	Gekas
Bereuter	Cook	Gibbons
Bilbray	Cooksey	Gilchrest
Bilirakis	Cox	Gillmor
Bliley	Crane	Gilman
Blunt	Cunningham	Goodlatte
Boehkert	Davis (VA)	Goodling
Boehner	Deal	Goss
Bonilla	DeLay	Graham
Bono	Diaz-Balart	Granger
Brady	Dickey	Greenwood
Bryant	Doolittle	Gutknecht
Bunning	Dreier	Hansen
Burr	Duncan	Hastert
Burton	Dunn	Hastings (WA)
Buyer	Ehlers	Hayworth
Callahan	Ehrlich	Hefley
Calvert	Emerson	Hergert
Camp	English	Hill
Campbell	Ensign	Hilleary

Hobson	Hoekstra	Horn	Hostettler	Houghton	Hulshof	Hunter	Hutchinson	Hyde	Inglis	Istook	Jenkins	Johnson (CT)	Johnson, Sam	Jones	Kasich	Kelly	Kim	King (NY)	Kingston	Klug	Knollenberg	Kolbe	LaHood	Largent	Latham	LaTourette	Lazio	Leach	Lewis (CA)	Lewis (KY)	Linder	Livingston	LoBiondo	Lucas	Manzullo	McCollum	McCrery	McDade	McHugh	McKeon	Metcalf
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Mica	Miller (FL)	Moran (KS)	Morella	Myrick	Nethercutt	Neumann	Ney	Northup	Norwood	Nussle	Oxley	Packard	Pappas	Parker	Paul	Paxon	Pease	Peterson (PA)	Petri	Pickering	Pitts	Pombo	Porter	Portman	Pryce (OH)	Quinn	Radanovich	Ramstad	Redmond	Regula	Riggs	Riley	Rogan	Rogers	Rohrabacher	Ros-Lehtinen	Roukema	Royce	Ryun	Salmon	Sanford
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Saxton	Scarborough	Schaefer, Dan	Schaffer, Bob	Sensenbrenner	Sessions	Shaw	Shays	Shimkus	Shuster	Skeen	Smith (MI)	Smith (NJ)	Smith (OR)	Smith (TX)	Smith, Linda	Snowbarger	Solomon	Spence	Stearns	Stump	Sununu	Talent	Tauzin	Taylor (NC)	Thomas	Thornberry	Thune	Tiahrt	Trafficant	Upton	Walsh	Watkins	Watts (OK)	Weller	White	Whitfield	Wicker	Wolf	Young (AK)	Young (FL)
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NOES—190

Abercrombie	Fattah	Maloney (NY)
Ackerman	Fazio	Markey
Allen	Filner	Mascara
Andrews	Flake	Matsui
Baesler	Forbes	McCarthy (MO)
Baldacci	Ford	McCarthy (NY)
Barcia	Frank (MA)	McDermott
Barrett (WI)	Frost	McGovern
Becerra	Furse	McHale
Bentsen	Gejdenson	McIntyre
Berman	Gephardt	McKinney
Berry	Goode	McNulty
Bishop	Gordon	Meehan
Blagojevich	Green	Meek
Blumenauer	Gutierrez	Millender-
Bonior	Hall (OH)	McDonald
Borski	Hall (TX)	Miller (CA)
Boswell	Hamilton	Minge
Boucher	Harman	Mink
Boyd	Hastings (FL)	Mollohan
Brown (CA)	Hefner	Murtha
Brown (FL)	Hilliard	Nadler
Brown (OH)	Hinchey	Neal
Cardin	Hinojosa	Oberstar
Carson	Holden	Obey
Clay	Hoolley	Olver
Clayton	Hoyer	Ortiz
Clement	Jackson (IL)	Pallone
Clyburn	Jackson-Lee	Pascrell
Condit	(TX)	Pastor
Conyers	Jefferson	Pelosi
Costello	John	Peterson (MN)
Coyne	Johnson (WI)	Pickett
Cramer	Johnson, E. B.	Pomeroy
Cummins	Kanjorski	Poshard
Danner	Kaptur	Price (NC)
Davis (FL)	Kennedy (MA)	Rahall
Davis (IL)	Kennedy (RI)	Reyes
DeFazio	Kennelly	Rivers
DeGette	Kildee	Rodriguez
Delahunt	Kilpatrick	Roemer
DeLauro	Kind (WI)	Rothman
Dellums	Kleczka	Roybal-Allard
Deutsch	Klink	Rush
Dicks	Kucinich	Sabo
Dingell	LaFalce	Sanders
Dixon	Lampson	Sandlin
Doggett	Lantos	Sawyer
Doyle	Levin	Scott
Edwards	Lewis (GA)	Serrano
Engel	Lipinski	Sherman
Eshoo	Lofgren	Sisisky
Etheridge	Lowey	Skaggs
Evans	Luther	Skelton
Farr	Maloney (CT)	Slaughter

Smith, Adam	Tanner	Vento
Snyder	Tauscher	Vislosky
Spratt	Thompson	Waters
Stabenow	Thurman	Watt (NC)
Stark	Tierney	Wexler
Stenholm	Torres	Weygand
Stokes	Towns	Wise
Strickland	Turner	Woolsey
Stupak	Velazquez	Wynn

ANSWERED "PRESENT"—4

Coburn	Taylor (MS)
Shadegg	Wamp

NOT VOTING—26

Armey	Martinez	Sanchez
Barrett (NE)	McInnis	Schiff
Crapo	McIntosh	Schumer
Cubin	Menendez	Souder
Dooley	Moakley	Waxman
Foglietta	Moran (VA)	Weldon (FL)
Foley	Owens	Weldon (PA)
Gonzalez	Payne	Yates
Manton	Rangel	

□ 1858

Mrs. MALONEY of New York changed her vote from "aye" to "no."
Mr. REGULA changed his vote from "no" to "aye."

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Mr. BECERRA. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 294) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore [Mr. HEFLEY]. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 294

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that dupli-

cate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, for the fifth time, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Mr. BECERRA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 193, answered "present" 4, not voting 18, as follows:

[Roll No. 562]

AYES—217

Aderholt	Barr	Bilbray
Archer	Bartlett	Bilirakis
Armey	Barton	Bliley
Bachus	Bass	Blunt
Baker	Bateman	Boehler
Ballenger	Bereuter	Boehner

Bonilla	Hayworth	Petri
Bono	Hefley	Pickering
Brady	Herger	Pitts
Bryant	Hill	Pombo
Bunning	Hilleary	Porter
Burr	Hobson	Portman
Burton	Hoekstra	Pryce (OH)
Buyer	Horn	Quinn
Callahan	Hostettler	Radanovich
Calvert	Houghton	Ramstad
Camp	Hulshof	Redmond
Campbell	Hunter	Regula
Canady	Hutchinson	Riggs
Cannon	Hyde	Riley
Castle	Inglis	Rogan
Chabot	Istook	Rogers
Chambliss	Jenkins	Rohrabacher
Chenoweth	Johnson (CT)	Ros-Lehtinen
Christensen	Johnson, Sam	Roukema
Coble	Jones	Royce
Collins	Kasich	Ryun
Combest	Kelly	Salmon
Cook	Kim	Sanford
Cooksey	King (NY)	Saxton
Cox	Kingston	Scarborough
Crane	Klug	Schaefer, Dan
Crapo	Knollenberg	Schaffer, Bob
Cunningham	Kolbe	Sensenbrenner
Davis (VA)	LaHood	Sessions
Deal	Largent	Shaw
DeLay	Latham	Shays
Diaz-Balart	LaTourette	Shimkus
Dickey	Leach	Shuster
Doolittle	Lewis (CA)	Skeen
Dreier	Lewis (KY)	Smith (MI)
Duncan	Linder	Smith (NJ)
Dunn	Livingston	Smith (OR)
Ehlers	LoBiondo	Smith (TX)
Ehrlich	Lucas	Smith, Linda
Emerson	Manzullo	Snowbarger
English	McCollum	Solomon
Ensign	McCrery	Spence
Everett	McDade	Stearns
Ewing	McHugh	Stump
Fawell	McInnis	Sununu
Foley	McIntosh	Talent
Fowler	McKeon	Tauzin
Fox	Metcalf	Taylor (MS)
Franks (NJ)	Mica	Taylor (NC)
Frelinghuysen	Miller (FL)	Thomas
Gallegly	Moran (KS)	Thornberry
Ganske	Morella	Thune
Gekas	Myrick	Tiahrt
Gibbons	Nethercutt	Traficant
Gilchrest	Neumann	Upton
Gillmor	Ney	Walsh
Gilman	Northup	Watkins
Goodlatte	Norwood	Watts (OK)
Goodling	Nussle	Weller
Goss	Oxley	White
Graham	Packard	Whitfield
Granger	Pappas	Wicker
Greenwood	Parker	Wolf
Gutknecht	Paul	Young (AK)
Hansen	Paxon	Young (FL)
Hastert	Pease	
Hastings (WA)	Peterson (PA)	

NOES—193

Abercrombie	Coyne	Frank (MA)
Ackerman	Cramer	Frost
Allen	Cummings	Furse
Andrews	Danner	Gejdenson
Baesler	Davis (FL)	Gephardt
Baldacci	Davis (IL)	Goode
Barcia	DeFazio	Gordon
Barrett (WI)	DeGette	Green
Becerra	Delahunt	Gutierrez
Bentsen	DeLauro	Hall (OH)
Berman	Dellums	Hall (TX)
Berry	Deutsch	Hamilton
Blagojevich	Dicks	Harman
Blumenuauer	Dingell	Hastings (FL)
Bonior	Dixon	Hefner
Borski	Doggett	Hilliard
Boswell	Dooley	Hinchee
Boucher	Doyle	Hinojosa
Boyd	Edwards	Holden
Brown (CA)	Engel	Hooley
Brown (FL)	Eshoo	Hoyer
Brown (OH)	Etheridge	Jackson (IL)
Cardin	Evans	Jackson-Lee
Carson	Farr	(TX)
Clay	Fattah	Jefferson
Clayton	Fazio	John
Clement	Filner	Johnson (WI)
Clyburn	Flake	Johnson, E.B.
Condit	Forbes	Kanjorski
Costello	Ford	Kaptur

Kennedy (MA)	Millender-	Schumer
Kennedy (RI)	McDonald	Scott
Kennelly	Miller (CA)	Serrano
Kildee	Minge	Sherman
Kilpatrick	Mink	Sisisky
Kind (WI)	Mollohan	Skaggs
Kleczka	Moran (VA)	Skelton
Klink	Murtha	Slaughter
Kucinich	Nadler	Smith, Adam
LaFalce	Neal	Snyder
Lampson	Obey	Spratt
Lantos	Olver	Stabenow
Levin	Ortiz	Stark
Lewis (GA)	Owens	Stenholm
Lipinski	Pallone	Stokes
Lofgren	Pascrell	Strickland
Lowey	Pastor	Stupak
Luther	Pelosi	Tanner
Maloney (CT)	Peterson (MN)	Tauscher
Maloney (NY)	Pickett	Thompson
Markey	Pomeroy	Thurman
Martinez	Poshard	Tierney
Mascara	Price (NC)	Torres
Matsui	Rahall	Towns
McCarthy (MO)	Rangel	Turner
McCarthy (NY)	Reyes	Velazquez
McDermott	Rivers	Vento
McGovern	Rodriguez	Visclosky
McHale	Roemer	Waters
McIntyre	Rothman	Watt (NC)
McKinney	Roybal-Allard	Wexler
McNulty	Rush	Weygand
Meehan	Sabo	Wise
Meek	Sandlin	Woolsey
Menendez	Sawyer	Wynn

ANSWERED "PRESENT"—4

Coburn	Shadegg
Sanchez	Wamp

NOT VOTING—18

Barrett (NE)	Lazio	Schiff
Bishop	Manton	Souder
Conyers	Moakley	Waxman
Cubin	Oberstar	Weldon (FL)
Foglietta	Payne	Weldon (PA)
Gonzalez	Sanders	Yates

□ 1920

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. HOOLEY of Oregon. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 295) pursuant to clause 2 of rule IX.

The SPEAKER pro tempore [Mr. HEFLEY]. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 295

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California, and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of indi-

viduals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas, the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Ms. HOOLEY of Oregon. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 212, noes 197, answered "present" 5, not voting 18, as follows:

[Roll No. 563]

AYES—212

Aderholt	Gillmor	Nussle
Archer	Gilman	Oxley
Armey	Goodlatte	Packard
Bachus	Goodling	Pappas
Baker	Goss	Parker
Ballenger	Graham	Paul
Barr	Granger	Paxon
Bartlett	Greenwood	Pease
Barton	Gutknecht	Peterson (PA)
Bass	Hansen	Petri
Bateman	Hastert	Pickering
Bereuter	Hastings (WA)	Pitts
Bilbray	Hayworth	Pombo
Bilirakis	Hefley	Porter
Bliley	Hergert	Portman
Blunt	Hill	Pryce (OH)
Boehlert	Hilleary	Quinn
Boehner	Hobson	Radanovich
Bonilla	Hoekstra	Ramstad
Bono	Horn	Redmond
Brady	Hostettler	Regula
Bryant	Houghton	Riggs
Bunning	Hulshof	Riley
Burr	Hunter	Rogan
Buyer	Hutchinson	Rogers
Callahan	Hyde	Rohrabacher
Calvert	Inglis	Ros-Lehtinen
Camp	Istook	Roukema
Campbell	Jenkins	Royce
Canady	Johnson (CT)	Ryun
Cannon	Johnson, Sam	Salmon
Castle	Jones	Sanford
Chabot	Kasich	Scarborough
Chambliss	Kelly	Schaefer, Dan
Chenoweth	Kim	Schaffer, Bob
Christensen	King (NY)	Sensenbrenner
Coble	Kingston	Sessions
Collins	Klug	Shaw
Combest	Knollenberg	Shays
Cook	Kolbe	Shimkus
Cooksey	LaHood	Shuster
Cox	Largent	Skeen
Crane	Latham	Smith (MI)
Crapo	LaTourette	Smith (NJ)
Cunningham	Lazio	Smith (OR)
Davis (VA)	Leach	Smith (TX)
Deal	Lewis (CA)	Smith, Linda
DeLay	Lewis (KY)	Snowbarger
Diaz-Balart	Linder	Solomon
Dickey	Livingston	Spence
Doolittle	LoBiondo	Stearns
Dreier	Lucas	Stump
Duncan	Manzullo	Sununu
Dunn	McCollum	Talent
Ehlers	McCrery	Tauzin
Ehrlich	McDade	Taylor (MS)
Emerson	McHugh	Taylor (NC)
English	McInnis	Thornberry
Ensign	McIntosh	Thune
Everett	McKeon	Traffant
Ewing	Metcalf	Upton
Fawell	Mica	Walsh
Foley	Miller (FL)	Watkins
Fowler	Moran (KS)	Watts (OK)
Fox	Morella	Weller
Franks (NJ)	Myrick	White
Frelinghuysen	Nethercutt	Whitfield
Gallely	Neumann	Wicker
Ganske	Ney	Wolf
Gibbons	Northup	Young (FL)
Gilchrest	Norwood	

NOES—197

Abercrombie	Cardin	Dixon
Ackerman	Carson	Doggett
Allen	Clay	Dooley
Andrews	Clayton	Doyle
Baesler	Clement	Edwards
Baldacci	Clyburn	Engel
Barcia	Condit	Eshoo
Barrett (WI)	Conyers	Etheridge
Becerra	Costello	Evans
Bentsen	Coyne	Farr
Berman	Cramer	Fattah
Berry	Cummings	Fazio
Bishop	Danner	Filner
Blagojevich	Davis (FL)	Flake
Blumenauer	Davis (IL)	Forbes
Bonior	DeFazio	Ford
Borski	DeGette	Frank (MA)
Boswell	Delahunt	Furse
Boucher	DeLauro	Gejdenson
Boyd	Dellums	Gephardt
Brown (CA)	Deutsch	Goode
Brown (FL)	Dicks	Gordon
Brown (OH)	Dingell	Green

Gutierrez	Mascara	Roybal-Allard
Hall (OH)	Matsui	Rush
Hall (TX)	McCarthy (MO)	Sabo
Hamilton	McCarthy (NY)	Sanders
Harman	McDermott	Sandlin
Hastings (FL)	McGovern	Sawyer
Hefner	McHale	Schumer
Hilliard	McIntyre	Scott
Hinchey	McKinney	Serrano
Hinojosa	McNulty	Sherman
Holden	Meehan	Sisisky
Hooley	Meek	Skaggs
Hoyer	Menendez	Skelton
Jackson (IL)	Millender-	Slaughter
Jackson-Lee	McDonald	Smith, Adam
(TX)	Miller (CA)	Snyder
Jefferson	Minge	Spratt
John	Mink	Stabenow
Johnson (WI)	Mollohan	Stark
Johnson, E. B.	Moran (VA)	Stenholm
Kanjorski	Murtha	Stokes
Kaptur	Nadler	Strickland
Kennedy (MA)	Neal	Stupak
Kennedy (RI)	Oberstar	Tanner
Kennelly	Obey	Tauscher
Kildee	Olver	Thompson
Kilpatrick	Ortiz	Thurman
Kind (WI)	Owens	Tierney
Klecicka	Pallone	Torres
Klink	Pascrell	Towns
Kucinich	Pastor	Turner
LaFalce	Pelosi	Velazquez
Lampson	Peterson (MN)	Vento
Lantos	Pickett	Visclosky
Levin	Pomeroy	Waters
Lewis (GA)	Poshard	Watt (NC)
Lipinski	Price (NC)	Waxman
Lofgren	Rahall	Wexler
Lowe	Rangel	Weygand
Luther	Reyes	Wise
Maloney (CT)	Rivers	Woolsey
Maloney (NY)	Rodriguez	Wynn
Markey	Roemer	
Martinez	Rothman	

ANSWERED "PRESENT"—5

Coburn	Shadegg	Wamp
Sanchez	Tiahrt	

NOT VOTING—18

Barrett (NE)	Gonzalez	Souder
Burton	Manton	Thomas
Cubin	Moakley	Weldon (FL)
Foglietta	Payne	Weldon (PA)
Frost	Saxton	Yates
Gekas	Schiff	Young (AK)

□ 1941

So the motion to table was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. WATERS. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 296) pursuant to clause 2 of rule IX.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore [Mr. HEFLEY]. The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, would it be in order to have the gentleman from Massachusetts [Mr. FRANK], the speed reader, read the next two resolutions?

The SPEAKER pro tempore. Under the rules, the Clerk must read the resolutions.

The Clerk will report the resolution. The Clerk read as follows:

H. RES. 296

Whereas as contested election contest has been pending between Congresswoman Loret-

ta Sanchez and Mr. Robert Dornan since December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California has only met on February 26, 1997 and October 24, 1997 in Washington D.C. and on April 19, 1997 in Orange County, California; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

□ 1945

The SPEAKER pro tempore (Mr. HEFLEY). The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 196, answered "present" 3, not voting 19, as follows:

[Roll No. 564]

AYES—214

Aderholt	Gilman	Packard
Army	Goodlatte	Pappas
Bachus	Goodling	Parker
Baker	Goss	Paul
Ballenger	Graham	Paxon
Barr	Granger	Pease
Bartlett	Greenwood	Peterson (PA)
Barton	Gutknecht	Petri
Bass	Hansen	Pickering
Bateman	Hastert	Pitts
Bereuter	Hastings (WA)	Pombo
Bilbray	Hayworth	Porter
Bilirakis	Hefley	Portman
Bliley	Henger	Quinn
Blunt	Hill	Radanovich
Boehlert	Hilleary	Ramstad
Boehner	Hobson	Redmond
Bonilla	Hoekstra	Regula
Bono	Horn	Riggs
Brady	Hostettler	Riley
Bryant	Houghton	Rogan
Bunning	Hulshof	Rogers
Burr	Hunter	Rohrabacher
Burton	Hutchinson	Ros-Lehtinen
Buyer	Hyde	Roukema
Callahan	Inglis	Royce
Calvert	Istook	Ryun
Camp	Jenkins	Salmon
Campbell	Johnson (CT)	Sanford
Canady	Johnson, Sam	Saxton
Cannon	Jones	Scarborough
Castle	Kasich	Schaefer, Dan
Chabot	Kelly	Schaffer, Bob
Chambliss	Kim	Sensenbrenner
Chenoweth	King (NY)	Sessions
Christensen	Kingston	Shadegg
Coble	Klug	Shaw
Collins	Knollenberg	Shays
Combest	Kolbe	Shimkus
Cook	LaHood	Shuster
Cooksey	Largent	Skeen
Cox	Latham	Smith (MI)
Crane	LaTourette	Smith (NJ)
Crapo	Lazio	Smith (OR)
Cunningham	Leach	Smith (TX)
Davis (VA)	Lewis (CA)	Smith, Linda
Deal	Lewis (KY)	Snowbarger
DeLay	Linder	Solomon
Diaz-Balart	Livingston	Spence
Dickey	LoBiondo	Stearns
Doolittle	Lucas	Stump
Dreier	Manzullo	Sununu
Duncan	McCollum	Talent
Dunn	McCrery	Tauzin
Ehlers	McDade	Taylor (MS)
Ehrlich	McHugh	Taylor (NC)
Emerson	McInnis	Thomas
English	McIntosh	Thornberry
Ensign	McKeon	Thune
Everett	Metcalf	Traficant
Ewing	Mica	Upton
Fawell	Miller (FL)	Walsh
Foley	Moran (KS)	Watkins
Fowler	Morella	Watts (OK)
Fox	Myrick	Weller
Franks (NJ)	Nethercutt	White
Frelinghuysen	Neumann	Whitfield
Gallely	Ney	Wicker
Ganske	Northup	Wolf
Gibbons	Norwood	Young (FL)
Gilchrest	Nussle	
Gillmor	Oxley	

NOES—196

Abercrombie	Bishop	Carson
Ackerman	Blagojevich	Clay
Allen	Blumenauer	Clayton
Andrews	Bonior	Clement
Baesler	Borski	Clyburn
Baldacci	Boswell	Condit
Barcia	Boucher	Conyers
Barrett (WI)	Boyd	Costello
Becerra	Brown (CA)	Coyne
Bentsen	Brown (FL)	Cramer
Berman	Brown (OH)	Cummings
Berry	Cardin	Danner

Davis (FL)	Kaptur	Peterson (MN)
Davis (IL)	Kennedy (MA)	Pickett
DeFazio	Kennedy (RI)	Pomeroy
DeGette	Kennelly	Poshard
Delahunt	Kildee	Price (NC)
DeLauro	Kilpatrick	Rahall
Dellums	Kind (WI)	Rangel
Deutsch	Kleccka	Reyes
Dicks	Klink	Rivers
Dingell	Kucinich	Rodriguez
Dixon	LaFalce	Roemer
Doggett	Lampson	Rothman
Dooley	Lantos	Roybal-Allard
Doyle	Levin	Rush
Edwards	Lewis (GA)	Sabo
Engel	Lipinski	Sanchez
Eshoo	Lofgren	Sanders
Etheridge	Lowey	Sandlin
Evans	Luther	Sawyer
Farr	Maloney (CT)	Schumer
Fattah	Maloney (NY)	Scott
Fazio	Markey	Serrano
Filner	Martinez	Sherman
Flake	Mascara	Sisisky
Forbes	Matsui	Skaggs
Ford	McCarthy (MO)	Slaughter
Frank (MA)	McCarthy (NY)	Smith, Adam
Furse	McDermott	Snyder
Gejdenson	McGovern	Spratt
Gephardt	McHale	Stabenow
Goode	McIntyre	Stark
Gordon	McKinney	Stenholm
Green	Meehan	Stokes
Gutierrez	Meek	Strickland
Hall (OH)	Menendez	Stupak
Hall (TX)	Millender-	Tanner
Hamilton	McDonald	Tauscher
Harman	Miller (CA)	Thompson
Hastings (FL)	Minge	Thurman
Hefner	Mink	Tierney
Hilliard	Mollohan	Torres
Hinches	Moran (VA)	Towns
Hinojosa	Murtha	Turner
Holden	Nadler	Velazquez
Hooley	Neal	Vento
Hoyer	Oberstar	Visclosky
Jackson (IL)	Obey	Waters
Jackson-Lee	Olver	Watt (NC)
(TX)	Ortiz	Waxman
Jefferson	Owens	Wexler
John	Pallone	Weygand
Johnson (WI)	Pascrell	Wise
Johnson, E. B.	Pastor	Woolsey
Kanjorski	Pelosi	Wynn

ANSWERED "PRESENT"—3

Coburn	Tiahrt	Wamp
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NOT VOTING—19

Archer	Manton	Souder
Barrett (NE)	McNulty	Weldon (FL)
Cubin	Moakley	Weldon (PA)
Foglietta	Payne	Yates
Frost	Pryce (OH)	Young (AK)
Gekas	Schiff	
Gonzalez	Skelton	

□ 2005

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Mr. DOOLEY of California. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 297) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. HEFLEY). The Clerk will report the resolution.

The Clerk read as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of

California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California has met only three times; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large numbers of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, for the eighth and last time, I move to table the resolution.

The CHAIRMAN. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Mr. DOOLEY of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 192, answered "present" 4, not voting 28, as follows:

[Roll No. 565]
AYES—208

Aderholt	Gilman	Pappas
Army	Goodlatte	Parker
Bachus	Goodling	Paul
Baker	Goss	Paxon
Ballenger	Graham	Pease
Barr	Granger	Peterson (PA)
Bartlett	Greenwood	Petri
Barton	Gutknecht	Pickering
Bass	Hansen	Pitts
Bateman	Hastert	Pombo
Bilbray	Hastings (WA)	Porter
Bilirakis	Hayworth	Portman
Bliley	Hefley	Quinn
Blunt	Herger	Radanovich
Boehrlert	Hill	Ramstad
Boehner	Hilleary	Redmond
Bonilla	Hobson	Regula
Brady	Hoekstra	Riggs
Bryant	Horn	Riley
Bunning	Hostettler	Rogan
Burr	Houghton	Rogers
Burton	Hulshof	Rohrabacher
Buyer	Hunter	Ros-Lehtinen
Callahan	Hutchinson	Roukema
Calvert	Hyde	Royce
Camp	Inglis	Ryan
Campbell	Istook	Salmon
Canady	Johnson (CT)	Sanford
Cannon	Johnson, Sam	Saxton
Castle	Jones	Scarborough
Chabot	Kelly	Schaefer, Dan
Chambliss	Kim	Schaffer, Bob
Chenoweth	King (NY)	Sensenbrenner
Christensen	Kingston	Sessions
Coble	Klug	Shaw
Collins	Knollenberg	Shays
Combest	Kolbe	Shimkus
Cook	LaHood	Shuster
Cooksey	Largent	Skeen
Cox	Latham	Smith (MI)
Crane	LaTourette	Smith (NJ)
Crapo	Lazio	Smith (TX)
Cunningham	Leach	Smith, Linda
Davis (VA)	Lewis (CA)	Snowbarger
Deal	Lewis (KY)	Solomon
DeLay	Linder	Spence
Diaz-Balart	Livingston	Stearns
Dickey	LoBiondo	Stump
Doolittle	Lucas	Sununu
Dreier	Manzullo	Talent
Duncan	McCollum	Tauzin
Dunn	McCrery	Taylor (MS)
Ehlers	McDade	Taylor (NC)
Emerson	McHugh	Thomas
English	McInnis	Thornberry
Ensign	McIntosh	Thune
Everett	McKeon	Trafficant
Ewing	Metcalf	Upton
Fawell	Mica	Walsh
Foley	Miller (FL)	Watkins
Fowler	Moran (KS)	Watts (OK)
Fox	Morella	Weller
Franks (NJ)	Myrick	White
Frelinghuysen	Nethercutt	Whitfield
Gallely	Neumann	Wicker
Ganske	Ney	Wolf
Gekas	Northup	Young (AK)
Gibbons	Norwood	Young (FL)
Gilchrest	Nussle	
Gillmor	Packard	

NOES—192

Abercrombie	Bonior	Condit
Ackerman	Borski	Conyers
Allen	Boswell	Costello
Andrews	Boucher	Coyne
Baesler	Boyd	Cramer
Barcia	Brown (CA)	Cummings
Barrett (WI)	Brown (FL)	Danner
Becerra	Brown (OH)	Davis (FL)
Bentsen	Cardin	Davis (IL)
Berman	Carson	DeFazio
Berry	Clay	DeGette
Bishop	Clayton	Delahunt
Blagojevich	Clement	DeLauro
Blumenauer	Clyburn	Dellums

Deutch	Kilpatrick	Price (NC)
Dicks	Kind (WI)	Rahall
Dingell	Kleczka	Rangel
Dixon	Klink	Reyes
Doggett	Kucinich	Rivers
Dooley	LaFalce	Rodriguez
Doyle	Lampson	Roemer
Edwards	Lantos	Rothman
Engel	Levin	Roybal-Allard
Eshoo	Lewis (GA)	Rush
Etheridge	Lipinski	Sabo
Evans	Lofgren	Sanders
Farr	Lowey	Sandlin
Fattah	Luther	Sawyer
Fazio	Maloney (CT)	Schumer
Filner	Maloney (NY)	Scott
Flake	Markey	Serrano
Forbes	Martinez	Shadegg
Ford	Mascara	Sherman
Frank (MA)	Matsui	Sisisky
Furse	McCarthy (MO)	Skaggs
Gejdenson	McCarthy (NY)	Slaughter
Gephardt	McDermott	Smith, Adam
Goode	McGovern	Snyder
Gordon	McHale	Spratt
Green	McIntyre	Stabenow
Gutierrez	Meehan	Stark
Hall (TX)	Meek	Stenholm
Hamilton	Menendez	Stokes
Harman	Millender-	Strickland
Hastings (FL)	McDonald	Stupak
Hefner	Miller (CA)	Tanner
Hilliard	Minge	Tauscher
Hinchee	Mink	Thompson
Hinojosa	Mollohan	Thurman
Holden	Moran (VA)	Tierney
Hooley	Nadler	Torres
Hoyer	Neal	Towns
Jackson (IL)	Oberstar	Turner
Jackson-Lee	Obey	Velazquez
(TX)	Olver	Vento
Jefferson	Ortiz	Visclosky
John	Owens	Waters
Johnson (WI)	Pallone	Watt (NC)
Johnson, E. B.	Pascrell	Waxman
Kanjorski	Pastor	Wexler
Kaptur	Pelosi	Weygand
Kennedy (MA)	Peterson (MN)	Wise
Kennedy (RI)	Pickett	Woolsey
Kennelly	Pomeroy	Wynn
Kildee	Poshard	

ANSWERED "PRESENT"—4

Coburn	Tiaht
Sanchez	Wamp

NOT VOTING—28

Archer	Hall (OH)	Pryce (OH)
Baldacci	Jenkins	Schiff
Barrett (NE)	Kasich	Skelton
Bereuter	Manton	Smith (OR)
Bono	McKinney	Souder
Cubin	McNulty	Weldon (FL)
Ehrlich	Moakley	Weldon (PA)
Foglietta	Murtha	Yates
Frost	Oxley	
Gonzalez	Payne	

□ 207

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REREFERRAL OF S. 459 TO THE COMMITTEE ON EDUCATION AND THE WORKFORCE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill, S. 459, and that the bill be referred to the Committee on Education and the Workforce. This bill amends and reauthorizes the Native American Programs Act of 1974.

The SPEAKER pro tempore [Mr. HEFLEY]. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MAKING IN ORDER ON FRIDAY, OCTOBER 31, 1997, OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON S. 858, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. GOSS. Mr. Speaker, I ask unanimous consent that it be in order on Friday, October 31, 1997, or any day thereafter to consider the conference report to accompany S. 858; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

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

There was no objection.

□ 2030

AUTHORIZING SPEAKER TO DESIGNATE TIME FOR RESUMPTION OF PROCEEDINGS ON REMAINING MOTIONS TO SUSPEND RULES CONSIDERED MONDAY, SEPTEMBER 29, 1997

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to designate a time not later than November 7, 1997, for resumption of proceedings on the seven remaining motions to suspend the rules originally considered on Monday, September 29, 1997.

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

There was no objection.

AGREEMENT FOR COOPERATION BETWEEN UNITED STATES AND FEDERATIVE REPUBLIC OF BRAZIL CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—MESSAGE FROM PRESIDENT OF THE UNITED STATES.

The SPEAKER pro tempore (Mr. HEFLEY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)), the text of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Federative Republic of Brazil Concerning Peaceful Uses of Nuclear Energy, with accompanying annex and agreed minute. I am also pleased to transmit my written approval, authorization, and determination concerning the agreement, and the memorandum of the Director of the United States Arms Control and Disarmament Agency with the Nuclear Proliferation Assessment Statement con-

cerning the agreement. The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the agreement and various other attachments, including agency views, is also enclosed.

The proposed agreement with Brazil has been negotiated in accordance with the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 and as otherwise amended. In my judgment, the proposed agreement meets all statutory requirements and will advance the non-proliferation and other foreign policy interests of the United States. The agreement provides a comprehensive framework for peaceful nuclear cooperation between the United States and Brazil under appropriate conditions and controls reflecting a strong common commitment to nuclear non-proliferation goals.

The proposed new agreement will replace an existing United States-Brazil agreement for peaceful nuclear cooperation that entered into force on September 20, 1972, and by its terms would expire on September 20, 2002. The United States suspended cooperation with Brazil under the 1972 agreement in the late 1970s because Brazil did not satisfy a provision of section 128 of the Atomic Energy Act (added by the Nuclear Non-Proliferation Act of 1978) that required full-scope International Atomic Energy Agency (IAEA) safeguards in nonnuclear weapon states such as Brazil as a condition for continued significant U.S. nuclear exports.

On December 13, 1991, Brazil, together with Argentina, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABAAC) and the IAEA signed a quadrilateral agreement calling for the application of full-scope IAEA safeguards in Brazil and Argentina. This safeguards agreement was brought into force on March 4, 1994. Resumption of cooperation would be possible under the 1972 United States-Brazil agreement for cooperation. However, both the United States and Brazil believe it is preferable to launch a new era of cooperation with a new agreement that reflects, among other things:

- An updating of terms and conditions to take account of intervening changes in the respective domestic legal and regulatory frameworks of the parties in the area of peaceful nuclear cooperation;
- Reciprocity in the application of the terms and conditions of cooperation between the Parties; and
- Additional international non-proliferation commitments entered into by the Parties since 1972.

Over the past several years Brazil has made a definitive break with earlier ambivalent nuclear policies and has embraced wholeheartedly a series of important steps demonstrating its firm commitment to the exclusively peaceful uses of nuclear energy. In addition to its full-scope safeguards agreement

with the IAEA, Brazil has taken the following important nonproliferation steps:

- It has formally renounced nuclear weapons development in the Foz do Iguazu declaration with Argentina in 1990;
- It has renounced “peaceful nuclear explosives” in the 1991 Treaty of Guadalajara with Argentina;
- It has brought the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlateloloco) into force for itself on May 30, 1994;
- It has instituted more stringent domestic controls on nuclear exports and become a member of the Nuclear Suppliers Group; and
- It has announced its intention, on June 20, 1997, to accede to the Nuclear Non-Proliferation Treaty (NPT).

The proposed new agreement with Brazil permits the transfer of technology, material, equipment (including reactors), and components for nuclear research and nuclear power production. It provides for U.S. consent rights to retransfers, enrichment, and reprocessing as required by U.S. law. It does not permit transfers of any sensitive nuclear technology, restricted data, or sensitive nuclear facilities or major critical components thereof. In the event of termination key conditions and controls continue with respect to material and equipment subject to the agreement.

From the U.S. perspective, the proposed new agreement improves on the 1972 agreement by the addition of a number of important provisions. These include the provisions for full-scope safeguards; perpetuity of safeguards; a ban on “peaceful” nuclear explosives using items subject to the agreement; a right to require the return of items subject to the agreement in all circumstances for which U.S. law requires such a right; a guarantee of adequate physical security; and rights to approve enrichment of uranium subject to the agreement and alteration in form or consent of sensitive nuclear material subject to the agreement.

I have considered the views and recommendations of the interested agencies in reviewing the proposed agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the agreement and authorized its execution and urge that the Congress give it favorable consideration.

Because this agreement meets all applicable requirements of the Atomic Energy Act, as amended, for agreements for peaceful nuclear cooperation, I am transmitting it to the Congress without exempting it from any requirement contained in section 123 a. of that Act. This transmission shall constitute a submittal for the purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. the Administra-

tion is prepared to begin immediately the consultations with the Senate Foreign Relations and House International Relations Committees as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 30, 1997.

SCHOOL CHOICE

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, just a couple of weeks ago 295 Members of this Congress voiced their support for local schools, for local school board members, for parents and for our children with respect to national testing. We decided, a majority of us in this body, that independent national testing, that parental measures of quality, that school board standards established locally are in fact the best measurements of how our children are succeeding in our schools and how our public education system is delivering quality service. The White House on the other hand persists in pushing forward their plan for government-run national testing defined by bureaucrats here in Washington, another effort by people here in the City of Washington, DC to consolidate education authority in the hands of powerful bureaucrats so far removed from the children in our districts and the schools that we represent here in Congress.

Mr. Speaker, we need to stick to our guns here in the House. The 295 Members need to tell the White House that our schools need to continue to be governed locally.

Mr. Speaker, Congress has a choice.

It can ignore the findings of the 1983 report on education in America—A Nation at Risk—for yet another year.

Or it can get serious and pass real reforms that have the benefit of a proven track record and common sense behind them.

Previous Congresses have chosen to sell out to the special interests and protect the status quo.

The results are there for all to see.

The other side of the aisle is proposing to do exactly that for one more year.

It's always the same story—more money into the very same wasteful bureaucracies with money that taxpayers already forked over the last time the Government asked for more money.

More Federal programs, more bureaucracy, and more control from Washington, DC.

This is the essence of how the other side thinks problems are solved.

It's time to change course. Public schools can compete in a free market—they should be permitted to do so.

It's time to change course.

Competition works.

Greater parental control and less intrusion from Washington means better decisions about how our children are educated.

It's time to give parents school choice.

VOTE DOWN OHIO'S WORKERS COMPENSATION INITIATIVE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, next Tuesday the people of Ohio will vote against Issue 2 to overturn a number of destructive changes that have been made in the State's workers compensation system. Those who favor Issue 2 argue that these changes are constructive reforms. Nothing could be further from the truth. The real intent of these changes is to block legitimate applicants from receiving the benefits they deserve because they have been hurt on the job.

Issue 2 would impose upon applicants a burden of proof that would be almost impossible to meet. It would allow employers to keep their injury, disease and accident reports hidden from the public. It would cut in half the amount of time that claims would remain open for the payment of compensation and medical benefits.

If this law had been in effect in 1995 in Ohio, 9 out of 10 persons who received total permanent disability would have been rejected.

It is a total fraud to call Issue 2 a reform of Ohio's workers compensation system. It is a takeaway law that tries to convince working people in Ohio to take away rights and benefits they have had for 80 years. Stand up for injured workers. Vote down Issue 2.

Issue 2 is opposed by a broad-based coalition of citizens and municipal organizations such as the Parma City Council. I request that this Emergency Resolution from the Parma City Council be entered into the CONGRESSIONAL RECORD.

RESOLUTION NO. 306-97

By: Susan M. Straub, Deborah Lime, Sam C. Bonanno, Dean E. Depiero, Roy J. Jech, J. Kevin Kelley, Paul T. Kirner, John R. Stover, Anthony Zielinski.

A Resolution opposing Senate bill 45—Workers' Compensation Reform Bill and urging voters to vote “No” on Issue 2 on November 4, 1997, and Declaring an Emergency

WHEREAS, the Ohio legislature and Governor Voinovich have decided to tap compensation payments to workers injured or diseased on the job; and,

WHEREAS, the most severe benefit cuts are: 1) decreasing benefits to those with permanent partial disabilities; 2) denying coverage to workers who contract occupational cancers and other occupational diseases; 3) denying coverage for those who suffer from carpal tunnel or other repetitive motion injuries; 4) decreasing non-working wage loss from 200 weeks to 26 weeks; and,

WHEREAS, a coalition of public interest, labor, and injured worker organizations turned in 415,000 signatures on petitions to the secretary of state on July 21, 1997, forcing a referendum on the so-called Workers' Compensation Reform Bill (SB 45) signed by Governor Voinovich in the spring; and,

WHEREAS, the signatures mean that for the first time since 1939, Ohioans will be able to go to the polls and VOTE “NO” on anti-injured workers legislation;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That this Council of the City of Parma has determined that Senate Bill 45—Workers' Compensation Reform Bill will negatively impact those citizens who have suffered injuries and diseases as a consequence of their employment, and thus, urging voters to vote "no" on Issue 2 on November 4, 1997.

Section 2. That the Clerk of Council be, and he hereby is, directed to forward a certified copy of this Resolution to Governor George V. Voinovich, Congressman Dennis Kucinich, Senator Gary C. Suhadolnik, Senator Patrick A. Sweeney, Senator Judy B. Sheerer, State Representative Ron "Mickey" Mottl, and State Representative Dale Miller.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary as the general election will be held November 4, 1997, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

Passed: September 22, 1997, Charles M. Germana, President of council.

Attest: Michael F. Hughes, clerk of council, approved: September 23, 1997.

Filed with the Mayor: September 23, 1997, Gerald M. Boldt, Mayor, City of Parma, Ohio.

I, Michael F. Hughes, Clerk of Council, City of Parma, County of Cuyahoga and State of Ohio, hereby certify this to be a true and correct copy of Resolution No. 306-97, passed by Parma City Council on the 22nd day of September, 1997.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HEFLEY). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. MORELLA] is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, October is Breast Cancer Awareness Month. Throughout this month, the Congressional Caucus for Women's Issues has sponsored special orders to urge our colleagues to work with us to increase funding for breast cancer research, treatment, and prevention, and to expand insurance coverage for screening and treatment.

Last year, an estimated 182,000 women were diagnosed with breast cancer, and 46,000 died of the disease. One

in eight women will develop breast cancer in their lifetimes. It continues to represent the most frequent major cancer in women and the second leading cause of cancer deaths in women.

Despite the increases in funding for breast cancer research and prevention in recent years, we still have few options for prevention and treatment. For this reason, the gentlewoman from New York [Mrs. LOWEY] and I have introduced H.R. 1070, The Breast Cancer Research Act of 1997. This bill authorizes \$590 million for breast cancer research at the National Institutes of Health for fiscal year 1998, which is an increase of 35 percent. This funding level is recommended by the National Breast Cancer Coalition and the American Cancer Society. The bill has been cosponsored by a bipartisan group of Members.

Many worthy research proposals go unfunded each year, and a greater Federal investment in this research will attract more top scientists to this effort. I urge my colleagues who are speaking tonight and I urge my colleagues in this House to add their names as cosponsors of this important bill.

I am pleased that the House approved the fiscal year 1998 Labor, Health, and Human Services Education Appropriations bill, which has a 6-percent increase in funding for the National Institutes of Health. The Senate has approved an even higher increase of 7.5 percent. I particularly thank the chairman, the gentleman from Illinois [Mr. PORTER], for his leadership in working to bolster our Federal investment in biomedical research, including breast cancer research, as well as the members of his subcommittee, including three members of the Women's Caucus, the gentlewoman from New York [Mrs. LOWEY], the gentlewoman from California [Ms. PELOSI], and the gentlewoman from Connecticut [Ms. DELAURO].

The National Cancer Institute receives the highest funding increase of all the institutes in the bill. I hope that a final version will be forthcoming very soon. We must also work to better translate new research findings to clinical applications both through a greater focus on clinical research and through technology transfer.

As chair of the Subcommittee on Technology, I have been working to facilitate technology transfer between Government agencies and the private sector. Efforts such as the "missiles to mammograms" project between the Public Health Service, the Department of Defense, the intelligence community, and NASA are critically important in applying new technologies to the fight against breast cancer.

Earlier this year, the gentlewoman from New York [Mrs. LOWEY] and I circulated the congressional letter urging the Appropriations National Security Subcommittee to provide \$175 million for the peer-reviewed breast cancer research program at the Department of Defense, a letter cosigned by 170 of our

colleagues, many of whom are here this evening. And while this final conference report fell short of that mark, I wanted to commend Chairman YOUNG for his role in increasing spending for the program to \$135 million in the final version.

The peer-reviewed breast cancer research program has gained a well-deserved reputation for its innovation and efficient use of resources, with over 90 percent of program funds going directly to research grants. We must continue to increase our investment in this important program.

Access to mammography screening is another critical issue. The caucus had a major victory in August, when Congress approved the Balanced Budget Act, which includes annual coverage for mammography screening under Medicare. This has been a longtime caucus priority. And I was pleased to be an original cosponsor of both the Kennelly bill to provide annual coverage, as well as a cosponsor of the bill, H.R. 15, of subcommittee chairman, the gentleman from California [Mr. THOMAS], which provided for a number of preventive benefits, including annual mammography screening.

As of last fall, the breast and cervical cancer screening program had provided more than 1.2 million breast and cervical cancer screenings, education and followup services for low-income women across the country. While this program has been successful, we must ensure that efforts to reach disabled and disadvantaged and minority populations are expanded. As an interesting number of mastectomies and lymph node dissections are performed as outpatient surgery, Congress should ensure that women receive hospital care. Breast cancer has been a bipartisan priority within the caucus and for our male colleagues. I look forward to working with all of our Members to increase our commitment to it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KUCINICH] is recognized for 5 minutes.

[Mr. KUCINICH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

[Mr. SAXTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Washington [Mrs. LINDA SMITH] is recognized for 5 minutes.

[Mrs. LINDA SMITH of Washington addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine [Mr. ALLEN] is recognized for 5 minutes.

[Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. ENGLISH] is recognized for 5 minutes.

[Mr. ENGLISH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont [Mr. SANDERS] is recognized for 5 minutes.

[Mr. SANDERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. McNULTY] is recognized for 5 minutes.

[Mr. McNULTY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

[Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

H.R. 135 AND BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. MALONEY] is recognized for 5 minutes.

Mr. MALONEY of Connecticut. Mr. Speaker, as October is Breast Cancer Awareness Month, I rise to reflect on those loved ones we have lost to breast cancer and to offer my support to those who are struggling with the disease. I also rise to strongly urge an important legislative response to this killer disease.

Whether we are aware of it or not, all of us know at least one person who has been affected by breast cancer. The prevalence of this disease is underscored by some truly alarming statistics. Breast cancer is the most common form of cancer in women in the United States. And as was mentioned a minute ago, one in eight women will be diagnosed with the disease in her lifetime. In my home State of Connecticut alone, 2,000 women will be diagnosed with breast cancer in 1997 and approximately 480 women, unfortunately, will succumb to this illness.

Finding a way to eradicate breast cancer must be a national priority. It is imperative that the public and private sectors continue to devote sufficient resources for research activities aimed at finding a cure. I would like to commend my colleagues for their efforts to pass the fiscal year 1998 Labor, Health and Human Services Education Appropriations bill, which provides a \$764.5 million increase over last year's level for the National Institutes of Health and \$124 million more for the National Cancer Institute.

Until we find a cure, however, we must ensure that those living with breast cancer have access to quality health care services. New drugs and therapies are being developed to ease the suffering of breast cancer victims and help them lead normal lives. However, as my colleague, the gentlewoman from Connecticut [Ms. DELAURO] eloquently stated on the floor of this House the other night, some managed care organizations are providing inadequate coverage for hospital stays after women undergo mastectomies.

I find it unconscionable that managed care staffers whose knowledge of medicine is often limited and whose decisions are influenced by financial considerations are forcing women out of hospitals in their time of need. The results of a study conducted on this matter by the Connecticut Office of Health Care Access are stunning. The report revealed that the average length of a hospital stay for breast cancer patients in Connecticut and across the Nation is decreasing, and it is falling faster for mastectomies than for other inpatient discharges. We must act to halt this unacceptable trend. Breast cancer patients face life-and-death decisions, and they should be afforded the peace of mind that comes with adequate coverage of services.

The gentlewoman from Connecticut [Ms. DELAURO] and I, together with 194 of our colleagues, have introduced legislation to address this problem. I am proud to be a cosponsor of the Breast Cancer Patient Protection Act, critical legislation which provides important safeguards for those afflicted with breast cancer. This measure will guarantee coverage of a maximum hospital stay of 48 hours for a woman having a mastectomy and 24 hours for a woman undergoing a lymph node removal. This is the least we can do for patients who have just endured a traumatic and painful surgical procedure. And consistent with other efforts to regulate managed care plans, and ensure quality health care, this legislation helps to empower women to make their own health care choices, and gives doctors the ability to make appropriate medical decisions.

Unfortunately, the Congress has not taken action on this legislation. The Sapien Health Network has created a web page and is asking people to sign their "Breast Cancer Care" petition urging Congress to schedule hearings on the Breast Cancer Protection Act. Thousands of Americans have contacted that website to express their support for this critical legislation.

□ 2045

This web site also contains a number of testimonials from breast cancer survivors, patients, and family members of victims.

I would like to close by reading the moving statements of two Connecticut residents whose lives have been touched by breast cancer. One reads: "I am a breast cancer survivor who was fortunate enough to have my reconstruction covered by my insurance company, thanks to some careful wording by my plastic surgeon. I had my mastectomy and reconstruction at the same time just 4 years ago, and my surgeon said that I would be in the hospital 4 to 5 days. I can't imagine going home any sooner, especially with the drains still in me. Unfortunately I developed an infection and stayed 21 days. What if that infection hadn't shown up before I was sent home?"

Another Connecticut resident writes: "In May of 1997, I was diagnosed with breast cancer. Fortunately it was detected through a mammogram at a very early stage. I've had a lumpectomy, lymph node dissection, and radiation. The laws need to be supportive and realistic. These are our mothers and sisters and wives and daughters that we're talking about."

Mr. Speaker, now is the time for us to intensify our efforts to eliminate breast cancer. I urge my colleagues to support the Breast Cancer Patient Protection Act.

The SPEAKER pro tempore (Mr. MCCOLLUM). Under a previous order of the House, the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

[Mr. EWING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ACLU AT IT AGAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, last Thursday in one of our Nation's leading daily newspapers, the Christian Science Monitor, was this paragraph:

"The ACLU is at it again. The organization that opposes school uniforms, obstructs teen curfews, fights metal detectors at airports, and challenges restrictions on child pornography is now turning its legal firepower against single-sex public schools."

As the headline in the Monitor said, "Single-sex schools are a form of diversity." The Christian Science Monitor is not a conservative publication. Also, even many liberals like columnist William Raspberry and others have praised single-sex schools.

People should be free to go to any type of school they want to go to or their parents want them to go to. But everyone should realize how elitist and left wing the ACLU has become, how out of step with the American people it is. It basically has become an organization that is supported by rich socialists.

They fight against school prayer and in favor of child pornography. What a group. Then they try to portray themselves as a pro bono public interest group and then demand \$6.7 million, \$450 an hour, for legal work in their suit against the Citadel. The ACLU charged \$105,000 just to prepare the bill in that case, so now all the students at the Citadel will have to pay higher fees for their college education, thanks to the ACLU.

While I am speaking about the type of education our children receive and the choices or options they have, let me also mention last week's White House Conference on Day Care. Columnists Linda Chavez and Mona Charen both wrote about this conference and the harmful effects of placing small children into institutional day care.

Linda Chavez wrote, "From everything we know about child development, it's a good thing more children, especially infants, are not being cared for in institutional settings. Babies and very young children need the kind of personal attention and care giving that is impossible to find in a day care center no matter how well-intentioned or well-meaning the staff."

She quoted Dr. Stanley Greenspan, a professor of pediatrics and psychiatry at George Washington University, who wrote recently in the Washington Post, "In the rush to improve and increase child care, we are ignoring a more fundamental reality: Much of the child care available for infants and toddlers in this country simply isn't good for them."

Among his reasons were a lack of continuity with one care giver and lack of prolonged interactions between child and adult. In other words, babies and small children need, desperately need and desperately want, much more individualized attention than is possible even in the best, most expensive day care center.

Mona Charen went on to write: "American families are creative. Though we hear endless calls for more and better child care, 66.7 percent of mothers with children under age 6 are full-time mothers or are employed part-time. They are not crying out for more institutional child care. What they do need are tax breaks, flex-time, work-at-home options, telecommuting and job sharing."

She goes on to say this: "The notion of a child care crisis is a myth. We now have expert testimony like that of Dr. Greenspan and other experts cited by the Clintons themselves to bolster the common-sense intuition that parents are the best guardians of young children. The goal of public policy ought to be to ensure that as many parents as possible are free to make that choice."

The thing that would help children the most, Mr. Speaker, would be to drastically decrease the cost of government. Today the average person is paying almost half of his or her income in taxes of all types, Federal, State and local.

Thus, as several commentators have noted, today one spouse has to work to support the government while the other spouse works to support the family. Many families who would like to spend more time with their children simply do not have the option because of our big government, the Nanny State we have created. Our children would be far better off today, Mr. Speaker, if we drastically downsized our government and drastically decreased its cost and left more money for parents to spend on their own children and less on government bureaucrats. Our children will be far better off with less government and more time with and attention from their parents.

WHAT A DIFFERENCE 4 YEARS MAKES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Dakota [Mr. THUNE] is recognized for 5 minutes.

Mr. THUNE. Mr. Speaker, this last weekend as I do most weekends, I went back to my home State of South Dakota and had the opportunity to participate in the annual governor's pheasant hunt, which was a huge success in spite of the weather. It is always a great reminder and a great opportunity for me to get away to clear my head, get out in the beautiful country, in the fall in South Dakota, which is a wonderful time of the year, and participate in an activity which has become a trademark and something that is very much a part of our culture in

my State of South Dakota. Oftentimes as I travel in my State when I am back home I will hear from some of my conservative friends who express frustration at the fact that sometimes Washington has not come, or that we have not done enough in terms of changing the culture of this city, that we are not making progress fast enough. What I often try to remind them of is what a difference 4 years has made.

As I look at the progress that has been made here in the last 4 years, I think it is important to keep in perspective from where we have come so we know where we are going. Four short years ago, we had a President who was trying to invent a national health care system, where the government, this huge bureaucracy, would take over the health care system in this country. We saw the largest tax increase in the history not only of this country but, as someone has said, I believe a Senator, the biggest tax increase in the history of the world. And now in 4 short years and after the 1994 election, when those policies were repudiated and the Republicans took majority of the Congress, we began to take action to reverse the culture of this city, and it changed the value system that we have here.

I would like to think that the values that we have brought here as a matter of value, that bigger is not necessarily better and that smaller is better in the area of the Federal Government and that my kids are infinitely better off if we have a Federal Government that is more efficient, more responsive and a better value for the taxpayers. As a basic statement of values, that it is not the government's money, it is in fact the people of this country's money, and they ought to be able to best determine how those dollars are spent. Furthermore, that we do not need Hollywood, as the Vice President suggested last week, to force us to consider what our values ought to be. But as a matter of fact, that we want to give a more active role to parents, to families, to churches, to communities, to allow parents to spend more time with their families so they will not have to work 3 jobs by giving them a lower tax structure so they can have the important role in shaping the values of the future of our country and the future of our kids.

These are the things that I think we are making and the areas where we are making historic progress, as we consider the accomplishments of the past 4 years, welfare reform, the first balanced budget in some 30 years, the first tax relief, lower taxes on American families and businesses and people who are farmers and ranchers in my State for the first time in 16 years. Medicare reform. So many issues we have tackled in this Congress and progress we have made.

The short of it is I believe for the first time in a generation, we have taken bold steps to shift power out of Washington, D.C. and back home to the

folks who really need to be in a position to make the decisions that affect their daily lives. These are important steps. This is progress that we have made. There is a lot of room to go and a lot of room for improvement here. Those are the things that we are going to continue to work on.

I think as we look into the next year and the challenges that are ahead of us, we have to do something to destroy the Tax Code that has become an abomination to the people of this country. In a very bold way, I believe that we are going to take on the issue of reforming the IRS and restructuring it and then taking this Tax Code and making it simpler and fairer and more practical for the American public. We are going to look at areas like education and making important reforms to, as a matter again of values, say that parents should have more input in how their kids are educated, that the taxpayers ought to get the best possible value that we can out of our education dollar and that we want to see the optimum, the very best quality of education for our kids.

Those are important priorities for us and those are things that we are going to continue to move forward. We have made an important beginning here in the past 4 years. As a Republican majority in the Congress when we took over in 1994, these are accomplishments to which we can point with pride.

I think it points also to the need to continue to build upon a vision for the future which envisions a Federal Government which again is smaller and more responsive, more efficient, and a recognition that it is in fact the people of this country and their initiative and when we give them the opportunity to keep more of what they earn, that they will do what is in the best interest not only of themselves and their family but they will also work in the areas of their communities to make this a better place in which to raise their kids, in which to build a better future for this country.

I look forward to being a part of these initiatives that we are going to continue to work on to build upon the progress that has been made and to continue down the path into the future. We have had a great beginning. We now need to move forward.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 5 minutes.

[Mr. WELDON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

IN MEMORY OF THE LATE HONORABLE WALTER H. CAPPS OF CALIFORNIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Oregon [Ms. HOOLEY] is recognized for 60 minutes as the designee of the minority leader.

Ms. HOOLEY of Oregon. Mr. Speaker, I would like to especially thank the gentleman from Wisconsin [Mr. NEUMANN], who allowed us to go first so we may honor our friend and fellow colleague Walter Capps.

I would like to begin this special order with a moment of silence in honor of our friend.

Mr. Speaker, a number of Members, especially some of the Members of the freshman class who were very close to Walter wanted to pay a special tribute to him tonight. It seems particularly appropriate that we should share a moment of quiet reflection for a man whose reflective, thoughtful style was at odds with the often noisy, clamorous tenor of this body.

Even amongst the freshman class, there is a great deal of diversity in the ways my colleagues make decisions. While high-minded ideals play a part in every public servant's decisions, there are few Members who sought a moral grounding for their judgments more seriously and persistently than Walter Capps.

He was once quoted as saying, "The question is, What will I do? Am I being true to who I am? If I go this way, will I have violated anything that is essentially human?" Plainly Walter's humanism, his morality, his seriousness, his rectitude raised the business of the legislature to a higher level. He reminded us all about our reasons for coming to Congress in the first place. Walter was a different breed, a renaissance man cut from the same cloth from which I would like to imagine that the giants of our Republic's history came.

Yesterday on the floor I recalled one of my favorite stories about Walter, how he had told me that when he was laid up from a serious accident and unable to campaign, he had written a book. How remarkable in this age of hard and fast campaigning. I was almost mystified that he could have found time to do such a thing. Later, I learned that it was his 14th book.

By now even those of us who were not lucky enough to have known Walter in the short time here have through his tragedy of death come to realize how greatly he will be missed. I will miss him both professionally and personally. I will miss his bipartisanship and his intelligence. I will miss his warmth and his good humor.

Congressman Capps' spirit will live on among the Members of this freshman class. He will live through the work that we do. His early and unfortunate death deprived us of something wonderful, but the example that he set for all of us during his time here leaves us something wonderful to live up to.

Mr. Speaker, I yield to the gentleman from North Carolina [Mr. PRICE].

□ 2100

Mr. PRICE of North Carolina. I thank the gentlewoman for yielding and for organizing this special order tonight.

Mr. Speaker, Walter Capps brought rare qualities of insight and grace to political life and to his service among us. In his short time here, he touched us individually and as an institution in ways reflected in the remarkable outpouring of grief and tribute we have witnessed since Tuesday. Walter was, as the President said, a rare soul, and we are much the poorer for his passing.

I first met Walter Capps some 35 years ago at Yale University, where he was a graduate student in religious studies and I was a fellow student of his wife, Lois, and brother, Don, in the Divinity School. Walter went on to a career distinguished for the quality of his teaching and writing and research, and far-reaching in its impact on students and colleagues and in the Santa Barbara community.

His would have been a rich and full life had he never been drawn into politics, but the fact that he took on the challenge of this new career speaks volumes, not only about his remarkable and diverse talents, but also about his openness to the leading of the Spirit and his powerful sense of moral obligation.

It was not as though membership in the Congress fell into Walter's lap. Walter fought two hard campaigns and was preparing for another. He came back from a difficult loss in 1994 and a horrible automobile accident in 1996. His manner was genial and gentle, but those qualities were combined with a bedrock of conviction and courage and persistence.

He was in politics for the right reasons, but he knew that the values and purposes he brought to political life would not prevail without a struggle. With Lois at his side, he was willing to make that struggle, and our country and this institution are the better for it.

When I returned to the House after the 1996 election, Walter Capps was one of the new Members I was most eager to meet. This was partly because of our shared background, of course, but also because of the unique career path and remarkable talents that brought him to this place. I was privileged to become his friend here, as were so many colleagues to whom Walter reached out with an insatiable curiosity about the people and issues with which he was working, a cooperative and generous spirit, and great good humor.

Walter Capps cared deeply about uplifting minds and spirits. He succeeded because his own spirit was centered and at peace. He had much to give, and he gave without measure.

We are deeply saddened that Walter's time among us was so abruptly cut short, but we rejoice in a life fully and usefully lived, and we are heartened that a man like Walter Capps could be elected and could grace this House and our service with his presence.

In the words of the Apostle Paul, we thank God upon every remembrance of him.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield time to the gentleman from Florida [Mr. DAVIS].

Mr. DAVIS of Florida. Mr. Speaker, tonight is an evening for us to give thanks for the remarkable life of Walter Capps. It is also an opportunity for us to express appreciation to Walter's constituents in Santa Barbara and the communities he represented, to thank them for sending Walter to Congress to serve with us. It is further an opportunity to reflect on the unique attributes of Walter Capps.

Walter stood out in a body of very, very strong-willed people as being an extremely strong-willed person himself. How else can you explain the fact that Walter succeeded in getting elected to Congress while spending a few months in a hospital bed with very serious injuries?

Yet what made Walter stand out was the fact that while he was a very strong-willed person, he was also a very selfless person. I was struck on the several times that I talked with Walter by the fact that there was absolutely no sense of ego in this man, simply a determination to do his job.

Walter invested himself in learning the issues. Walter invested himself in trying to understand how to make this a better place within which to do the people's business. This is because Walter, above all, believed in the power of knowledge. He believed in the power of ideas, and his weapon here on the floor of the House of Representatives was his knowledge of the issues and his ability to use his intellect to convince others on the merits of issues.

One of the other things I will always remember about Walter Capps is his remarkable peace of mind. Amid the sound and fury that often characterizes this body, Walter had a certain calm about him which most of us can only envy.

That calmness in Walter Capps can clearly be attributed to a very rich and deep spiritual life, which he shared with many through his writings and his teachings in Santa Barbara, and also a quite remarkable sense of self-knowledge.

Walter Capps knew who he was. Walter Capps knew what he believed. Walter Capps understood quite clearly what gifts he had been endowed with, and he knew how to use them. He came here to simply get the job done. Above all, Walter was a teacher, and we were just beginning to learn from Walter in so many ways. So in the short time we had to get to know Walter, we have learned a lot.

To Walter, and to Lois, and to the Capps family and to the constituents that sent him here, we thank you for the chance of having had the opportunity to serve with him.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentleman from California, [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, it does not seem possible that it has just been one year that we had the good fortune

to know Walter in the people's House, the House of Representatives. In some ways, I feel like I knew him very well in that one short year, and I thought, well, why is that? Because our districts are kind of neighbors? Well, maybe that is so.

Because we are one of, I think, only two Swedish-Americans in the House of Representatives and we used to tease each other about that? Maybe that is the truth. But as I think about it, I think I feel I know Walter very well because we all do, because he took the time to share himself with each of us and not just with us, with his constituents.

I think about what we have lost and what his constituents have lost, what his family has lost, and I also think what we have gained.

When I think of Walter, I think of several things. I think of his integrity, and I remember sitting here on this floor when we would be casting our votes and for the freshmen Members, trying to make those fine decisions, trying to understand all of the forces at play, and Walter would say something like, "I think the right thing to do is this." Not the political thing, not the popular thing, but "I think the right thing is to do this." And then he would do that thing.

I think of Walter as a sparkley-eyed person, and I think of the jokes that he and Reverend Ford used to tell, sometimes in Swedish so the rest of us would not understand, and the jokes that he would tell. He proved up the truth that you can have values and integrity, but you don't have to be grim and not fun to be around.

I think about Walter as a modest and egalitarian person, who treated the most modest person from his district or on the street as the owner of the country, who did not put the rich or the powerful or the important on any higher pedestal than the least person he ever met. And it is those values that we got from Walter. It is that that he gave to us.

Where does a person get their life, their attitude towards life? Surely from their values. In Walter's case, from his faith. I also think his severe accident really had a very large impact on him. He talked to me, and I think to many perhaps, about how it made him understand in a very real way how precious life is, when he had confronted the fact that he was really not expected to live, but he fought his way back.

After that, he took, without ever telling anyone, no press, never made much of it, but he always made a point to go back and visit the rehabilitation center where he spent those months and to visit with the people who were still there or who had become ill since he had left and to give them some hope, just by being there, that he had made it and they could, too.

Finally, I think of Walter as someone who loved his family in a way that was very special. I think of him and Lois

walking these floors at night when the votes were going, because Lois was here as his life partner, but also his values partner. I think of the pride that he had in his children and how he would share that pride and how wonderful that was, and I think of how honored he felt that his neighbors had selected him to come here for a short while to represent them, to trust his values to be translated in their behalf.

He knew that all of us are here passing through at the request of our neighbors to do the people's will. He did not know it would be just for one year. In that one year, he has done more than many do in decades.

For that, Walter, we all thank you, honor you, and thank your family.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield time to the gentlewoman from New York, [Mrs. MCCARTHY].

Mrs. MCCARTHY of New York. Mr. Speaker, as you can hear from all of our colleagues, Walter Capps, Congressman Walter Capps, was a wonderful person. Again, I am a freshman, and I can remember meeting him for the first time during orientation.

I was scared during those days, because it was the first time that I had come here to try and work and do the people's work, and I remember sitting next to Walter, and he kind of saw me shaking and said, "Are you okay?" I said I don't know. I hope I can do this job. And he goes, Carolyn, you got here. You will do it, and you will do it fine.

Well, we are here almost 11 months and Walter had become my teacher, and for that I thank him. I loved walking from the halls to here while we would talk about what was going on in our lives and what was going on back in our district. For those things, I thank him for very deeply.

The one thing about Walter, he was a quiet man, but he was a giant. We have had a lot of extremely important people here, and more important people will come and do great things. Walter would have been one of those people. We will never know.

Yesterday, I was going over my desk and I saw that I had signed on on a bill with Walter, because he was always working to try to make life better for people. I think all of our colleagues will work to make sure his name is on that bill and that bill will pass. That will be our legacy to Walter and to his family. I thank you so much. We will all miss Walter.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield time to the gentleman from New Jersey, [Mr. ROTHMAN].

Mr. ROTHMAN. Mr. Speaker, I thank Congresswoman HOOLEY for putting together this tribute to our friend, the late Walter Capps.

First of all, I would like to extend my heartfelt condolences to Lois and Walter's children. We can only imagine how you are feeling. You have our thoughts and our prayers.

Walter Capps lived a very rich and vigorous life, serving his community in

many different ways. As a young man in Omaha, Nebraska, he learned the value of a hard day's work with Union Pacific Railroad by delivering newspapers and by painting houses.

As a professor of religious studies at the University of California Santa Barbara, he emerged as a national leader in the study of peace and conflict, veterans affairs, and America's democracy.

While at the University of California Santa Barbara, he also developed one of the first college curriculums on the history, experience and ramifications of the Vietnam War. He was active with his community, service organizations in the Santa Barbara area and in his own Lutheran church.

Walter epitomized the kind of person we all want to be, not only as Members of Congress, but as human beings. In a time when petty partisanship engulfs this body so often, too often, and prevents the Congress, many times, from doing the people's work, it was such a gift to be able to look over and see Walter Capps, a man who exuded humility and compassion and grace.

He refused to subscribe to the lowest common denominator of discourse. He spoke from the heart, always challenging us to see the big picture and to work for a world where harmony, reconciliation and thoughtfulness were to be more common than anger, conflict, and ignorance.

□ 2115

While campaigning to represent the people of the 22nd Congressional District of California, Walter Capps often spoke of the broken bond of trust between the people of the United States and their government. He believed that Americans deserved a government as good as the people it served, and that idealism has a place in Washington, DC.

In the memory of Walter Capps, I challenge each and every Member of this great House, and every Member of the United States Senate, to seize this sense of idealism and to begin to work for a Nation that Walter would have been proud of, a place where social divisions melt away into a national community, where we come together to solve our problems in a constructive, thoughtful, and compassionate manner.

I remember first meeting Walter in our freshman orientation sessions. I am 5 feet 8½ inches, and Walter was tall, but he was a giant, as the gentlewoman from New York, Mrs. CAROLYN MALONEY, said, in other ways. When you met him, you knew that here was just a great person, a great man; smart, smarter than all of us, but he was so kind. He was so humble. He really was a beautiful human being. You were almost in awe of him when you spoke with him, because he was so smart, he was so well-read, he was so knowledgeable, but he was tolerant of all of us, short people, smaller people, and I do not just mean in height.

He had great intelligence, humility, gentleness, grace, maturity, and eyes that bespoke a great love of life. It was a tremendous honor to serve this Nation with Walter Capps, and to have gotten to know him and work with him, however briefly. I will miss him. I think I will always miss him, and his loss is a wound that will never heal.

It is my hope and prayer that this House will carry on his legacy, and will always remember and live up to his expectations and grand vision of the potential of the United States of America and the potential of the human race.

Ms. HOOLEY. Mr. Speaker, I yield to the gentleman from Iowa [Mr. BOSWELL].

Mr. BOSWELL. Mr. Speaker, 50-plus some hours ago we were stunned, 2 days and a little bit, when we heard in this Chamber, the people's Chamber, that one of ours had left us, had left this earth. Many of us had many mixed feelings. For me, I still struggle with it somewhat.

We shared a lot, I guess because we are the oldest ones of our class. I told him, though, I was the oldest. He said, well, we have got to check that. So we did, from time to time, as if he would have forgotten. Of course, he did not. But we talked probably about every day about something, sometimes just to share a little joke, or whatever, but we seemed to touch one another on a regular basis.

I know, Lois, if you are watching us through this great medium of television and satellite and so on, and the people in California, it is our opportunity to share with you about how this man touched our lives.

He came to this, the people's House, after many years, and probably never on his want list of things to do. But finally the time came, whatever the circumstance was, and he probably knew within him that life experience had shared with him things that he could come and share with us; that he could come and represent the people of his district and bring a balance, some levity, at times, but bring some sincere, deep feelings about what America is all about.

He was a theologian, a writer, and I think he practiced what he believed. Behind our Speaker is that beautiful flag that Walter loved, and just above our Speaker's head are those words, "In God We Trust." As the Speaker and as I look across, we look into a picture of Moses. I think those things were very, very important to Walter Capps.

He tried to live by example. He did not go around boasting that he had written 14 books, as I have learned here. He did not boast that he won a race after going through a horrible accident. He was Walter, a man of the people, a man who loved his country, his community, his State, and the people that occupied the same.

This morning by chance I happened to talk to a Mrs. Kersh from out in his district. She called to be sure that I knew that Walter had passed, and his

funeral was going to be Monday. So we talked, and she said, we have had a great loss. We are just not sure how we are going to handle this. He loved us all, in spite of ourselves, at times. And she said many other things.

The thought that comes to me as I think of this, and I shared it a little bit Tuesday morning or Wednesday morning, there are some promises that I know that Walter Capps would believe in. I often reflect at times like this on John: 14, where Jesus was talking to his disciples, knowing that sometime he would be leaving. He said, I go to prepare a place for you, and I will come and receive you to me, and I will not leave you comfortless.

Lois, you will not be left comfortless. I believe that. And I believe, as I understood Walter Capps, that he is at that someplace that is hard to identify, watching down upon us with a twinkle in his eye, a smile, grieving for those of his loved ones that are grieved for him, but he is there, doing his work, assisting in preparing a place for us and for you. Our lives were touched by him, our lives were made better because Walter Capps came our way. I am very appreciative. I thank the gentlewoman for this chance to share.

Ms. HOOLEY. Mr. Speaker, I yield to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, it is with great sadness that I join with my colleagues to honor the life of Walter Capps. At this moment, may I take the opportunity to thank the 22nd District of California, the area of Santa Barbara, for sending this wonderful, wonderful man to the House of the people, to the Congress of the United States of America.

In his one year in Congress, Walter Capps added immensely to the lives of every one of us that he served with. Walter Capps was thoughtful. Walter Capps was reflective of something that was so important to all of us. He was willing to engage in dialogue on both sides of the aisle. He was committed to the fact that well-meaning people can reason together, that we can talk, we can debate, that we should come together in the interests of the United States of America and the things that the people of the United States of America want us to do. For that reason, Walter Capps should be an inspiration and model to all of us.

I met Walter Capps in the orientation of the freshman class, the new Members of the 105th Congress. I met him, I saw him, and I knew that this was a man that was delighted to be here. Walter Capps was a brave man. He was absolutely as brave as you get. Some of us who are in politics and understand what it is like to run for public office know, you literally put yourself up and you can be shot at. He ran for public office, he ran for Congress, and he lost. He had the courage to come back and run again and he won, so he came to be among us.

Walter Capps was probably about as honorable as you can get, as honorable

a man as there can be to serve in this body. He was also gracious. What I remember when I met him that week of orientation was that he insisted that every single one of us, we that had been in the Congress and were there with the new class, met his wife, his beloved wife, Lois. Because he understood that in those two races that he had run to come to Congress, that she was the partner that helped him get here.

One of the reasons that I appreciated Walter to the extent that I did, because I have been here a while, I understood that Walter understood governance. He understood our democratic system. He understood that he was elected, one of 435, to come here to represent his constituents, and to respect the government of the United States of America. He understood that he had to be positive to make this government work, and as a result of this understanding, he enhanced the system.

For me, the real loss of Walter is that he understood something so deeply, but something that is so much a part of our democratic system of government. He truly understood, because of his background, because of his education, because of all that he was, he understood such a definite piece of our government: he understood the separation of church and State. He understood how strong that wall had to be. He understood that we cannot have a democratic system if we mix religion and politics.

Why I feel so badly about Walter leaving us is that I thought that with his understanding, with his education, a Ph.D. From Yale and divinity studies, that he could teach this body, each and every one, that this democratic system could not survive if we in this body did not understand that we had to have separation of church and State.

So I come here tonight to mourn his loss. I come here tonight to say that he was only with us for one year. I come here tonight to say to his family, I hope that they have comfort to think this is one man who could come here in one year and have such an impact on his colleagues.

But I also come here tonight, and stay here tonight with the members of his freshman class, who will not be freshmen much longer, wonderful Members of the 105th Congress, to say to them, you come here to honor Walter's memory. You come here to say good-bye to him. You come here to say that you love him. But let me give you a challenge.

I am a woman that has been in this body for 15 years. I am a woman who has seen classes come and classes become part of this body. The last two classes I have seen, the last two classes, the 104th Congress and the 105th Congress, are quite special, particularly on the Democratic side. That is one of the reasons that I feel after 15 years that I can leave this body, because I think you can carry on the dialogue, you can carry on the constitu-

tional mandates, you can carry out what this country has to do to be great.

So I give you a challenge tonight. I say to you Members, particularly Democratic Members of the 105th Congress, new Members, you are going to do a good job. I think you are wonderful. I think you are probably the best class I have seen in a long, long time.

But no matter how hard you work, no matter how good you think your work is, I challenge you to go an extra mile, to do more because you knew Walter Capps, and you knew if he could have lived longer, how much he would have done.

So I challenge you Members who loved Walter Capps to say you will work as hard as you can, but you will work even harder to make sure that his being is among you, and that you do better than you think you can do in memory of that beloved man.

□ 2130

Ms. HOOLEY of Oregon. Mr. Speaker, I yield now to the gentleman from Texas [Mr. TURNER].

Mr. TURNER. Mr. Speaker, each us who began service in this Congress with Walter are left with fond memories of our friendship with him. It is a tribute tonight to hear the statements of our colleagues who each in their own unique way saw the true value of Walter's life.

We all knew him as a true gentleman. We all saw him as a deeply spiritual, religious man. We saw him as a kind and thoughtful and principled man. We saw him as a man of quiet determination.

We all remember as he walked in this Chamber and had a quick smile and a kind word for each of us. And many of us watched him as he walked across the Capitol to our office building, hand-in-hand many times, with Lois. He reflected the best of a good father, a loving husband, a man who understands and understood what was really important in this life.

I know as we speak tonight, Lois and the children are perhaps listening with many friends and I must say that Walter and Lois were an example to all of us as husbands and fathers. Lois really in many ways was like a 436th Member of this body. She oftentimes attended committee meetings with Walter and often she ventured off to go to committees that he was not even on. She shared his intellect, his keen interest and in his campaign she was a true partner in being sure that they were victorious in their election.

Walter Capps was a man who really stood apart. He came here as a college professor serving over three decades as a professor at the University of California in Santa Barbara, best known for his course on the Vietnam War. They say that there were over 800 students signing up for that class, filling the hall. In fact, they had to have the largest lecture hall at the university just for those who wanted to be under his tutelage.

Yes, we learned that when Walter spoke, as those students learned, Walter had something to say. And we knew that it was worth listening to. Walter was a man who understood adversity. He lost his first election and had to run again to come here. He nearly lost his life in a head-on collision during his second campaign. He met head-on on a mountain road with a drunken driver. But Walter, as he reflected upon his injuries during rehabilitation, said something worth quoting. He said, "I never want to forget what it's like to go through the world in a wheelchair. I would never wish for a car accident like this, but I've learned from it. Love and care for one another is what is at the core of what links us."

Walter understood the important things of life. We all were enriched by having known him. He taught us by his example to remember why we are here. He gave politics a good name and in the rough and tumble world of politics, as we so often see it in this House Chamber, Walter in many ways would at first glance appear to not fit in, as if he did not really belong here. But on closer reflection, we all realized that, yes, he truly did belong here and he set the standard for us all.

Mr. Speaker, Walter was a man who knew who he was. He knew what he believed in and he knew where he was going in this life and in the life hereafter.

Around here we often note that we are addressed as "The Honorable." Walter Capps truly deserved the title of "Honorable." He was a great American, a great family man, and a friend to each of us. He will be truly missed. May God rest his soul and may God be with Lois and the family in this difficult time.

Ms. HOOLEY of Oregon. Mr. Speaker, I thank the gentleman. Mr. Speaker, I now yield to the gentleman from Texas [Mr. LAMPSON].

Mr. LAMPSON. Mr. Speaker and other House Member colleagues, I rise to honor the memory of my friend and colleague, Walter Capps.

We freshmen Members on the Democratic side learned to look to Walter Capps as a leader among us. He led with humility, with fundamental goodness, and boundless wisdom. It is an overwhelming thing to arrive here in Washington, DC, and realize that we now have to stand in the shoes of generations of leaders who have steered this country through the course of its history. It was reassuring to have among us a man who seemed to understand our role as part of a scheme that went beyond the day-to-day operations of the government. As a scholar of religious studies, Walter Capps' presence in this House reminded all of us that our work must reflect our beliefs and our faith.

Mr. Speaker, Walter Capps ran for Congress because he believed he had something to offer to this country. He had already had a successful career and certainly had a beautiful family. He

did not need this. But he felt obligated to offer his gift, himself, because he loved his country.

In the short time that he served, Walter Capps made a difference. He touched the lives of each of the Members of the House of Representatives, and he touched the lives of the citizens across America. And tonight our deepest sympathies go with Lois and his beautiful children. Indeed, "God bless you."

Ms. HOOLEY of Oregon. Mr. Speaker, at this time I yield time to the gentleman from Ohio [Mr. STRICKLAND].

Mr. STRICKLAND. Mr. Speaker, I thank the gentlewoman for the time. St. Francis de Sales I think has conveyed a profound truth when he said, "There is nothing so strong as gentleness, and there is nothing so gentle as real strength."

Our friend and our colleague, Walter Capps, was gentle and he was strong.

Mr. Speaker, I have been amazed in the last couple of days as we have heard each other talk about Walter Capps. It has caused me at 56 years of age to reflect upon my own life and my own mortality; to ask myself if I were to leave this Earth, would people say about me what they say about Walter? Could they say about me what they say about Walter?

Those of us who serve in this place do so for a variety of reasons, some noble and some perhaps not so noble. Politicians are described in different ways, as smart, skillful, crafty, successful, weak, corrupt. Many words are used to describe politicians.

I think I would like to be described as a loving person, as a loving politician. And if I can just share with you what Walter's death has done for me, it has caused me to reflect upon the people that I know, my constituents, my family, my colleagues. We are talking of Walter's goodness, his gracefulness, his gentleness, his greatness.

It has caused me to wonder if every day in this place people like Walter walk past us in these aisles and sit beside us in these chairs, people on both sides of the aisle, people who are truly good and decent and caring, and we get so caught up in our day-to-day activities and our efforts that we fail to recognize the goodness and the strength and the gentleness that is all about us.

Mr. Speaker, I am thankful for Walter Capps, for his wife Lois. We lived together in the Methodist Building. I was able to see him occasionally as he would come and go. But I hope that Walter's death teaches us a lesson that is somewhat lasting.

The scripture asks the question, "O grave, where is thy victory? O death, where is thy sting?" And I guess I would like to think that for me and perhaps many of us, we can learn from Walter's death as we learned from Walter's life, that we should pause and reflect and be grateful for Walter, but also be grateful for each other.

Ms. HOOLEY of Oregon. Mr. Speaker, at this time I yield to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON of Wisconsin. Mr. Speaker, I join in offering tonight my condolences and my thoughts tonight about Walter Capps. Here was a man who, like me, had never held elective office before and yet he seemed at ease coming here to the Halls of Congress.

He told me once that he was as thrilled as I was at being here. Walter Capps had, as I had, already a successful career in another job. He was a teacher and professor and, we found out, an author. So this place was new and exciting and yet thrilling to him.

Many of us freshmen Congressmen got to know Walter and Lois Capps because even though he counted among his friends some Members of Congress, it was now him, he was coming to Washington as a freshman Congressman, a 63-year-old freshman, older and wiser than many of us, I thought, yet just as exuberant as a kid or teacher who just got his first job.

Walter and Lois came together to many of the orientation sessions here. It was the teacher, the professor, Walter Capps, in the classroom learning about his new job, representing the people. Most of us listened when he spoke. His questions seemed to me to be, maybe because he was a professor, more thoughtful. His tone was questioning and inquiring. He was for many of us a teacher and a student. The freshmen came here students of government and now practicing government at its peak, representing the people.

We knew Walter was a good one. As I said, he and Lois sat through days of meetings. When it was nice outside, we sat inside learning about government. And I remember a day we were outside not too many months after we arrived here and we were walking over to this House for a vote, and he turned and asked how I liked this job, and I said I loved it and he said, "I do, too. It is a great honor. We are pretty lucky."

But it was all of us who got to know Walter Capps for a short time, not quite a year, it was we, who were lucky, lucky to know a freshman who, like us, was so real, so energetic and compassionate and caring and, as we will hear tonight, just a real nice guy. It is true, like all of us, Walter Capps was a politician and he worked hard to get here and appreciated his opportunity and his chance to play a role in this Nation's future. Walter Capps, whose service to his district, state and country was brief, but his effect on those he met personally will last far beyond any legislative record, and we are all better for having worked with Walter Capps.

Mr. Speaker, I would say his district was pretty lucky to have him, we were lucky to know him, God is lucky now to have him a lot closer. He was not showy and he was not flashy. He was tall and he was just good, what any American would want in their Representative.

Mr. Speaker, I would say, "Thank you, Walter, for running for Congress,

for choosing to play your part on the stage of American politics." It was reluctantly brief but remarkable in its impression. And I would say "Thank you, California, for recognizing a wonderful choice to represent you. Thank you, Lois, for sharing your time and your husband, Walter Capps, with us and the Nation. And Walter, we miss you."

□ 2145

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. ETHERIDGE].

Mr. ETHERIDGE. Mr. Speaker, I want to thank the gentlewoman from Oregon [Ms. HOOLEY] for putting together this evening of tribute to our dear friend, Walter Capps.

Mr. Speaker, I rise this evening to pay tribute to a friend and a colleague, Representative Walter Holden Capps, who was our friend. It is with deep sympathy and grief that I speak this evening. Words cannot truly express the loss that Members on both sides of the aisle feel with Walter's passing.

As a professor of religious studies, he was known for his strong spiritual background and his deep, deep commitment to education. As you have heard, he was the holder of a doctorate degree from Yale University and the author of 14 books. He came to this people's House after winning one of last year's most hotly contested House races. Representative Capps entered the House after many years of committed service to education, 33 years. For 33 years he had been a professor of religious studies at the University of California, Santa Barbara, where he pioneered the study of conflict resolution, a great beginning to come to the people's House.

Students recognized him for his questioning, spiritual nature and a willingness to engage public issues on a philosophical level. In 1984, Walter invited the then Governor of the State of Nebraska, Senator BOB KERREY, to teach with him his course on the Vietnam War. This nationally recognized course was the first of its kind to be taught in the United States.

A Medal of Honor winner for his service in Vietnam, Senator KERREY urged then Professor Capps to consider political life. Ten years later, Walter made his first run for the United States Congress but, as we have heard this evening, he came up just short.

On May 21, 1996, during a second attempt at gaining public office, as we have heard this evening, Walter was injured in a massive automobile accident as he returned to his Santa Barbara home after having just completed a news conference. After emerging from three months of rehabilitation, Walter returned to the campaign trail where he was victorious in the grandest fashion.

As a fellow member of the House Committee on Science, I would often sit next to Walter. He had a keen interest for the growing role of science in our society and asked many probing

questions and wondered why we were not putting more money in science. Although he will be remembered as a Member of the House of Representatives, as we have heard this evening, and his contributions here, I will most remember him for the impact he has made on the young people through his many years of contribution, 33 years in education.

He and I shared a commitment to providing quality education to all the children, no matter what their background may have been. I think if Walter is remembered by his family and his community, it will be for his commitment to the children.

I will end by extending my heartfelt sympathy to Walter's wife, Lois, and to their three children, Lisa, Todd, and Laura. I know that this will be a tough few days ahead, but remember that your friends love you and they will be there for you because you have many, many friends. I join my colleagues in saluting Walter for his wonderful spirit and lifelong commitment to his fellow man. He was a true friend and he will be missed.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentleman from Virginia [Mr. GOODE].

Mr. GOODE. I thank the gentlewoman for arranging the program this evening.

Mr. Speaker, together with my colleagues, I rise tonight to pay tribute to the memory of one of our best, Walter Capps. Walter's death on Tuesday not only shocked and surprised all of us, but also has united us in sadness that we have lost such a gentle and caring friend. My wife, Lucy, and I met Walter and Lois at freshman orientation last November and have had the opportunity to come to know them in the months since then.

From my observations, today's issue of Roll Call was completely correct with its headline that characterized Walter as the nicest Member of Congress. There was something special in his nature, a cheerfulness, an openness, a warmth that made him both liked and respected.

I remember very well Walter's remarks to our Thursday morning prayer breakfast not long ago. He spoke about his personal faith and his experiences as a professor of religion at the University of California, Santa Barbara. From his remarks, one could sense Walter's deep commitment to America's young people, the strength of his faith and a certain inner peace. To Lois and the Capps family, I say that we feel your loss with you for we have lost a friend and someone whom we are richer for having known.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentlewoman from California [Ms. SANCHEZ].

Ms. SANCHEZ. Mr. Speaker, I rise tonight to speak about a friend, Walter Capps. My husband, Stephan, and I had a very difficult campaign. I came in January at the same time that Walter came with his wife, Lois. During this

entire campaign, while we were south of Los Angeles, just north of Los Angeles, Walter Capps and Lois, his wife, were running for Congress. And I kept hearing some amazing things about this super man who would go out and talk to people and was bright and intelligent and had the toughest race going on in Congress.

I kept thinking, would it not be wonderful if in California we would have somebody like Walter Capps representing us? And when I arrived, the first thing my husband said to me was, I would really like to meet Walter Capps. Of all the famous people we have here in Congress, my husband, Stephan, wanted to meet Walter.

Now, my husband, Stephan, had gone to the University of California at Santa Barbara. He had spent five years there, finally graduating with his degree, and in that time he was one of those students who had petitioned to try to squeeze into one of Professor Capps's classes. And in five years there was such a demand for those classes that he was unable to be in his class.

So he said, the one person I really want to meet is Walter Capps. As you know, my husband has stayed back in California, and I go out to California to be with him on the weekends. I kept saying to my husband, do not worry, you will get a chance. There is always the Christmas party in December. And as I heard about the death of Walter this week, the first thing that came to mind was that there never really is enough time. In fact, tomorrow sometimes never comes for some of us.

If there is one thing I have learned from Walter's death, is that we all have to appreciate each other while we are here together. A couple of weeks ago, Walter came and sought me out and took me outside of these halls, and we sat down and we spoke a while.

Walter and I had a lot of things in common. We were both Representatives from California. We both had tough races. He went back every single weekend, most of the time on the same plane that I did. Many times we would talk. And while many people have said, oh, my God, how can Loretta take the pressure of everything that is going on this year, what most people did not realize was that Walter Capps was doing the same thing I was doing, going back every weekend, talking to the people, getting ready for a very difficult reelection, being with the people back home, trying to be with his family, his three children and his wife, and trying also to do the job of a new Congressperson.

He took me outside of this room and sat me down and he said, are you okay, Loretta? Is everything okay? Is there something we can do for you?

Here Walter had been going through the same things, in essence, that I had and yet he had found the time to ask me if everything was okay in my life.

I guess the most special thing about Walter was the fact that he had such a great family. As we all know, family

takes time and it takes love and it takes commitment. About the greatest thing I can remember, as you all do, I am sure, is Lois and Walter together holding hands. That always struck me, because Stephan and I have been married for a little over seven years, and many of you have not had a chance to see us together. But when we are together, we hold hands.

When I used to watch Walter and Lois, I used to think to myself, they do it and they have been married almost 37 years. I thought, would it not be great if when Stephan and I reach 37 years we are still holding hands?

Walter, you taught me quite a bit. I am proud to call you my friend and, Lois, our thoughts are with you. He was a great man. He is a great man. He will be with us for many, many years.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. BERRY].

Mr. BERRY. Mr. Speaker, I rise tonight to honor the memory and service of my friend and colleague, the gentleman from California, the Honorable Walter Capps. His warm smile, kind words, great intellect and integrity made this a better place. His wisdom and courage made this country a better place. Even though he served only a short time, we were all honored by his having served as a man of the House. Our prayers go with Lois and Walter's family because they have lost the most.

Ms. HOOLEY of Oregon. Mr. Speaker, I yield to the gentleman from Maine [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I am pleased to be here tonight to share with my friends and Walter's friends our memories of him in his service to this House.

The people of California's 22nd District chose well when they chose Walter Capps, and we want to express our sympathy today to, Lois, his partner in life and in politics, and to their children, Lisa, Todd, and Laura.

We now know, as freshmen, how we have come to know each other over the past year, and we knew Walter well by now, but if I can take you back to the time when we first came together, we were getting to know each other, telling each other stories about how difficult our own races were. And each of us felt that we had had a particularly difficult race.

Then we talked to Walter and we learned that he had been hospitalized for three months and that he had essentially campaigned from his hospital bed and that while in his hospital bed he had written his 14th book. We realized that this was a very extraordinary, gifted and talented man.

His kindness, his intelligence, his integrity will always be with us, but I think we will remember especially his joy in this job. And we will remember, as several have said, Lois and Walter walking outside, looking up at the Capitol rotunda all lit up at night, absolutely enthralled with both the responsibility and the joy of being here.

Lois, in particular, his partner in life, was thoroughly engaged in the issues that we dealt with and shared his goals and values. I want to just say one other thing. We knew him as a representative here in Congress. But there was a tribute today in the Washington Post written by Lou Cannon which gave some sense of what he was like as a professor.

It mentions his class on the Vietnam war and the 800 people who would sign up. And it has a paragraph that I believe you should hear. Lou Cannon talked to people who were in Walter's class. And he said:

A Vietnam veteran told me he had left the Capps lecture arm in arm with someone who had dodged the draft. A Vietnamese student wept as she told me that Capps had made her family's sufferings meaningful to her. Nobody quite knew how he did it. I think he was effective because he understood but did not judge. I think he was effective because he understood, but did not judge.

□ 2200

That sums up Walter Capps to me in a great many ways. He made his family, his university, his State, and this House better for his presence. He was our friend, and we will miss him. But he has taught us to listen to the better angels of our nature and try to live up to his example.

TRIBUTE TO THE LATE HON.
WALTER H. CAPPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR of California. Mr. Speaker, I yield to the gentleman from Texas [Mr. REYES].

Mr. REYES. Mr. Speaker, I thank my colleague, the gentleman from California [Mr. FARR], for yielding.

It is a special time for us here as we talk about a dear friend. And for those of us that think that we have to know somebody for a long, long time in order to respect them, in order to love them, we do not.

Walter Capps most of us only truly knew for about 10 months or so. I can only say for my part that I feel a great sense of loss for losing him, but most of all, for not having the opportunity to have known him longer or having met him earlier in my life.

I can remember clearly the first time that I met Walter Capps. We were at one of our freshmen orientations. He came down and sat down next to me, like he would sit down to talk to others, and he looked at me and he said, "You are that Border Patrol guy, aren't you?" Walter Capps was unique. I did not know quite how to respond to him. Except, he spoke to me at length, and later I had the distinct feeling that I had just been through an interview in a very friendly and charming sort of way.

Walter Capps was a humble and gentle man. He was patient. He had a sense of humor. Many times in this hall, I wound up sitting next to him and we would trade witty remarks, and he would look at me and smile with a twinkle in his eye and say, "You know, you are pretty good at this stuff." And he was not so bad himself. He always kept a good sense of humor. He had a great sense of family. You could see that.

To the people of the 22nd District, I wanted to say thank you for giving us the opportunity to serve with a man of integrity, a man of high morals, a man of principles.

In closing, I would like to remember him as he truly was, as a loving husband, a devoted father, a dedicated true public servant and, for me and my wife, a dear friend that we will miss but that we know tonight is looking out for all of us, and most especially for you, Lois, for Lisa, for Laura, and for Todd. This world is a better place because Walter Capps walked among us. He was a giant. He was a friend. And he will be missed.

Mr. FARR of California. Mr. Speaker, I yield to the gentlewoman from Michigan [Ms. STABENOW].

Ms. STABENOW. Mr. Speaker, I take just a moment this evening to join with my colleagues. It is an honor to serve in this body with my friends in the freshmen class. And it has been an honor to serve with Walter Capps. So much has been said about him, it is hard to know what to add, except to share a couple of personal experiences about Walter.

He and I met through the television set. We were both featured on one of the stories near the end of the campaign about hot-contested races. I had the opportunity to hear about this wonderful man, this bright, wonderful author and professor in California. We both had similar opponents. When we got here at orientation, we were very quick to look each other up and, not knowing each other, gave each other a hug and said that we were glad that we had both made it.

We went on to sit together on the Committee on Science. Walter sat next to me. He was all the things that everyone has said tonight in terms of his wit, his compassion, his intelligence, his caring. Sitting next to him on the committee, we had an opportunity to share some really important discussions about education, science and math education, the importance of investing in research, in science. It was clear to me that this was a man of incredible depth, as well as a man who was extremely caring and respectful of other people.

He was always teasing me about my legislative director, who he said was wonderful and he wanted to steal her from me. And every time she came up to speak with me on the Science Committee, he would say, "Is she treating you all right? And if she is not, just let me know." My staff loved to talk with Walter.

I think when I heard about what happened on Tuesday, and I was with my legislative director, both of us felt like we had been hit in the stomach, we were so shocked, and had a very difficult time the rest of the evening as we went back to the office and had an opportunity to share with each other about the wonderful discussions and interactions with our friend, Walter Capps.

To Lois and the family, our prayers are with you. You have had a wonderful opportunity to know our friend, Walter Capps, certainly much better than we have. But for me, for my staff, we want to let you know that we care deeply about your family and your loss and our prayers are with you.

Mr. FARR of California. Mr. Speaker, I yield myself as much time as I may consume and then with a close to the gentlewoman from Oregon [Ms. FURSE].

Mr. Speaker, tonight the United States Capitol mourns the loss of our colleague, Congressman Walter Capps. Tonight, it is a beautiful autumn evening outside. The Capitol is basking in spotlights, and the flags are all at half-mast. Forty-eight hours ago in this Chamber, the House of Representatives, we were a buzz as the news, the shocking news, was passed from Member to Member about Walter's sudden heart attack.

Tonight, I rise to pay tribute to this great man. First, because he was what politics in America needs, a scholar, a thinker, an accomplished man, Ph.D. from Yale, an author of 14 books, and, as so many speakers before me have mentioned, an incredible loving husband to Lois, the partnership that I think was the envy of the Capitol.

But he was also an incredibly loving, wonderful father to Lisa, Todd, and Laura. How many times we saw Laura at Capitol events as she worked in the White House. And how many of us as parents envied the ability and the wonderful relationship that he had with his daughter to be able to work in the Nation's Capitol alongside one of your children.

Walter was a mentor to us. What was so wonderful about him is his style, as everybody has mentioned. In an era of cynicism about politics, he made the cynics doubt themselves. He represented the district that is next door to mine, a district that I have long had close relationships with. The politicians in that district have been like the politicians in my own. I went to school with county supervisor Billy Wallace. And Jack O'Connell, the State senator, was my roommate when I was in the State legislature. And Andrea Seastrand, who preceded her husband, Eric Seastrand, who served with me in the State legislature and also died while he was in office. All of these people have been about that wonderful district.

Walter Capps was a futurist about that district. He knew that he could make a difference. And he was making a difference. He was excited about the

future. And he knew that he was going to help Santa Barbara County and San Luis Obispo County.

Tonight, those counties have lost a great Congressman. California has lost a great scholar. The Nation has lost a model public servant. So tonight's tribute to Walter, with the flags at half-mast, it is also about patriotism, but not so much about the protection of the land of Walter's forefathers as it is about the preservation of the land of Walter's children.

Walter, look around you right now. I know up there in heaven, next to you is my father, who is former State Senator Fred Farr. He passed away just a few months ago. You two are probably sitting right now chuckling. With the passing of so many good Democrats, you are probably saying, the Lord is just trying to make a more perfect union.

Good night, Walter. Good night, Lois. Good night, kids. We love you.

TRIBUTE TO THE LATE HON.
WALTER H. CAPPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. SHERMAN] is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, the day after WALTER died, I had a chance to join a number of our colleagues in recognizing him here. And I jotted down these few words just an hour or two after I learned of his death. And I thought that maybe when I came back to join with my freshmen colleagues, DON or WALTER, I would have something better to say. But, frankly, I do not.

So, with apologies to anyone who has heard me speak of WALTER in the last couple of days, I will say it again. This country lost a leader of depth and integrity. Just a couple days ago, this House lost one of our own. Lois, Laura, Todd, and Lisa lost a husband and a father. And, like several of my colleagues here today, I lost a role model and a friend.

WALTER CAPPS was the professor that we called a freshman. Most of us come here to Congress hoping that, once we are here, we will make some contribution of which we can be proud. WALTER CAPPS came here having already done more than we can hope to do.

As so many have pointed out, he was perhaps the most popular professor in the history of the University of California at Santa Barbara, where he did not just teach well what had been taught before, but invented courses, wrote books. If he never had come to this House, he would have been a major leader in the life of his district.

Now, like many new Members to this House, I often seek advice, a few hints. And when I wanted to know what was the smart political thing to do, I never went to WALTER. But when I sought wisdom and thoughtfulness, a way of looking at things that is different from today's headlines or yesterday's poll

results, I sought out WALTER CAPPS. And he was always there.

We who hold elective office are often viewed as cynical manipulators of public opinion or as slaves to public opinion. We are depicted as knowing more or caring more about the politics of an issue than the substance. You can say what you want about most of us, but you cannot say all of us. Because, for a short time, WALTER CAPPS served in this House and he was everything you want us to be. He was the best of us. He will be missed.

Mr. Speaker, I yield to the gentleman from Oregon [Ms. HOOLEY].

□ 2215

Ms. HOOLEY of Oregon. Mr. Speaker, I thank the gentleman for yielding.

I would like to also enter into the RECORD a tribute from the gentleman from Ohio [Mr. HALL], as follows:

Mr. HALL of Ohio. Mr. Speaker, I rise to pay tribute to the late WALTER H. CAPPS. Not only has this country suffered a great loss, but we, his colleagues, have lost a model of an ethical and decent politician. We can all be thankful for the perspective that WALTER brought to us in his 10 months in the House, and he will be greatly missed by us all.

WALTER provided us with a unique understanding of society through his spiritual and philosophical nature. He was not afraid to see the bigger picture; to engage public policy from a collective point of view. This was demonstrated to me by his sincere and enthusiastic support of my bill for congressional apology for slavery. WALTER's dedication to the people he represented, and his principled campaign practices show the signs of a disciplined man. But most importantly, he will be remembered as a true scholar and a gentleman, with an undying love for humanity.

To me, WALTER CAPPS will be remembered as a teacher; not only for the 33 years that he enlightened our youth with spiritual ideas at the University of California at Santa Barbara, but as a role model of the kind of person we need here in Washington. One who taught the values of democracy and moral character through his actions, and shared his knowledge and devotion to decency through his words. My prayers are with his wife and children.

Ms. HOOLEY of Oregon. Mr. Speaker, I would also again like to thank the gentleman from Wisconsin [Mr. NEUMANN] for so graciously allowing us to do this at the beginning and again yielding time.

As irreplaceable as Walter Capps will be for the Members of the House, his loss will I am sure be deeply felt by his district. We express our heartfelt condolences to them. We also grieve with Walter's family, his wife Lois, his children, Todd, Laura and Lisa and the rest of his loved ones. My colleagues and I are happy that he shared himself with us even for so short a time. I can only imagine that in the fullness of time, those that had known him longer will bless and hold dear each day they had the pleasure of his company. Our prayers are with all of you. Walter, we loved you. You will be missed.

THE DEBT, THE DEFICIT, AND
SOCIAL SECURITY

The SPEAKER pro tempore (Mr. MCCOLLUM). Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 60 minutes as the designee of the majority leader.

CONDOLENCES TO FAMILY OF LATE HONORABLE
WALTER CAPPS

Mr. NEUMANN. Mr. Speaker, I would like to also begin this night by expressing my condolences to the family of our colleague, Mr. Capps. I cannot count how many times my wife has said to me that she hopes that our 24 years of marriage will allow other folks around us to see that it is all right to find the right person in your life and to spend your entire life together. We also have 3 kids, and I am sure listening this evening, that Mr. Capps certainly provided a role model for many, many, many people not only in California but all across America. Married to the same woman for 37 years is something that many people should look to in this Nation for a role model. Again I cannot count how many times my wife Sue has said, "Let's hope people see that it is all right to be married to the same person," that that is the way things should be. Again, my condolences to their family and to the kids that are involved here.

Mr. Speaker, this evening I had reserved the hour primarily to talk about some budget matters. I guess last week we had a situation develop in our district where we were in dire need of some help from some folks. I gave my parents a call. My mom and dad said, well, we are going to be there instantaneously. They said they were going to drop everything they were doing.

So to start tonight rather than start on the budget stuff, I thought I would talk about a matter that is of the utmost importance not only to my parents but to other seniors like them all across America. It is an issue that has almost been put on the back burner out here in Washington and many different fronts, and that is Social Security. I thought I would start tonight by talking a little bit about what is happening in Social Security and then go to a solution as what we need to do about it, first, what is happening in Social Security.

I know many senior citizens rely on Social Security all across this great Nation of ours. The Social Security system in 1983 was set up so that it started collecting more money than what it pays out to seniors in benefits. The idea with Social Security was they would collect this extra money, put it aside in a savings account and then when the baby boom generation hit retirement, they would go to the savings account, get the money they need and still make good on the payments to our senior citizens. So it is kind of like you do in your own house where when you have got extra money coming in you put it in a savings account. Then when you overdraw your checkbook you go

to the savings account, get the money out and make good on it. That is how the Social Security system is set up.

In fact, in 1996 the Social Security system collected \$418 billion in taxes. That is, they went into the paychecks of working families all across America and they collected, they brought out here to Washington \$418 billion. They only sent out checks to our senior citizens of \$353 billion. Again, this is a program that basically is working. They collected \$418 billion, they sent out \$353 billion in checks to our senior citizens, and that left \$65 billion that was supposed to be set aside into the savings account. This program if it was run properly, if this is what would be happening and it would be run right, is working just fine. The problem, and it should serve as no great surprise, that out here in Washington when they got that extra \$65 billion, here is what they did. We get the money out here in Washington, we put it in the big government checkbook, in the general fund out here in Washington. They have been overdrawing the general fund, that is the deficit, they have overdrawn the checkbook out here where this money has been put every year since 1969. So what they do is they get this \$65 billion, put it in the general fund, then they overdraw the general fund or the checkbook so there is no money left to put into that savings account for Social Security. So what they do instead is simply put an IOU down here in the Social Security trust fund. What has happened out here is they have collected this extra money like the system is supposed to work, they have paid out the benefits to seniors, paid out less than they collected, but instead of putting the money into the Social Security trust fund the way it is supposed to be done, they have put it in the general fund instead, they spend all the money out of the general fund, then at the end of the year they simply make an IOU entry into the Social Security trust fund.

We have developed legislation in our office, and to many of my colleagues this will not seem like it took Einstein to figure this out, it really did not, it is the same thing that every business across America does with any kind of a pension fund that is similar to Social Security. Here is what our legislation does. It simply says that this \$65 billion that is collected in Social Security over and above what is paid out to our senior citizens in benefits be put directly into the Social Security trust fund. It is a very, very simple concept and it is what I used to do back when we had a business in the business world before I ran for office.

Again, what our legislation would do, and it is called the Social Security Preservation Act, is simply take the extra money that is coming in for Social Security and actually put it aside in the Social Security trust fund. Let me be a little more specific. What we would do with this extra \$65 billion is we would buy negotiable T bills like

any senior citizen in America can go to any bank and buy right now today. So instead of having IOUs down here in the trust fund we would then accumulate these negotiable treasury bonds, a T bill, much like anybody in this Nation can go to the bank and buy. The idea in doing this would be to accumulate this kitty of money the way it was set up, the way this system was set up and designed to work. If we were to accumulate that kitty of money, Social Security would be safe all the way to the year 2029. By not accumulating that kitty of money, there is a shortfall in Social Security not later than the year 2012. Let me say that once more. If this money were collected and put down here in the trust fund the way it is supposed to be, instead of put into the big government checkbook, if it went straight to the trust fund, Social Security as we know it today would be solvent all the way to 2029. Under the current system where the money is put into the general fund instead of into the trust fund, and all the money is then spent out of that general fund and IOUs are put in the trust fund, that is the current system, Social Security is in serious trouble not later than the year 2012. We can see the urgency of this sort of activity.

Again, this bill is called the Social Security Preservation Act. It seems very fitting tonight that we would mention that when we have cosponsors from both sides of the aisle supporting the Social Security Preservation Act.

I would like to point out also how this impacts the budget process out here in Washington, because it is very important to understand. We are on the verge of having our first balanced budget since 1969. Every year since 1969, the people that have been out here in Washington have spent more money than what they had in their checkbook. That is, they overdrew the checkbook. When they overdrew the checkbook they went to borrow the money to make good on checks and they have been borrowing money every single year since 1969. Here is how the Social Security system relates to this budgeting process. In Washington, since this extra \$65 billion is in their checkbook, they call their checkbook balanced even though they are using the Social Security money as opposed to putting it away where it belongs.

Let me show that in picture form. When Washington talks about a deficit, and they were talking about a fiscal year 1996 deficit of \$107 billion, what they do not tell you is that in addition to that, there is \$65 billion that has been taken out of the Social Security trust fund, so the real deficit for 1996 was \$172 billion, not \$107 billion that was reported to the American people.

What does all that mean? Balancing the budget for the first time means getting rid of this blue area by Washington definition. When we say in Washington we are going to balance the budget by 2002, we mean the blue area is going to be gone. But in that

year 2002 to get to a balanced budget, they are still taking, in that year it would be \$104 billion out of the Social Security trust fund. It is very important for people across America to understand that when Washington says they are going to get to a balanced budget, they will still be using the money out of the Social Security trust fund in their big general fund checkbook to make that checkbook look balanced. So even after we get to a balanced budget, we have a long ways to go to actually restore the Social Security trust fund.

I am happy to say we have legislation currently pending that we have written in my office that will put this money that has been taken out of Social Security back into the Social Security trust fund. We have written the Social Security Preservation Act that will start putting the money away immediately. In addition to that, we have written what is called the National Debt Repayment Act. The National Debt Repayment Act looks ahead, sees that when we are going to have surpluses, takes the surpluses, one-third for tax cuts, two-thirds for debt repayment, and as we are repaying that debt the money that has been taken out of the Social Security trust fund would get put back in the Social Security trust fund and Social Security would once again be solvent for our senior citizens.

I want to turn from there and address the bigger problem and look at just how far we have come in the last 2 years. I think it is very important as we talk about this to understand where we were in 1995 when for the first time in a long, long time, 40 years to be exact, Republicans took control of the House of Representatives and the Senate. What I have got with me here is a chart that shows the growing debt facing this great Nation of ours. It is important to see that from 1960 to 1980, the debt grew very little. But from 1980 forward, this debt has grown right off the chart. As a matter of fact, in 1995 when we got here, it was my first year in office, the debt was all the way up here. It was a very, very serious problem and it was growing fast.

Just to take this out of the partisan realm, I realize that when I point to 1980 as the year this thing started climbing rapidly and it is very clear in this picture that that is the year it started climbing very rapidly. I understand that all the Democrats say, "Well, that's the year Ronald Reagan was elected to office, therefore, it's the Republicans' fault." And I understand all the Republicans say, "Well, it's that Democrat Congress that could not control their spending habits and therefore it's the Democrats' fault." The facts are it does not matter whose fault it is, it is our responsibility as Americans to solve the problem. We are here in this chart and it is time that we as Americans accept our responsibility and do what is right for future generations in this great Nation

that we live in and solve the problem. I used to be a math teacher. I guess it is fitting tonight to have another former professor here on the floor. I used to teach some college classes as well as junior high and high school. We used to use these numbers in our class to talk about how large the debt really is. We used to talk about these in our math class and use it for a number of placement discussions. This is the amount that the United States government has borrowed on behalf of the American people. This is our debt today. It is \$5.3 trillion. Again, this is what we used to do in our math class. We used to divide the debt by the number of people in the United States of America and in fact we would find that the United States government has borrowed \$20,000 on behalf of every man, woman and child in the United States of America. Let me say that once more because it is a pretty staggering number. The United States government on behalf of the American people has borrowed \$20,000 on behalf of every man, woman and child in the United States of America. For a family of 5 like mine, that means they have borrowed \$100,000. Let me say this a different way. That means they collected \$100,000 less in taxes than what they spent out here in Washington basically over the last 20 years. For a family of 5 like mine, they borrowed \$100,000. Here is the real kicker in this thing. A lot of people out in America go, "So what? So what if the government has borrowed all this money?" Well, there are a bunch of answers to the so-what, not the least of which this is our responsibility as a Nation to pay back, but the so-what is more immediate than that. A family of 5 like ours is sending an average of \$580 a month to Washington to do nothing but pay the interest on the Federal debt. A lot of people out there say, "Well, that's not us. We don't pay \$580 a month in taxes." They forget that when they walk into the store and do something as simple as buy a loaf of bread, that the store owner makes a profit on that loaf of bread and part of that profit gets sent out here to Washington, D.C. An average family of 5 in the United States of America today is sending \$580 every month to Washington to do absolutely nothing but pay the interest on the Federal debt. That is a very real problem. It is a problem that is taking money out of the pockets and the paychecks of workers all across America, and it is a problem that we as a Nation need to address.

□ 2230

This is where we were in 1995, and this is really the problem that we came into. I think it is important to understand how we got there. To point this out, I think it is important to think back to the late eighties and early nineties, what was going on, what sorts of promises were being made to the American people. Many folks remember the Gramm-Rudman-Hollings Acts.

They did the first one in 1985, the second one in 1987. Lots of folks remember the promises of the Gramm-Rudman-Hollings Acts. So I brought that with me tonight. This blue line shows what the Gramm-Rudman-Hollings Act promised to do with the deficit.

I think it is important to note by 1993, under Gramm-Rudman-Hollings, they promised we would have our first balanced budget since 1969. The red line shows what happened. If I get upset when I talk about this, it is because this is what brought me out of the private sector and caused me to spend 4 days a week away from my family as opposed to home doing the things I normally do, living with my family in Janesville, Wisconsin.

This red line shows what they did. They did not keep their promises. They promised we would balance the budget along this blue line, but the people here decided they could not control spending, and the red line is what they actually did.

So we get out here to 1993, they see that they have broken their promises, and what do they do? They say, well, we can't control spending out here in Washington, so there is only one thing left to do, and that is raise taxes.

In 1993, we got the biggest tax increase in American history. They raised the gasoline tax by 4.3 cents a gallon. The kicker with the gasoline tax increase, they didn't even spend it to build better roads. They spent it on Washington spending programs. So they got to 1993 and looked at this picture and said, well, this debt is really growing. We have to do something about it.

The right answer, I am going into the pockets of the American people. We will collect more money out of their paychecks, get it out here to Washington, and surely, surely, that will lead us to a balanced budget. That was the 1993 solution.

It was not only the gasoline tax. Senior citizens might recall that they increased Social Security taxes on the Social Security money they received. All sorts of tax increases were implemented as part of that 1993 tax increase package.

So this was the picture we were looking at in 1993. Promises of a balanced budget, that had clearly been broken, and the biggest tax increase in American history. The American people rose to the occasion and said enough of this. We are not going to tolerate this anymore. And they sent a new group of people to Washington.

Well, we have been here for 3 years now. Came in with that group that came in 1994 and was sworn in in 1995. We have been here for 3 years. I think it is reasonable that the American people start asking what has that group done? Are they any different or just the same old thing doing the same old thing, breaking their promises like what was going on before 1995?

The facts are, the American people should be evaluating this Congress and

they should be asking the question have they done anything different?

Well, I brought the chart with me to show what is going on. When we got here in 1995, we laid out a plan to balance the budget as well. This blue line shows the promises we made to the American people. In fact, the blue line shows we were going to get to a balanced budget in 2020, and I have to tell you, when I went home to my district, and I said we are going to balance the budget by the year 2020, they all went, yea, sure, because they were accustomed to this and the broken promises.

But the facts are we are now in the third year of our plan to balance the Federal budget. We are not only on track, but ahead of schedule. We are so far ahead of schedule, in fact, that we will have our first balanced budget since 1969 probably in fiscal year 1998.

If everything continues the way it has during our first two years in office for one more year, we will in fact have our first balanced budget since 1969. We didn't do this while raising taxes. We, in fact, did this coupled with the first tax cut in 16 years.

I want to spend a little time on the tax cut in just a minute. But, before I do, I wanted to talk about why this picture is possible, because when you look at this picture and you understand what led to the change in 1993 that was broken promises and raising taxes, then you look at this picture, and you see we are on track balancing the budget probably 4 years ahead of schedule, and at the same time reducing taxes, a lot of my constituents go, Mark, the economy is so good, you guys are out there trying to look good in the face of the great economy we are in. That is nice, but not entirely true.

The economy is doing really, really well, but the reason this picture works is not just cause the economy is doing well. We have had good economies between 1969 and today. Every time in the past when the economy got good in the past, Washington saw extra money coming in, and this will not be hard to convince the people of, because it is so obvious. When the economy was good in the past and extra money came into Washington, Washington simply created a new Washington spending program and spent the money.

It is important to understand that being in the third year of a seven-year plan to balance the budget, getting to balance four years ahead of schedule and lowering taxes the at the same time, partly it is the economy.

But there is more to it than that. The growth of Washington spending before we got here was 5.2 percent annually. This is how fast spending was growing before we got here in 1995. This is how fast spending is growing now.

This is a very different picture. In the face of a very strong economy, with more revenue than expected coming into Washington, this Congress said we are going to slow the growth rate of Washington spending. We didn't go out and come up with a whole bunch of new

Washington spending programs. Just the opposite. We are squeezing the growth rate of Washington spending at the same time there is extra revenue coming in. In fact, let me give you a couple very little known facts.

In 1996, our first fiscal year, we actually spent \$28 billion less than was promised. In our second fiscal year, we spent \$25 billion less than was promised. I challenge each one of my colleagues to go and get the budget resolution that we passed back in 1995. Do not take my word for it, go and get it. Then see what was promised and see how we actually spent less.

Again, when I am out with my constituents and I tell them this, I swear half of them get it and check it out, because they can't believe it actually happened. Washington said what they were going to spend and actually spent less money than they said they were going to spend. At the same time we were spending less money than we said we were going to spend, \$100 billion plus of extra revenue came in. That is why we have the picture where we are able to both balance the budget ahead of schedule and reduce taxes at the same time.

This picture is absolutely essential in understanding that it is not only the good economy, and the good economy is certainly part of it, it is also Washington slowing the growth rate at the same time that extra revenue is coming in. In fact, in real dollars, we have slowed the growth rate of Washington spending from 1.8 percent to 0.6 percent. The growth rate has been slowed by two-thirds in two short years.

This is a monumental accomplishment, especially in the face of all the extra revenue that came in here that was unexpected.

Now, I am going to go to the next item. With this picture still here, I am going to go to the next thing, that most of our constituents do not understand when I am talking with them out there. It is like you are going to cut taxes, Mark? Is that another political promise? Is that where we are at?

No, that is not where we are at. The taxes have been cut. The bill is signed. For the first time in 16 years, people should start keeping more of their money rather than sending more of their money to Washington, D.C.

Let me be specific. First off, this tax cut package is heavily weighted towards education, as it should be. Education is extremely important for the future of this nation. It is heavily weighted towards families. Let me start with the families.

In January of next year, the families with children under the age of 17, keep \$400 per child more in their own home, rather than sending it out here to Washington. Translation: If you have a child under the age of 17 in your home, you should go to your place of employment and start keeping \$33 a month more in your take-home pay instead of sending it to Washington, D.C. \$33 a month, well, that is \$400, divided up

over the 12 months. You can start keeping the extra money in January of next year.

There are 550,000 families in Wisconsin alone eligible for this \$400 per child tax cut. But I have a fear. I have a fear that people will not believe the tax cut package is real and they will send all that money out to Washington instead of keeping it in their home.

They will not make the effort in January to go in and actually keep the extra \$33 in their own paycheck, instead of sending it out here. I am very much afraid of what is going to happen if Washington gets their hands on the money. So I would strongly encourage all of our constituents to go in and change their withholding, so they keep that extra money in their own home.

Education. We would hope a lot of families, and I know I was talking with a family at church with three kids. I know the first thing they said to me is Mark, when I get that \$400, I know exactly what I am doing. I am putting it into a savings account to save for my kids' education.

Good news. We have established something called an education savings account that works much like an IRA. You can put up to \$500 per year per child into an education savings account to save up for the kids as they are growing up for when they reach college age.

Now, I a lot of times call this the grandparents account. There are a lot of grandparents that talk to me and say we wish we could do something for our grandkids. Well, the account is set up so that the grandparents could literally put up to \$500 per grandchild away to save up for the kids' education when they reach the age of 18. What better gift from a grandparent to a grandson or a granddaughter?

So the education savings accounts I think are very, very important. But we did not stop there. We understand that for many working families out there, when the first or second or third child goes off to college, paying those college tuition bills are very, very difficult and a huge burden on our families.

So the tax cut package also contains a college tuition credit of up to \$1,500 per college student. In the vast majority of the cases, if you have a freshman or a sophomore in college, next year you will send \$1,500 less to Washington. You will keep it in your own home and use to help pay for the kid's college education.

For a freshman or sophomore, you get the first \$1,000, plus half of the second \$1,000, or \$1,500 total. For juniors and seniors, it is 20 percent of the first \$5,000, up to \$1,000 total.

It is interesting, with this \$1,000 college tuition credit, I was out at a meeting, I believe in Waukesha, Wisconsin, and somebody came up to me and she said well, we are married, we are both working, and I am going back to school. Does the college tuition that I pay, this is now a young couple, does the college tuition that I pay qualify

for a 20 percent reduction in my taxes? Do I get my 20 percent back?

The answer to that question is yes. The answer to that question is if you are a young married couple and one or both of the spouses has returned to college or tech school for purposes of bettering themselves and making themselves also qualified so they can get a job promotion and provide a better life for themselves and their family, if that is going on, does that college tuition cost qualify for the 20 percent tax credit?

The answer is definitively, yes it does. I want to make it very clear here, we are not talking about a tax deduction. We are talking about a tax credit. You fill out your taxes, you figure out how much you would have paid in taxes, and you subtract this number off the bottom line.

This is not a deduction, this is a tax credit. Figure out how much tax also you owe, subtract \$400 per child.

Let me put this another way. For a family of five, whether they be in Janesville, Wisconsin, or wherever in this great Nation of ours, you have two kids at home and one off at college, that family will be pay \$2,300 less in taxes next year.

This is real money. This is not a political promise. This is a bill that has been signed into law. The tax cut package is passed. A family of five, three kids, one is a freshman in college and two still at home, will literally pay \$2,300 less in taxes next year.

Translation: Instead of sending \$2,300 to Washington out of their paycheck, you keep the \$2,300 in your own home. I would like to have anyone stand up and explain to me why it is they think that Washington can spend that \$2,300 better than that family of five out there in America, because that is what this is really all about. There are very few people that voted against the tax cut package on either side of the aisle, I might add.

I had a call this morning, or yesterday, actually, and I was reading it this morning, from one of our constituents, that talked about how there is help all the way through government except for those hard-working families struggling to make ends meet.

Well, I would point out that the \$400 per child, the college tuition tax credit, the education savings account, those are all aimed specifically at those folks.

Let us try one more thing though for the young couples or for the young singles that are working, because I hear a lot about this, that there is nothing in this for a young couple or a single who is working.

There are actually several things that impact that group very specifically. There is what is called the Roth IRA. You see, we find many of our young couples or singles that are saving for either future education or to buy their first home. In the Roth IRA, it works much like an IRA, you can put up to \$2,000 per year per person into the

Roth IRA. If you do not take the money out between then and retirement, the money accumulates, the interest and dividends, whatever you have put it into, accumulates tax-free all the way to retirement, and, at retirement, you take the money out absolutely tax free.

However, for those young couples or for those young singles in the work force, if you decide that you would like to buy a home, you can take out up to \$10,000 out of this account specifically for the purpose of buying your first home. If you decide you want to go back to college and further your education or tech school and further your education so that you can qualify for a job promotion, a better life for yourself and your family, you can literally go into the Roth IRA, take the money out and use it.

□ 2245

So you put the money away into a savings account, the money accumulates tax-free, and then you can take it back out for a first-time home purchase, for education, or if you do not take it out at retirement, you can take it out then absolutely tax-free.

This is also a very important feature for many of the empty-nesters, the folks whose kids are grown and gone. Typically they are in a 401(k) at their place of employment already, and they are looking at this tax cut package going, saying, what is there available for me?

The Roth IRA is the real answer. Even if you are in a 401(k), and this is very new as it relates to IRA's, even if you are in a 401(k) already you still qualify for the Roth IRA. You can start saving additional money for your own retirement. Remember, whatever accumulates in this Roth IRA, when you reach retirement, you take it out absolutely tax-free.

A couple of other things in this tax-cut package that I think are worth mentioning, always keeping this picture in mind and understanding that the reason we are able to cut taxes is because we have slowed the growth rate of Washington spending at the same time the economy is very strong. It is this picture that has put us in this position where we can have this great discussion about the fact that the budget is balanced for the first time since 1969 and we are lowering taxes.

For folks that own their own home and have lived in that home for 2 years or more, and this affects many, many senior citizens, you may now sell that home and not owe any Federal taxes, in the vast majority of the cases. Let me say that once more. For your personal residence, if you have lived there 2 years or longer, in the vast majority of cases there will be absolutely no taxes due.

This affects all sorts of folks in our society. If a person is in a place of employment and they have an opportunity to take a better job and provide a better life for themselves and their

families, and they take this job transfer that requires them to sell their home, in the past they may have suffered a capital gains debt to the Federal Government when they sold their home. Now if they have lived in that home for 2 years, there are no taxes due.

It also affects senior citizens in many, many, many cases. Many senior citizens took their one-time exclusion when they reached age 55. They then sold the bigger house that probably they raised their kids in and bought a smaller home, and they are still in that home. But since they have used their one-time exclusion, when they sell that home, that home has appreciated in value, and they would have owed taxes to the Federal Government on that appreciation.

Not anymore. There is no more one-time exclusion at age 55. Even if you took the one-time exclusion, our senior citizens can now sell that home that they moved into after the age of 55 at the appreciated value, and pay no money to the Federal Government in taxes. This is a major, major change.

Capital gains. We are finding today that more and more people are starting to save for themselves and their own retirement. The capital gains tax rate in most cases has been reduced from 28 to 20 percent. For the folks in the lower income bracket who have saved for their retirement, to take money out that has been in a capital gains situation, it has been lowered from 15 percent to 10 percent.

So if you are in a \$41,000-a-year income bracket and you take money out, that is treated as capital gains. The rate dropped from 15 to 10. If you are over the \$41,000, the rate dropped from 28 to 20. The good news is it is going down to 18.

I would be remiss not mentioning the changes for farmers and small business owners passing those businesses to the next generation. I cannot tell Members how many folks have talked to me in my district about the fact that when they want to pass a farm on from one generation to the next, but the tax burden is so great that they cannot possibly do it.

Under the Tax Code, that has been changed, and 90 percent of all farms may be passed from one generation to the next without paying Federal tax on it. This tax break also applies to many of our small businesses.

I have kind of stopped in the middle of this bigger discussion of what was going on back in 1993 and before: broken promises and not getting to a balanced budget, the tax increases of 1993, and how things have changed.

In fact, we have slowed the growth of Washington spending in the face of a very strong economy, and that, in fact, has actually led us to both a balanced budget 4 years ahead of schedule and the opportunity to have these tax cuts that I just talked about. This is a wonderful, wonderful situation to be in in terms of a change that has occurred

out here in Washington in 3 short years.

The next thing I get from my constituents back home is, typically, "Well, Mark, it is not your doing. If you had done nothing, this all would have happened, anyhow." So I brought another chart with me to show exactly what would have happened if in fact when we got here in 1995 we played golf and tennis or basketball and did not do our job.

This red deficit line shows in my first year, this is where the deficit was going when I got here. This red line shows what would have happened had we not done our job. The yellow line shows where we were at the end of 1 year. So after a year of struggle we had brought this red line down to the location of the yellow line.

But we had a dream. We had a dream that we could actually balance the budget and lower taxes at the same time, restore Medicare for our senior citizens. That was our dream. This green line shows that dream. That green line shows how we were going to get to our balanced budget by 2002. The blue line shows what is actually happening.

Again, we can see what would have happened had we done nothing. What would have happened had we quit at the end of 12 months, what we hoped to do, that is the green line, and what is actually happening. Again, we are in the third year of this plan to balance the budget in 7 years. We are so far ahead of schedule that it would now appear that in the fiscal year 1998, we will reach our first balanced budget in more than a generation. I was a sophomore in high school the last time the Federal budget was balanced. So this is good news.

I think it is important that we understand that we are winning. We are winning the battle of getting to a balanced budget, but I do not think we should forget the earlier conversation about social security. I began the hour this evening by talking about social security, and how the money that is supposed to be in that social security trust fund, that extra money that has been collected that was supposed to be set aside, has been spent on all sorts of different Washington programs, and how even after we get to a balanced budget, they are still using that social security money.

I would like to now present the long-term solution to getting that money that has been spent back into the social security trust fund, and the bigger picture here is to not only get the money back in the social security trust fund, but to pay off that \$5.3 trillion debt that has been run up so that our children can, in fact, leave this Nation absolutely debt-free. That is my dream for the future of the country. My dream for the future of the country and for the next 10, 15, 20 years of our generation's time here serving our Nation, my dream is that we will actually pay down the Federal debt, restore the social security trust fund, and continue

to lower taxes on our working families and our workers all across America.

Here is the plan. Here is how it works. It is called the National Debt Repayment Act. Remember, it has three purposes: for workers, lower taxes; for senior citizens, restore the social security money; and most important of all, for our children, give them a Nation that is debt-free. Let our legacy to the next generation be that we have actually paid off the Federal debt, much like you would pay off a home mortgage in the business I used to be in, where we used to build homes.

Here is how it works. After we reach a balanced budget, we cap the growth of Washington spending at a rate at least 1 percent lower than the rate of revenue growth. After we reach balance, that is this point in the chart, we cap the growth of Washington spending, that is the red line, at a rate at least 1 percent slower than the rate of revenue growth. That is the blue line. That in fact creates a surplus. It is pretty easy to see in this chart. If spending is going up at a slower rate than revenue grows, it does in fact create this surplus.

We use the surplus in two ways. One-third of that surplus is dedicated to additional tax cuts for the workers. I might add while we are on this one-third, there is a bill introduced here that I am a strong supporter of and a cosponsor of that would literally sunset the IRS Tax Code as we know it today.

When I went through all of these tax cuts, a lot of my constituents back home will say, Mark, that is very complicated to understand all that. They are right. There are 20 volumes of Tax Code today. There are 20,000 pages of Tax Code. I challenge anyone to fully understand what is in that Tax Code.

So as we talk about these tax cuts, as we talk about using one-third of this surplus and dedicating that to additional tax reductions for workers all across America, as we have that discussion, I think it is important that we throw in the mix that we would like to sunset the IRS Tax Code as we know it today and replace it with a system that is simpler, fairer, and easier for people to understand.

The bill currently would sunset the Tax Code as we know it today in the year 2001. I think that is a great idea. Why 2001 instead of tomorrow? I think we need to have a discussion and come up with a system that is in fact simpler, fairer, and easier to understand.

When I am out in our town hall meetings, a lot of my constituents start nodding their head with the "Yes, sure," thing again. But the reality is if we can actually balance the budget 3 or 4 years ahead of schedule, if we can lower taxes for the first time in 16 years, and make that tax cut very, very real, is it that hard to believe that we can also change the IRS system so it is simpler, fairer, and easier for folks to understand?

Certainly redoing the IRS code is easier than getting to a balanced bud-

et. Certainly redoing the IRS code is easier than getting the people in this community to start spending at a slower growth rate. It has got to be easier to redo the IRS.

It is going to get done. I am very optimistic as we talk about using one-third of these for tax cuts, it will facilitate that move to an easier, simpler tax system, a fairer tax system. The other two-thirds of this surplus, remember, we cap the growth of Washington spending at least 1 percent below the rate of revenue growth, that creates a surplus. One-third is dedicated to tax cuts. Two-thirds is used to repay the Federal debt.

This works much like paying off a home mortgage. I used to be a home-builder. When folks would buy one of our homes, the last thing we would do is go to a bank, and they would sign a mortgage on their home, and they would then start making payments on their home on a very regular basis. Over a 30-year period of time, they would pay off the mortgage.

That is exactly what we are suggesting that we do with the Federal debt. In fact, under this bill, if we enact it the way it is written, cap the growth of Washington spending at least 1 percent slower than the growth rate of revenue, we would in fact pay off the entire Federal debt by the year 2026.

It is a 29-year period of time. Folks are very familiar with the 30-year home mortgage. So it is like you set up on a repayment plan of the home mortgage, and whatever is left over gets returned to the people in the form of tax cuts. That is what our bill does. Again, it is called the National Debt Repayment Act.

I think it is real important for us to understand that as we are repaying that Federal debt, as we are paying off the \$5.3 trillion, part of that \$5.3 trillion is the social security trust fund. So as we go through this plan and we actually pay off the Federal debt, the money that has been taken out of social security and spent on all kinds of other Washington programs in fact gets repaid to the social security trust fund. In repaying the money to the social security trust fund, social security once again becomes solvent for our senior citizens all the way to the year 2029.

This has another impact, and it is a very, very real impact. Remember the \$580 a month that an average family of five is paying to do nothing but pay the interest on the Federal debt? As we go down this road and we start paying down the Federal debt, each time we make a payment on the Federal debt, that means there is less interest due the next year.

So the idea here is that as we go through this and we start paying down the Federal debt, each year we should be able to cut taxes even further, because there will be less interest that needs to be collected from our working families.

Think about this for a dream for the future of our country. Think about a

dream where we actually pay off the Federal debt, we leave our children a legacy of a debt-free Nation, we restore social security for our senior citizens, and each and every year as we go forward we take one-third of this surplus and we lower the tax rate on our workers all across America.

People talk about the problem in Medicare. When I came here in 1995 Medicare was scheduled to be bankrupt in the year 2001. No one in America, I cannot believe anyone in this entire country, missed the Medicare ads that were run during the last 2-year period of time, where all sorts of misinformation was put out about the Medicare system. But the one thing that was true was that if absolutely nothing was done, it would have been bankrupt in the year 2001.

We have restored Medicare for at least a decade, but at least a decade is not good enough for Medicare. I would like to point out that as we go through this program and we pay down the debt, the money that is no longer needed for interest we can use for tax cuts, but certainly we would prevent the Medicare system from going bankrupt after that decade that it has currently been restored for.

So we can now count the Medicare program without going into the pockets of the workers, taking more money and raising taxes again. This dream for the future of this country, it includes a restored social security for our senior citizens, it includes Medicare for our senior citizens, it includes a Nation where our children inherit this country absolutely debt-free. It includes a legacy of a debt-free Nation.

For the workers out there, they are not forgotten. For the workers out there who have borne this huge tax burden, taxes can come down each and every year as we go forward. Do not forget the other part of this, where we reform the IRS Tax Code. We dump the Tax Code we have right now, lock, stock and barrel, and put in a new tax system that is easier, simpler, and something that people can understand, and maybe they can even fill out their own taxes again.

I would like to kind of wrap it up tonight by just summarizing what we talked about. I started the hour tonight talking about social security, and how the social security system is collecting more money than it is paying back out to our senior citizens in benefits each year, but that money is currently being spent on other Washington programs. That is wrong. That needs to be stopped.

We talked about how this thing started happening. We talked about in fact how up through 1993 there had been promise after promise after promise, the Gramm-Rudman-Hollings bills, Gramm-Rudman-Hollings II in 1993, the 1990 tax pledge, our balanced budget pledge, the 1993 balanced budget pledge, promise after promise after promise of a balanced budget that never materialized.

The past contained broken promises of a balanced budget, and the final straw came in 1993 when they raised the gasoline tax, and they did not spend the money in building roads; when they raised social security taxes. That was the final straw. People finally said, enough. We have had it with the broken promises, we have had it with tax increases. We want Washington to get their house in order and control the growth of Washington spending.

We want a smaller Washington, less involved in our lives. That happened in 1994 when they put a new group in charge. We are now 3 years into a 7-year plan to balance the Federal budget. I am happy to report that in the third year, we will probably reach a balanced budget this year, but certainly 3 or 4 years ahead of schedule. We are not only on track to balancing the budget, keeping our promise, but we are 3 or 4 years ahead of schedule. We are going to reach our first balanced budget this year since 1969, and at the same time we are reaching that balanced budget we are providing the first tax cut in 16 years.

□ 2300

A tax cut that is heavily weighed toward families and education. \$400 per child under the age of 17; \$1,500 college tuition credit, freshmen and sophomores; \$1,000 college tuition credit for continuing education beyond the freshman or sophomore year. The Roth IRA to save for education, for a first home, or for retirement that when investors take the money out, it is absolutely tax free. The money accumulates tax free, and when they take it out, it is tax free.

Mr. Speaker, these are very, very real tax cuts; not a political promise. The tax cut bill has been signed into law. It is done. It is the law. Taxes are going down for the first time in 16 years. Think of this contrast. Broken promises of a balanced budget before 1995. Higher taxes, 1993. The biggest tax increase in American history. A balanced budget, first time since 1969. Three years into our 7-year plan we hit balance. Tax cut, first time in 16 years.

Mr. Speaker, it is significant. It is real. It is done. What a changed place Washington actually is as we stand here. But we are not done. This is not the end of the picture. This is not over. We still have dreams for the future of this country and where we are going. Our dream is not only to get to a balanced budget, but to pay off that Federal debt. And in paying off the debt, we restore the Social Security Trust Fund. In paying off the debt, we put ourselves in a position to allow us to pass this great Nation on to our children absolutely debt free, a legacy of a debt free Nation for our children.

Equally important, as we are going through that process we gradually reduce the tax burden on our working families and our workers all across America. That is our dream for the fu-

ture of this great Nation that we live in.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCNULTY (at the request of Mr. GEPHARDT), for today after 7:45 p.m. and the balance of the week, on account of official business.

Mr. MANTON (at the request of Mr. GEPHARDT), for today after 5:25 p.m., on account of personal reasons.

Mr. YATES (at the request of Mr. GEPHARDT), for today after 5:30 p.m., on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BERRY) to revise and extend their remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

Ms. CLAYTON, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. MCNULTY, for 5 minutes, today.

Mr. MALONEY of Connecticut, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. DUNCAN, for 5 minutes, today.

Mr. ENGLISH of Pennsylvania, for 5 minutes, today.

Mr. THUNE, for 5 minutes, today.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. FARR of California.

Mr. SHERMAN.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BERRY) and to include extraneous matter:)

Mr. NEAL of Massachusetts.

Mr. BONIOR.

Mr. LIPINSKI.

Mr. KUCINICH.

Mr. KLINK.

Mr. KIND.

Mr. LANTOS.

Mr. WAXMAN.

Mr. HAMILTON.

Mr. HILLIARD.

Mr. MCNULTY.

Mr. LEVIN.

Mr. ETHERIDGE.

Mr. MURTHA.

Mrs. TAUSCHER.

Mr. ORTIZ.

Mr. ACKERMAN.
Mrs. MEEK of Florida.
Mr. TOWNS.
Ms. MILLENDER-MCDONALD.
Mr. PALLONE.
Mr. SERRANO.
Mr. HASTINGS of Florida.

(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. GILMAN.

Mr. FORBES.

Mr. NETHERCUTT.

Mr. SMITH of Michigan.

Mr. DAVIS of Virginia.

Mr. WELLER.

Mr. BURTON of Indiana.

(The following Members (at the request of Mr. NEUMANN) and to include extraneous matter:)

Mr. ROTHMAN.

Mr. LATOURETTE.

Mr. MCINTYRE.

Mr. BLUNT.

Mr. PACKARD.

Mrs. KELLY.

Mr. GREEN.

Mrs. MALONEY of New York.

Mr. DEUTSCH.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 37. Concurrent resolution expressing the sense of the Congress that Little League Baseball Incorporated was established to support and develop Little League baseball worldwide and that its international character and activities should be recognized; to the Committee on International Relations.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2013. An act to designate the facility of the United States Postal Service located at 551 Kingstown Road in South Kingstown, Rhode Island, as the "David B. Champagne Post Office Building."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1277. An act to amend title I of the Employee Retirement Income Security Act of 1974 to clarify treatment of investment managers under such title.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2013. An act to designate the facility of the United States Postal Service located at 551 Kingstown Road in South Kingstown, Rhode Island, as the "David B. Champagne Post Office Building."

ADJOURNMENT

Mr. NEUMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Friday, October 31, 1997, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5685. A letter from the Secretary of the Navy, transmitting notification that the Navy plans to finalize requirements to transfer the aircraft carrier ex-HORNET (CV 12) to a nonprofit group in Alameda, California, pursuant to 10 U.S.C. 7306; to the Committee on National Security.

5686. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the semiannual report on the activities of the Affordable Housing Disposition Program covering the period from January 1, 1997 through June 30, 1997, pursuant to Public Law 102-233, section 616 (105 Stat. 1787); to the Committee on Banking and Financial Services.

5687. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program: Insurance Coverage and Rates, Criteria for Land Management, Use, Identification, and Mapping of Flood Control Restoration Zones (RIN: 3067-AC17) received October 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5688. A letter from the Director, Federal Emergency Management Agency, transmitting the President's Report to Congress on the Modernization of the Authorities of the Defense Production Act, pursuant to Public Law 104-64, section 4; to the Committee on Banking and Financial Services.

5689. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Acquisition Regulation, Classification, Security and Counterintelligence [48 CFR Parts 952 and 970] received October 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5690. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Regulations for the Licensing of Hydroelectric Projects [Docket No. RM95-16-000; Order No. 596] received October 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5691. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Perimeter Intrusion Alarm Systems [Regulatory Guide 5.44] received October 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5692. A letter from the Secretary of Health and Human Services, transmitting a report on the accomplishments in the field of family planning during fiscal years 1994 and 1995, pursuant to the Family Planning Services and Population Research Act of 1975, as amended; to the Committee on Commerce.

5693. A letter from the Chairman, Securities and Exchange Commission, transmitting reports prepared in response to various provisions of the National Securities Markets Improvement Act of 1996; to the Committee on Commerce.

5694. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Russia, Ukraine, and Norway (Transmittal No. DTC-86-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5695. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to the United Kingdom (Transmittal No. DTC-89-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5696. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Russia (Transmittal No. DTC-68-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5697. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Audit of ANC 6C Covering the Period October 1, 1993 through December 31, 1996," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform and Oversight.

5698. A letter from the Administrator, Environmental Protection Agency, transmitting the annual report summarizing actions taken under Program Fraud Civil Remedies Act for the year ending September 30, 1997, pursuant to 31 U.S.C. 3801-3812; to the Committee on Government Reform and Oversight.

5699. A letter from the Regulatory Policy Official, National Archives and Records Administration, transmitting the Administration's final rule—Transfer of Electronic Records to the National Archives (RIN: 3095-AA70) received October 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5700. A letter from the Acting Director, Office of Personnel Management, transmitting a draft of proposed legislation to amend chapter 87 of title 5, United States Code, to enforce domestic relations court orders concerning payment of insurance proceeds, to make Additional Optional life insurance portable upon separation from service and allow retired employees to continue such coverage with no reduction after age 65, to improve Family Optional life insurance benefits, and to improve program administration; to the Committee on Government Reform and Oversight.

5701. A letter from the Executive Director, United States Arctic Research Commission, transmitting a letter in response to the reporting requirements of the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5702. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Indiana Regulatory Program [SPATS No. IN-134-FOR; State Program Amendment No. 95-12] received October 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5703. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to consent to a compact between the United States and any state, territory, or possession of the

United States, the District of Columbia, and the Commonwealth of Puerto Rico to facilitate the exchange of criminal-history records for noncriminal justice purposes; to the Committee on the Judiciary.

5704. A letter from the Assistant Secretary for Indian Affairs, Department of the Interior, transmitting the Department's final rule—Indian Highway Safety Program Competitive Grant Selection Criteria (RIN: 1076-AD82) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5705. A letter from the Secretary of Energy, transmitting the Annual Report of the Metals Initiative for FY 1996, pursuant to Public Law 100-680, section 8; to the Committee on Science.

5706. A letter from the Acting Under Secretary (Comptroller), Department of Defense, transmitting notification of transfers of authorizations within the Department of Defense, pursuant to Public Law 104-201, section 1001(d) (110 Stat. 2631); jointly to the Committees on National Security and Appropriations.

5707. A letter from the Director, Office of Government Ethics, transmitting the final strategic plan, pursuant to Public Law 103-62; jointly to the Committees on Government Reform and Oversight and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 1965. A bill to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes; with an amendment (Rept. 105-358 Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 434. A bill to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico; with an amendment (Rept. 105-359). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker.

H.R. 1965. Referral to the Committees on Ways and Means and Commerce extended for a period ending not later than February 27, 1998.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLAGOJEVICH:
H.R. 2773. A bill to designate the facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, as the "Daniel J. Doffyn Post Office Building"; to the Committee on Government Reform and Oversight.

By Mr. BLAGOJEVICH (for himself and Mr. SCHUMER):

H.R. 2774. A bill to prohibit the transfer of a handgun by a licensed dealer unless the

transferee states that the transferee is not the subject of a restraining order with respect to an intimate partner or child of the transferee; to the Committee on the Judiciary.

By Mr. DOYLE:

H.R. 2775. A bill to designate the Department of Veterans Affairs medical center in Aspinwall, Pennsylvania, as the "H. John Heinz III Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mr. FRELINGHUYSEN:

H.R. 2776. A bill to amend the Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey, and for other purposes" to authorize the acquisition of property known as the Warren property; to the Committee on Resources.

By Mr. GEPHARDT (for himself, Mr.

FAZIO of California, Mrs. KENNELLY of Connecticut, Mr. FROST, Ms. DELAURO, Mr. EDWARDS, Mr. LEWIS of Georgia, Mr. MENENDEZ, Mr. FARR of California, Mr. BAESLER, Mr. GEJDENSON, Mr. PALLONE, Mr. ETHERIDGE, Mr. STRICKLAND, Mr. CLYBURN, Mr. CRAMER, Mr. PASTOR, Mr. BERRY, Mr. BROWN of California, Mr. CONDIT, Mr. DIXON, Mr. DOOLEY of California, Ms. HARMAN, Mr. LANTOS, Ms. LOFGREN, Mr. MARTINEZ, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. SHERMAN, Mr. STARK, Mr. TORRES, Ms. WATERS, Mr. WAXMAN, Mr. MALONEY of Connecticut, Mrs. MEEK of Florida, Mrs. THURMAN, Mr. WEXLER, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. LIPINSKI, Mr. RUSH, Mr. YATES, Mr. HOYER, Mr. WYNN, Mr. NEAL of Massachusetts, Mr. BARCIA of Michigan, Ms. RIVERS, Ms. STABENOW, Mr. MINGE, Mr. SABO, Mr. VENTO, Mr. PAYNE, Mr. ROTHMAN, Mr. ACKERMAN, Mr. ENGEL, Mr. HINCHEY, Mr. RANGEL, Ms. SLAUGHTER, Mr. HEFNER, Mr. PRICE of North Carolina, Mr. DEFAZIO, Mr. SPRATT, Mr. GORDON, Mr. TANNER, Mr. BENTSEN, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. MORAN of Virginia, Mr. SISISKY, Mr. DICKS, Mr. WISE, Mr. POMEROY, Mr. BOSWELL, Mr. CUMMINGS, Mr. DINGELL, Mr. TOWNS, Mr. MCHALE, Mr. STENHOLM, Mr. MCDERMOTT, Mr. JOHN, Mr. SERRANO, Mr. BLUMENAUER, Mr. ABERCROMBIE, Mr. HASTINGS of Florida, Mr. HOLDEN, Mr. BROWN of Ohio, Ms. SANCHEZ, Mr. JEFFERSON, Mr. SCOTT, Mr. PICKETT, Mr. CARDIN, Mrs. MINK of Hawaii, Mr. SAWYER, Mr. COYNE, Mr. GREEN, Mr. HINOJOSA, Mr. ORTIZ, Mr. REYES, Ms. FURSE, and Mrs. MCCARTHY of New York);

H.R. 2777. A bill to amend the Federal Election Campaign Act of 1971 to limit the amount of non-Federal money that may be contributed to national political parties, to treat certain communications as independent expenditures subject to regulation under the Act, to restrict the solicitation and transfer of funds by candidates and parties to certain nonprofit organizations, and to require certain candidates to make monthly reports under the Act and to post such reports on the Internet; to the Committee on House Oversight.

By Ms. MCKINNEY:

H.R. 2778. A bill to amend the Internal Revenue Code of 1986 to increase the child care credit and provide that the credit will be refundable; to the Committee on Ways and Means.

By Mrs. MORELLA (for herself, Mr. SCHUMER, Mrs. JOHNSON of Connecticut, Mr. DAVIS of Virginia, Ms.

FURSE, Ms. CARSON, Mr. VENTO, Mr. STARK, Mr. FROST, Mr. PAYNE, Mr. HINCHEY, and Mr. SANDERS):

H.R. 2779. A bill to provide grants to establish and operate supervised visitation centers for the purposes of facilitating supervised visitation of children and visitation exchange; to the Committee on the Judiciary.

By Mr. SANFORD:

H.R. 2780. A bill to provide for an annual statement of accrued liability of the Old-Age and Survivors Insurance Program; to the Committee on the Budget.

By Mr. SANFORD:

H.R. 2781. A bill to amend the Social Security Act to require the Commissioner of Social Security to submit specific legislative recommendations to ensure the solvency of the Social Security trust funds; to the Committee on Ways and Means.

By Mr. SANFORD:

H.R. 2782. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for personal investment plans funded by employee social security payroll deductions, to extend the solvency of the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN:

H.R. 2783. A bill to provide that a Member of, or Member-elect to, the House of Representatives shall not receive any annual pay increase except upon an appropriate written election; to the Committee on House Oversight.

By Mr. STARK:

H.R. 2784. A bill to amend title XVIII of the Social Security Act to limit the ability of physicians to demand more money through private contracts during periods in which the patient is in an exposed condition; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Mr. SCHUMER, Mr. DAVIS of Virginia, Mrs. JOHNSON of Connecticut, Ms. FURSE, Ms. CARSON, Mr. VENTO, Mr. LAFALCE, Mr. STARK, Mr. FROST, Mr. PAYNE, Mr. HINCHEY, and Mr. SANDERS):

H. Con. Res. 182. Concurrent resolution expressing the sense of Congress with respect to child custody, child abuse, and victims of domestic and family violence; to the Committee on the Judiciary.

By Mr. BARR of Georgia:

H. Res. 298. A resolution amending the Rules of the House of Representatives to repeal the rule allowing subpoenaed witnesses to choose not to be photographed at committee hearings; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

217. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to Resolutions memorializing the President and the Congress of the United States to negotiate an international ban on antipersonnel landmines; to the Committee on International Relations.

218. Also, a memorial of the Legislature of the State of California, relative to Assembly

Joint Resolution 4 encouraging the leaders of the United States to work with our allies and other nations toward the creation of an international ban on the manufacture, stockpiling, sale, and the use of anti-personnel landmines, and urging the President and Congress of the United States to make permanent the current moratorium on the export of anti-personnel landmines; to the Committee on International Relations.

219. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution 13 memorializing the President and Congress of the United States to continue efforts to ensure that social security and Medicare are not threatened, to protect older Americans from harm and stress, to stop efforts to hurt the income security of older Americans, and to ensure that older Americans continue to receive all that they are entitled to and deserve; jointly to the Committees on Ways and Means and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. ETHERIDGE introduced A bill (H.R. 2785) for the relief of Clarence P. Stewart; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. SOUDER.
H.R. 135: Mr. STUPAK.
H.R. 145: Ms. HOOLEY of Oregon, Mr. ANDREWS, Mr. LEVIN, and Mr. MCNULTY.
H.R. 176: Mr. COX of California and Mr. HILLEARY.
H.R. 296: Mr. CAMPBELL.
H.R. 350: Mr. SHERMAN.
H.R. 352: Mr. WELDON of Florida.
H.R. 371: Mr. MORAN of Virginia and Mr. CALVERT.
H.R. 611: Ms. WATERS, Mr. SCHUMER, Mr. BLUMENAUER, and Mr. RODRIGUEZ.
H.R. 634: Mr. MCCOLLUM.
H.R. 721: Mr. BLUMENAUER.
H.R. 758: Mrs. FOWLER, Mr. COLLINS, and Mr. BARTON of Texas.
H.R. 805: Mr. LATOURETTE.
H.R. 836: Mr. HILLEARY.
H.R. 959: Mr. SHERMAN.
H.R. 971: Mr. ROTHMAN.
H.R. 979: Mr. MCDADE, Mr. NEY, Mr. BATEMAN, Mr. RIGGS, and Mr. GEKAS.
H.R. 981: Mr. EVANS and Mrs. MALONEY of New York.
H.R. 1010: Mr. JOHN, Mr. HILL, Mr. KASICH, and Mr. BOYD.
H.R. 1031: Mrs. NORTHUP.
H.R. 1130: Mr. GUTIERREZ.
H.R. 1151: Mr. DOYLE and Mr. FAWELL.
H.R. 1202: Mr. WOLF, Ms. WATERS, Ms. ROYBAL-ALLARD, Mrs. LOWEY, Mr. PASCRELL, Mr. KENNEDY of Massachusetts, Mr. DIXON, Mr. MENENDEZ, Ms. DELAURO, Mrs. MALONEY of New York, Mr. DICKS, Mr. PALLONE, and Mr. FRELINGHUYSEN.
H.R. 1356: Mr. BAKER and Ms. KILPATRICK.
H.R. 1375: Mr. POSHARD and Mr. MORAN of Virginia.
H.R. 1415: Mr. JACKSON, Mrs. TAUSCHER, and Mr. FRELINGHUYSEN.
H.R. 1425: Mr. ROTHMAN.
H.R. 1500: Mrs. MCCARTHY of New York.
H.R. 1504: Mr. BARR of Georgia.
H.R. 1595: Mr. ISTOOK, Mr. MICA, and Mr. PAUL.
H.R. 1636: Mr. BORSKI.

H.R. 1679: Mr. MCGOVERN.
 H.R. 1711: Mr. BAESLER, Mr. COMBEST, Ms. GRANGER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCHUGH, Mr. PETRI, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, and Mr. SUNUNU.
 H.R. 1715: Mr. GREENWOOD, Mr. FOX of Pennsylvania, and Mr. WELDON of Pennsylvania.
 H.R. 1802: Mr. POMBO, Mr. CUNNINGHAM, and Mr. BARTLETT of Maryland.
 H.R. 1861: Mr. LAMPSON and Ms. ROYBAL-ALLARD.
 H.R. 1984: Mr. REYES.
 H.R. 2023: Ms. SLAUGHTER, Mr. JACKSON, and Mrs. CLAYTON.
 H.R. 2121: Mr. BENTSEN.
 H.R. 2139: Mr. BOUCHER.
 H.R. 2172: Mr. MCHUGH.
 H.R. 2195: Mr. FILNER.
 H.R. 2211: Ms. PELOSI, Mr. SANDERS, and Ms. FURSE.
 H.R. 2221: Mr. MANZULLO and Mr. ARMEY.
 H.R. 2253: Ms. PELOSI, Mr. RUSH, and Mr. SERRANO.
 H.R. 2292: Mr. QUINN, Mr. JOHNSON of Wisconsin, and Ms. DELAURO.
 H.R. 2349: Mr. RADANOVICH, Mr. CAMPBELL, Mr. BILBRAY, Mr. HUNTER, Mr. POMBO, Mr. KIM, and Mr. MCKEON.
 H.R. 2408: Ms. SLAUGHTER and Mr. BONIOR.
 H.R. 2431: Mr. DEFazio, Mr. GORDON, Mr. LAHOOD, Mr. MCHALE, Mr. MCKEON, Mr. RILEY, Mr. TAYLOR of North Carolina, and Ms. VELAZQUEZ.
 H.R. 2439: Mr. DAVIS of Virginia.
 H.R. 2449: Mr. SNOWBARGER.
 H.R. 2450: Mrs. EMERSON.
 H.R. 2468: Mr. BISHOP.
 H.R. 2476: Ms. BROWN of Florida, Mr. KENNEDY of Rhode Island, and Mr. COSTELLO.
 H.R. 2485: Ms. DEGETTE.
 H.R. 2499: Mr. WELLER, Mr. HULSHOF, and Mr. SOUDER.
 H.R. 2503: Ms. DELAURO.
 H.R. 2593: Mr. GEJDENSON, Mr. PETRI, Ms. DANNER, Mr. MARTINEZ, Mr. YOUNG of Alas-

ka, Mr. GEKAS, Mr. DOOLITTLE, Mr. BALLENGER, Mr. EWING, Mr. TRAFICANT, Mrs. CHENOWETH, Mr. POMBO, and Ms. CARSON.
 H.R. 2596: Mr. BOEHNER, Mr. MCHUGH, Mr. GEKAS, and Mr. SMITH of Michigan.
 H.R. 2602: Mr. SHAYS and Ms. KILPATRICK.
 H.R. 2608: Mr. RIGGS.
 H.R. 2639: Ms. SLAUGHTER.
 H.R. 2650: Mr. MOLLOHAN.
 H.R. 2676: Mr. TALENT, Mr. JOHN, Ms. HARMAN, Mr. SAXTON, Ms. RIVERS, Mr. HALL of Texas, Mr. ROYCE, Mr. FROST, Mrs. LINDA SMITH of Washington, Mr. BOSWELL, Mr. THUNE, Ms. HOOLEY of Oregon, Mrs. CHENOWETH, Mr. SPRATT, Mr. EWING, Mr. CLEMENT, Mr. NEY, Ms. ESHOO, and Mr. ROTHMAN.
 H.R. 2699: Mrs. MEEK of Florida, Mr. GUTIERREZ, Mr. RUSH, Mr. HINCHEY, Ms. KILPATRICK, Ms. HOOLEY of Oregon, Mr. ACKERMAN, Ms. MILLENDER-MCDONALD, Mr. FROST, and Ms. SLAUGHTER.
 H.R. 2709: Mr. CAMPBELL, Mr. BAESLER, Mr. GREEN, Mr. CUNNINGHAM, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. WEXLER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PASCARELL, Mr. COYNE, Mr. BARTLETT of Maryland, Mr. SHERMAN, Mr. KIND of Wisconsin, Mr. SNOWBARGER, Mr. FRANKS of New Jersey, Mr. BARR of Georgia, Mr. WAMP, Mr. PAPPAS, Mr. NEAL of Massachusetts, Mrs. NORTHUP, Mr. SALMON, Mr. PARKER, Mr. REYES, Mr. HUTCHINSON, Mr. PICKERING, Mrs. THURMAN, Mr. SHAW, Mr. WEYGAND, Mr. FRELINGHUYSEN, Mr. DIXON, Mr. JONES, Mr. PITTS, Mr. CANNON, Mr. SESSIONS, Ms. BROWN of Florida, Mr. GORDON, Mrs. TAUSCHER, and Mr. SAM JOHNSON.
 H.R. 2723: Mr. SESSIONS and Mr. KINGSTON.
 H.R. 2741: Mr. CONDIT.
 H. Con. Res. 12: Mr. LIPINSKI.
 H. Con. Res. 41: Mr. MASCARA.
 H. Con. Res. 80: Mr. COMBEST.
 H. Con. Res. 132: Mr. SOUDER and Mr. TALENT.
 H. Con. Res. 148: Mr. LOBIONDO.

H. Con. Res. 156: Mr. ACKERMAN.
 H. Con. Res. 174: Mrs. MALONEY of New York, Mr. FRANK of Massachusetts, Mr. WATTS of Oklahoma, Mr. HINCHEY, Mr. MCNULTY, Mr. ENGEL, Mr. WOLF, Ms. JACKSON-LEE, Mr. SCHUMER, Mr. ABERCROMBIE, Mr. BROWN of Ohio, Mr. YATES, Mr. FROST, Mr. FALEOMAVAEGA, Mr. HASTINGS of Florida, Mr. ROTHMAN, Ms. LOFGREN, Ms. SANCHEZ, Mr. KING of New York, Mr. GUTIERREZ, and Mr. FLOLEY.
 H. Con. Res. 175: Mr. SKEEN and Mr. YOUNG of Alaska.
 H. Res. 37: Mr. BLAGOJEVICH and Mr. LIPINSKI.
 H. Res. 224: Mr. FROST, Mr. PAXON, Mr. ALLEN, and Ms. SLAUGHTER.
 H. Res. 267: Mr. HAYWORTH and Mr. RYUN.
 H. Res. 275: Mr. LUTHER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2459: Mr. PAXON.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

26. The SPEAKER presented a petition of the City Council of the City of Plantation, Florida, relative to Resolution No. 7234 expressing strong opposition to the introduction and consideration of H.R. 1534, referred to as the "Private Property Rights Implementation Act," and its corresponding Senate Bill, S. 1204; to the Committee on the Judiciary.