The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999

The SPEAKER pro tempore (Mr. KOLBE). Without objection, the Chair appoints the following conferees on the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives, to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans, to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts; to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; and for other purposes:

From the Committee on Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. BLILEY, BILIRAKIS, SHADEGG, DINGELL, and PALLONE.

From the Committee on Ways and Means, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Mr. ARCHER and Mr. THOMAS, Mrs. JOHNSON of Connecticut, Mr. RANGEL and Mr. STARK, provided that Mr. MCCRERY is appointed in lieu of Mrs. JOHNSON of Connecticut for consideration of title XIV of the House bill and sections 102, 111(b) and 304 and title II of the Senate amendment.

From the Committee on Education and the Workforce for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. BOEHNER, TALENT, FLETCHER, CLAY, and ANDREWS.

As additional conferees from the Committee on Government Reform, for consideration of section 503 of the Senate amendment, and modifications committed to conference:

Messrs. BURTON of Indiana, SCARBOROUGH, and WAXMAN.

As additional conferees for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Mr. GOSS and Mr. BERRY.

There was no objection.

COUNTY SCHOOLS FUNDING REVITALIZATION ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 352 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2389.

□ 1322

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. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes, with Mr. KOLBE 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 Virginia (Mr. GOODLATTE) and the gentleman from Texas (Mr. STENHOLM) will each control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. Chairman, today the House considers H.R. 2389, a bill that has been under consideration in my subcommittee for several months, but whose time has been long in coming. Nearly 100 years ago the Federal Government, as a condition of managing our national forest lands, established a compact with forest-dependent communities in rural America. Under the terms of this compact, the government would own and manage the forests, not only for the long-term environmental benefit of the resource, but also for the long-term social and economic benefit of rural communities in and adjacent to the forest.

Recently, revenue-sharing payments with rural communities guaranteed under the compact have dropped in some communities by as much as 90 percent. Local administrator after local administrator told my subcommittee about the drastic and tragic measures their school systems have taken just to fight foreclosure. The compact is not working, and our rural schools cannot wait any longer.

A coalition of local school systems developed a set of principles which attempts to breath new life into their compact with the Federal Government. Their idea has been well received across the country. Their supporters top 800 grass roots organizations in 36 States, that range from school districts and administrators to the National Education Association, the National Association of Counties, the United States Chamber of Commerce, organized labor, and other groups.

Their principles are embodied in H.R. 2389, the Secure Rural Schools and Communities Self-determination Act of 1999. As we consider this legislation today, we, as Members of this House, are faced with one overriding question: Who knows better what needs to be done to help forest-dependent communities in rural America, rural America, or Washington?

This bill is representative government at its best. Local leaders recognize that the compacts of 1908 and 1937 need to be strengthened for the short term to immediately arrest the decline in and stabilize the revenues derived from Federal forest lands until permanent improvements to existing law can be made.

They crafted their solution, garnered support from all regions of the country, and entrusted us to do the right thing.

The challenges facing forest counties are so dramatic and so widespread that soon after the House Committee on Agriculture unanimously approved H.R. 2389, several Members expressed a strong interest in the bill. The legislation was introduced by the gentleman from Georgia (Mr. DEAL) and the gentleman from Florida (Mr. BOYD), and I commend them for their initiative.

The gentleman from New York (Mr. BOEHLERT) and the gentleman from Oregon (Mr. DEFAZIO) became actively engaged, and spent countless hours working with us to ensure the compacts between the Federal government and the forest counties are honored.

The bill we consider today is the product of the locally-crafted solution and our intense interest to promote the interests of forest counties. H.R. 2389 establishes a temporary national safety net which ensures a stable payment to forest communities for the short term, while giving local communities and educators a direct stake in crafting a long-term policy that will put schoolchildren in forest communities on equal footing with their peers in other parts of the country.

Despite the overwhelming support for this bill, we do expect a poison pill amendment to be offered. The expected amendment will be dressed up to appear as a county-friendly amendment. We have talked it through with the counties, and they oppose this and all amendments, and support H.R. 2389 as it is finally crafted.

Time is of the essence. Forest counties cannot wait any longer. Key Senators have agreed to take this bill and use it as their vehicle in the Senate. We must oppose this and any other amendment, for quick passage in both the House and Senate. H.R. 2389 is strongly supported by the National Education Association and the National Association of Counties, two longtime advocates of rural education. They also oppose any amendments.

I hope that we will be fully committed to helping all the proponents of H.R. 2389, the most important being the families and communities of rural America. This bill helps rural America achieve what they have set out to achieve. It revitalizes their compact with the Federal government in a way

that will truly benefit their children and maintain the ecological, social, and economic integrity of our forests and forest-dependent rural communities in both the short and long term.

Mr. Chairman, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Chairman, I rise in support of H.R. 2389, the County Schools Funding Revitalization Act of 1999.

The funding and day-to-day operation of schools and county governments located within our vast network of national forests present a unique situation for rural America. In fact, there are more than 800 rural communities that cannot include national forest lands in their taxable land base because the Federal government prohibits that option.

This limits a rural community's tax base, and presents a serious problem when 98 percent of an individual county's total land is located within the boundaries of a national forest.

In order to provide replacement revenue, Congress enacted a 25 percent receipt-sharing requirement in 1908 for national forest system land and a 50 percent receipt-sharing requirement in 1937 for Bureau of Land Management land. Over time, communities have understandably grown to depend on the 25 percent payment from the Forest Service, as well as the 50 percent payment from the BLM.

Faced with the stringent requirements of the National Environmental Policy Act and its judicial interpretations, there is not a single community within the national forest system that can rationally depend on timber harvest alone as a source of revenue for schools or county roads.

□ 1330

The current situation in east Texas is a prime example. Prior to the August 16, 1999, a court injunction banning all timber sales in east Texas National Forest counties received more than $5.6 million from the 25 percent receipt sharing requirement in 1998 alone.

Under the serious stipulations of this court injunction, however, that figure will now be zero, placing unimaginable financial strain on school systems.

Mr. Chairman, this is not an isolated occurrence. School systems and local governments all over rural America are dependent on revenue from the National Forest System, but an injunction that prevents receipt sharing leaves these entities without the ability to do orderly budget planning.

H.R. 2389 and the substitute amendment to be offered by the gentleman from Virginia (Mr. GOODLATTE) are a good start towards correcting this situation. The Goodlatte amendment in the nature of a substitute improves upon the central goal of stabilizing the payment to schools and counties.

First, a full annual payment should be calculated by averaging the highest 3 years of the 25 percent payments between 1985 to 1999. The first portion of full payment would come from annual timber harvest, and the remainder of the full payment would come from appropriated funds. A similar formula is provided for BLM lands.

In addition, the Goodlatte substitute requires the counties to use a portion of their full payment to initiate local projects on Federal Forest land. By placing a 20 percent limitation on the use of the full payment, the counties are given incentives to organize and develop sustainable forest harvest plans. These plans will then be presented to the Secretary of Agriculture and the Secretary of the Interior for further consideration.

Mr. Chairman, there is an important connection between the viability of our rural communities and the vast resources that all citizens have a vested interest in protecting. This legislation allows local input in guiding the management of our National Forest lands for the communities and individuals who rely on them most. I encourage my colleagues to support passage of this legislation.

Mr. Chairman, I rise in support of H.R. 2389, the County Schools Funding Revitalization Act of 1999.

The funding and day-to-day operations of schools and county governments located within our vast network of national forests present a unique situation for rural America. In fact, there are more than 800 rural communities that cannot include national forest lands in their taxable land base because the federal government prohibits that option. This limits a rural community's tax base and presents a serious problem when 98% of an individual county's total land is located within the boundaries of a national forest.

In order to provide replacement revenue, Congress enacted a 25% receipt sharing requirement in 1908 for National Forest System Lands, and a 50% receipt sharing requirement in 1937 for Bureau of Land Management (BLM) land. Over time, communities have understandably grown to depend on the 25% payment from the Forest Service, as well as the 50% payment from the BLM.

Faced with the stringent requirements of the National Environmental Policy Act and its judicial interpretations, there is not a single community within the National Forest System that can rationally depend on timber harvest alone as a source of revenue for schools or county roads.

The current situation in East Texas is a prime example. Prior to the August 16, 1999 court injunction banning all timber sales in East Texas, National Forest counties received more than $5.6 million dollars from the 25% receipt sharing requirement in 1998 alone. Under the serious stipulations of this court injunction, however, that figure will now be zero, placing unimaginable financial strain on school systems.

Mr. Chairman, this is not an isolated occurrence. School systems and local governments all over rural America are dependent on revenue from the National Forest System, but an injunction that prevents receipt sharing leaves these entities without the ability to do orderly budget planning.

H.R. 2389, and the substitute amendment to be offered by Mr. GOODLATTE, are a good start towards correcting this situation. The Goodlatte amendment, in the nature of a substitute, improves upon the central goal of stabilizing the payments to schools and counties.

First, a full annual payment would be calculated by averaging the highest three years of the 25% payments between 1985 to 1999. The first portion of full payment would come from annual timber harvest, and the remainder of the full payment would come from appropriated funds. A similar formula is provided for BLM lands.

In addition, the Goodlatte substitute requires the counties to use a portion of their full payment to initiate local projects on federal forestlands. By placing a 20% limitation on the use of the full payment, the counties are given incentives to organize and develop sustainable forest harvest plans. These plans will then be presented to the Secretary of Agriculture and the Secretary of the Interior for further consideration.

Mr. Chairman, there is an important connection between the viability of our rural communities and the vast resources that all citizens have a vested interest in protecting. This legislation allows local input in guiding the management of our national forest lands for the communities and individuals who rely on them most.

I encourage my colleagues to support passage of this legislation.

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

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

Mr. POMBO. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODLATTE) for yielding me this time.

Mr. Chairman, I rise in strong support of this legislation, and I would also like to thank my colleague, the gentleman from Virginia (Mr. GOODLATTE), for all of his hard work in putting together such a strong bill that enjoys wide bipartisan support.

This legislation also enjoys the support of the National Forest Counties and Schools Coalition, which represents 800 rural counties, 5,000 school districts and 1.2 million school children and includes an impressive and diverse array of interest groups representing education, labor unions, forest products, State and local governments and farm groups.

This bill will accomplish several important goals. First and foremost, it will stabilize the revenue sharing payments made by the Forest Service and Bureau of Land Management to counties with Federal lands.

It will help local governments and school districts restore the quality of education provided to the school children.

It will provide temporary relief to counties and school districts by authorizing a reliable and predictable level of payments. These payments will have the added advantage of neither encouraging the long-term reliance on appropriations nor discouraging the

management of Federal lands in a manner that will generate revenues.

Lastly, it will facilitate the development of a long-term method of providing payments to States and counties by the Federal Government.

Mr. Chairman, this legislation will ensure that we continue to honor the commitment that we established with rural counties and schools; a commitment that dates back to 1908 when our National Forests were formed.

In addition to helping reverse the 10-year decline in forest reserve funds, it will allow counties and schools to restore many important school functions, such as hiring more teachers, reestablishing music and art programs, providing student transportation and purchasing library books. And, it treats all 800 counties that rely on National Forests very equitably.

This bill is incredibly important for the 1.2 million school children in rural forest-dependent counties, to help ensure that these children have the same quality of schools and education as other students do.

Finally, Mr. Chairman, I would note that this bill is a piece of win-win legislation of legislation for the forests, for the communities which depend on forests, and for the hard-working families that make up these communities. It authorizes forest improvement projects that will stimulate local economic growth while promoting forest improvements and it sets up a panel designed to help all of us look for the most effective ways of fostering and preserving this long-term relationship for the future.

Mr. STENHOLM. Mr. Chairman, I yield 6 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, I want to thank my colleague and my friend, the gentleman from Texas (Mr. STENHOLM), for yielding me this time.

Mr. Chairman, I rise in strong support of the Goodlatte substitute amendment to H.R. 2389, the County Schools Funding Revitalization Act of 1999. The issue of forest revenue payments by the Federal Government to local affected communities is very important to many communities across rural America and to a large portion of the Second Congressional District of Florida, which is a very rural district that encompasses 19 counties which has two national forests in it, the Apalachicola and the Osceola.

In fact, Mr. Chairman, I have been working on this issue for many years and even before I came to Congress when I was serving in the Florida State legislature. I am happy that this Congress is finally addressing and trying to solve this issue that affects so many communities across the Nation.

As has been said before, in 1908, the Federal Government entered into a compact with rural communities in which the government was the dominant landowner. Under this compact, counties with National Forest lands received 25 percent of the revenue generated from the forest lands to compensate them for diminished local property tax base. By law, these revenues finance public schools and local road infrastructure. However, in recent years, in the last 10 years, the principal source of these revenues has sharply curtailed due to changes in Federal forest management policy.

Those revenues, shared with States and counties, have declined significantly. As we know, payments to some counties have dropped to less than 10 percent of the historic levels under this compact, and the impact on rural communities and schools has been staggering. In fact, in the Apalachicola National Forest in North Florida the revenues have dropped 89 percent in the last 10 years. This decline in shared revenues has severely impacted or crippled educational funding and the quality of education provided and the services offered in the affected counties.

I will not detail all the various painful cuts that have been incurred by our communities and our schools, but I want to emphasize the severity of the actions that has been required. The most far-reaching and devastating impact of the declining revenues is the adverse effect on the future of our children. An education system crippled by such funding cuts cannot train our young people in the skills needed to join tomorrow's society as contributing, productive, taxpaying citizens. It is clear to me and many others that the compact of 1908 is broken and needs to be fixed immediately. That is why the gentleman from Georgia (Mr. DEAL) and I introduced the County Schools Funding Revitalization Act of 1999.

This legislation was based on principles that were part of a compromise agreement reached by the National Forest Counties and Schools Coalition. This bill is significant because it was developed not by a Washington-knows-best approach but from a bottom-up approach and based on a consensus of 800 groups from approximately 26 States, including school superintendents, county commissioners, educators, the National Education Association and the U.S. Chamber of Commerce.

In an effort to improve the bill's chance of passage and to be as inclusive as possible, the gentleman from Georgia (Mr. DEAL) and I began to work with key members of the Senate and with the gentleman from New York (Mr. BOEHLERT), the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Virginia (Mr. GOODLATTE).

As many know, reaching a compromise with that group was no small accomplishment in itself. However, I honestly believe that we have come together and have improved this bill and in doing so have increased the chance of it becoming law.

This substitute contains three main provisions. First, it would restore stability to the 25 percent payment compact by ensuring a predictable payment level to forest communities for an interim 7-year period. That payment would be 80 percent of the highest of the 3-year average since 1984.

Secondly, counties would receive an additional 20 percent of the average amount described above for projects recommended by local community advisory committees, if approved by the Forest Service or the Bureau of Land Management. All projects would have to comply, as was said earlier, with all environmental laws and regulations, as well as all applicable forest plans.

Finally, the bill requires the Federal Government to collaborate with local community and school representatives as part of the Forest Counties Payment Committee to develop a long-term permanent exclusion that will fix the 1908 compact for the long-term.

I want to thank my four colleagues, my partner in writing this bill, the gentleman from Georgia (Mr. DEAL), the gentleman from Virginia (Mr. GOODLATTE), who has walked us through this maze, the gentleman from Oregon (Mr. DEFAZIO), who has been wonderful in helping us reach a compromise, along with the gentleman from New York (Mr. BOEHLERT), for their efforts to bring a piece of legislation that actually has a chance of becoming law.

In closing, the Federal Government must fulfill the promise made to these communities in 1908. I urge support of the Goodlatte substitute and opposition to any amendments that would upset this fine balance that has been achieved. Together we can fix the compact and restore long-term stability to our rural schools.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. DEAL), the chief sponsor of the legislation on our side of the aisle.

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODLATTE) for yielding me this time.

Mr. Chairman, before I proceed, I would like to join in thanking those who have made this compromise as it comes to the floor today possible. First of all, to my original cosponsor, the gentleman from Florida (Mr. BOYD), who just spoke, his efforts and those of the gentleman from Virginia (Mr. GOODLATTE), as he has taken this legislation and worked with us; the gentleman from Oregon (Mr. DEFAZIO), the gentleman from New York (Mr. BOEHLERT) and the gentleman from Texas (Mr. STENHOLM) and others on the Committee on Agriculture who have worked with us to bring this issue to the floor today.

We believe that the proposal that is before us is a reasonable, short-term solution to a problem that has continued to get worse over the years. As we have heard other speakers say, this legislation grows out of the existing law that was a compact arrangement beginning in 1908 for Forest Service counties and then in 1937 for those Bureau

of Land Management counties, to share revenue generated from Federal lands with the local communities in which those lands are located.

We have heard the statistics that we have seen across the board on Forest Service lands, about a 70 percent decrease in some communities, as much as in excess of a 90 percent decrease in the revenue they were receiving to support their local school systems, road programs and so forth.

Let me give a dollar idea of how much that is. For Forest Service lands, the peak year was in 1989 when the revenue that was being shared was $1.44 billion. That dropped in 1998 to only $557 million.

On the Oregon and California receipts, they declined to $51 million in 1998 from the peak year of 1989 of some $235 million. So it is easy to see that when a revenue stream is reduced by more than 70 percent and sometimes more than 90 percent to local communities, the impact can be devastating.

We recognize that this legislation is not a long-term permanent solution. It has built into it a mechanism whereby we hope to arrive at that solution; a committee that is appointed, made up of local officials, Forest Service officials, Bureau of Land Management officials, who will study the issue and come back to Congress with a proposal.

As has already been indicated, this legislation is an outgrowth of the communities themselves asking us to take action. In March of this year, a national conference was held in Reno, Nevada, and out of that came the National Forest Counties and Schools Coalition, this 800-member group that we have heard referenced here. This legislation is in response to their request.

In conclusion, I would like to once again thank the gentleman from Virginia (Mr. GOODLATTE), and in particular all of our staffs who have worked diligently to bring this issue to the floor today. I would urge its adoption without amendment.

Mr. Chairman, thank you for providing me the opportunity to speak in support of the critical issue of county schools funding. We must support our rural schools and communities, and H.R. 2389 is an important effort for those with forest lands in their districts.

In the ninth congressional district I serve in Georgia, 15 of my 20 counties include national forest land. In fact, the Chattahoochee National Forest encompasses more than fifty percent of my district. Counties that have the largest amount of forest land in my district include Towns County with 64% and Rabun County with 63%. Such communities do not collect property taxes for these federal lands and greatly depend upon forestry resources for their schools and economies. Therefore, effective forest management is an issue of vital importance in rural areas such as mine, and there are multiple forest uses to consider (scenic areas, wilderness, timber production, recreation, and wildlife designation). As a Co-Chairman of the Forestry 2000 Congressional Task Force, I am working to provide balance between societal and environmental concerns and the timber industry, specifically in the areas of forest management and health, taxes, endangered species, property rights, funding matters, and public land revisions.

Additionally, nothing is more important to the future of our country than the opportunity for high quality education for all Americans. I believe in the value of education, and we must prepare our nation's children for the 21st century. As a member of the House Education and the Workforce Committee, I am actively involved in designing and examining legislation to benefit those who are closest to our nation's students. Those at the local level have the greatest responsibility in educating and preparing our children for the future.

While education is predominantly a state and local issue, many have taken the ''Washington knows best'' attitude and have attached endless strings to federal dollars. What I hear schools and educators really need is not more paperwork and red tape, but the flexibility to help children more efficiently. Thus, I have focused my attention on assisting state and local governments in providing a quality education for America's youth.

For too long, we have relied on Washington bureaucracies to solve our nation's problems. It is time to create a more rational approach in addressing issues at the federal level by basing decisions on what works back at home. With those thoughts in mind, I introduced with my colleague, Representative ALLEN BOYD, the County Schools Funding Revitalization Act of 1999 (H.R. 2389).

This legislation is a locally designed solution to the education funding shortages in communities dependent upon timber revenues. Specifically, in March of 1999, a national conference of organizations concerned about forest revenue sharing payments and rural socio-economic stability convened in Reno, Nevada. From this conference emerged the National Forest Counties and Schools Coalition (NFCSC), a unique group of over 800 local, regional, and national organizations which share the common objective of strengthening and improving rural schools and forest dependent communities in both the short and long term. The NFCSC developed a set of joint principles to guide lawmakers in developing legislation to improve forest revenue sharing payments. I urge lawmakers to pay attention to these principals submitted from communities across the country as we work to address this issue.

As a matter of background, the National Forest System, managed by the U.S. Forest Service (USFS) within the Department of Agriculture, was established in 1907 and has grown to include 192 million acres of federal lands. In addition, the Bureau of Land Management (BLM) within the Department of the Interior manages over 2.6 million acres of federal lands.

The federal government recognized that, when it secured these lands in federal ownership, it deprived the adjacent counties of revenues they would have otherwise received if the lands were sold or transferred into private ownership. Accordingly, in 1908 Congress enacted a law providing that 25% of the revenues from National Forests be paid to the counties in which those lands were situated for the benefit of public schools and roads. Similarly, in 1937, Congress established that 50% of the revenues from the revested and reconveyed BLM lands be paid to the counties in which those lands were located for similar public purposes.

Since that time, counties adjacent to federal forests have relied on the compacts of 1908 and 1937 to help finance rural schools and roads and maintain a stable socio-economic infrastructure. In recent years, however, the principal source of these revenues, federal timer sales, has declined by over 70% nationwide, a payments to many counties have dropped to less than 10% of their historic levels under the compact. The corresponding revenues shared with rural counties throughout the country have declined dramatically, crippling educational funding and severely eroding the quality of education offered to rural school children. Many have been forced to lay off teachers, bus drivers, nurses, and other employees; postpone badly needed building repairs and other capital expenditures; eliminate lunch programs; and curtail extracurricular activities. Further, local county budgets have been badly strained as communities have been forced to cut funding for social programs and local infrastructure to offset lost 25% payment revenues. As a result, rural communities are suffering severe economic downturns with increases in unemployment, family dislocation, domestic violence, substance abuse, and welfare enrollment.

In 1993, Congress enacted a partial response to this crisis by establishing a temporary safety net payment system for 72 counties in Oregon, Washington and Northern California, where federal timber sales were reduced by over 80% to protect the northern spotted owl. To date, Congress has not provided similar assistance to the other 730 counties across the nation, which have suffered similar hardships because of declining forest revenues.

The Goodlatte substitute to H.R. 2389, entitled the Secure Rural Schools and Community Self Determination Act, was developed with input and support from the National Forest Counties & Schools Coalition and is a unique compromise endorsed by over 800 education, labor, industry, and country government organizations. The bill would restore stability and predictability to the annual payments made to states and counties containing national forest system lands for use by the counties for the benefit of public schools, roads, and communities.

H.R. 2389 restores stability to the 25% payment compact by ensuring a predictable payment level to federal forest communities for an interim 7-year period. The measure also requires the federal government to collaborate with local community and school representatives to develop a permanent solution that will fix the 1908 compact for the long term.

It is my hope that members in Congress will respect the solutions and opinions of our local communities put forth by the National Forest Counties and Schools Coalition. By supporting and passing the Secure Rural Schools and Community Self Determination Act, together we can fix the compact and restore long-term stability to our rural schools and governments and the families that depend on them.

Again, thank you for the honor to speak today. I ask you to support your local and rural schools by voting for H.R. 2389.

□ 1345

Mr. STENHOLM. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I want to thank the gentleman from Texas

(Mr. STENHOLM) for yielding the time and also for his leadership on the Committee on Agriculture in allowing us to pass this bill out of the committee and now bring it to the floor.

I also want to thank the many who have joined together, the gentleman from Florida (Mr. BOYD), the gentleman from Georgia (Mr. DEAL), and the others, the gentleman from Virginia (Mr. GOODLATTE) to be sure that we have a bill that we have reasonable expectations of seeing passed through the Congress, through the House, through the Senate.

I want to emphasize at the outset that this bill is a very carefully crafted compromise; and though there will be an amendment offered today, at least one, I want all of the Members of the House to understand that the efforts that have gone into crafting this compromise, this very delicate compromise, is very important to preserve, to ensure that this bill will be well received when it reaches the Senate.

This bill really arises out of a problem that has been growing for a number of years in many of our counties that are dependent upon revenues from our National Forest to support our county budgets and to support our school district budgets.

In my own case, in east Texas, where we have four National Forests, the problem has been particularly acute, because we have been under an injunction in east Texas that has, for almost 2 years now, halted all harvesting in our National Forest.

I think if we look at the situation in east Texas and all across the country, what we see is that our school districts and our county governments have been held hostage to the ongoing national debate over National Forest policy.

I think that it is time for us to let our counties and our school districts be free of the impact, the adverse impact of that national debate. This bill is designed to do that by providing a guaranteed level of funding from our National Forest for those forest dependent counties and school districts. This is a very real problem.

In fact, today we have with us here in the gallery two county judges from my own district, Judge Mark Evans and Judge Chris VonDoenhoff, who have fought the problems that have been brought about by the lack of revenues from our National Forest on their particular county budgets.

They were a part of the coalition of school districts and county officials that have worked to bring this bill to the floor, a coalition that has 800 different organizations supporting this legislation.

The counties that they represent each have lost significant dollars as a result of the injunction that now exists halting all harvesting of timber in our National Forests. In fact, when we compare the revenues that those two counties, Houston County and Trinity County, in east Texas received in 1996 to what they are receiving today, they have lost 90 percent of their revenues from the National Forest. So this is a very serious problem for all of the counties and school districts in areas where there are National Forests.

We talked to an individual today in one of our school districts who advised us of the hardship that they are feeling as a result of the loss of revenues. There was even an article in one of my local papers recently that talked about the fact that one of the school bus drivers is having to drive a broken down school bus solely because the school district had to lay off the mechanics that take care of the maintenance of the school buses because of the loss of Federal forest revenues.

So I am very pleased to be an original cosponsor of this bill. I am very pleased to have all of the Members that have joined with us on this compromise legislation. I think it is important for us all to understand that this is a bill that not only should be well received by those who are dependent upon forest revenues to operate their schools and their counties, but this is also a bill that should enjoy the support of the environmental community because it does have the effect of taking our school districts and our counties out of the middle of the national debate over National Forest management practices.

I think it is time to do this. Our school districts deserve this kind of protection. Our counties deserve the protection. In the long-term, I think it is the right thing to do for the country. I hope all the Members will reject any amendments, help us preserve this compromise and vote in favor of this very good piece of legislation.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mrs. EMERSON). The Chair will remind the Member not to refer to occupants of the gallery.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield 5 minutes to the gentleman from New York (Mr. BOEHLERT), and to thank him for his hard work in fashioning the compromise that we have here today.

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

Mr. BOEHLERT. Madam Chairman, I want to thank the gentleman for yielding me this time and for his kind words.

Madam Chairman, I rise in support of H.R. 2389 as amended by the Goodlatte substitute. The Goodlatte substitute reflects many, many hours of tough negotiations, 7 hours on last Friday alone.

I want to thank all of the staff who worked on getting the details of this draft right. I especially wish to thank Greg Kostka of the Legislative Counsel's Office for his responsiveness and dedication. So often we fail to appreciate the talent and the professionalism of the Legislative Counsel's Office. I want to make certain that is acknowledged here and now.

I need to begin with two caveats about this agreement just so there is no risk of misunderstanding as we go through the remainder of the legislative process. This substitute is a reasonable agreement. But it represents just about as far as we can possibly compromise on this issue. If the other body changes anything at all in this bill, we are under no obligation whatsoever to accept those changes, nor are we under any obligation to support a bill that supports those changes. We should be willing, as we always must be, to look at changes. But keep in mind that any changes would unnecessarily threaten the House coalition that is supporting the Goodlatte amendment. That needs to be clear.

There is, however, one change that all House supporters agree that the other body has to make. The Goodlatte substitute uses appropriations to fund county payments. The final bill will have to use mandatory funds for that purpose.

I would point out that previously in the well the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Interior of the Committee on Appropriations, addressed this subject very eloquently and articulately. Let me repeat, the final bill will have to use mandatory funds for that purpose.

I know that that is the intention of all the supporters of this bill. Unless this becomes a mandatory spending bill, this legislation would threaten both the guaranteed payment to the counties, and we do not want to do that, and other Forest Service appropriations, which might be cannibalized to provide the guaranteed payment, something that I would oppose vehemently.

So, too, I point out, do my friends associated with the League of Conservation Voters who, in a mailing to all Members, addressed that point. They happen to be right on that point. We are working together with them.

With those caveats, I do urge my colleagues to support this substitute and to oppose all amendments.

The substitute ensures that schools and areas with National Forests will have a generous stream of Federal funding. Like all other versions of this bill, the substitute provides counties with full payment equal to 100 percent of the average payment received during the top 3 years between 1984 and 1999. Again, this is quite generous. But I do not mind being generous with education. That is a wise investment in our future.

The substitute protects the counties while also protecting our National Forests, which were needlessly put at risk in some other versions, early incantations of this bill. The substitute accomplishes that by adding environmental safeguards to title II of this bill, something that the gentleman from Oregon (Mr. DEFAZIO) pointed out, which requires counties to spend money on projects in National Forests

instead of just applying the money to the traditional purposes of roads and schools.

The substitute makes clear that the Federal Government decides whether proposed projects can go forward, and that that decision is made only after completing the usual environmental analyses. The projects must comply with all Federal laws. The Secretaries of Agriculture and Interior alone have the power to reject a proposed project, but approved projects are subject to all the standard appeals and reviews. That is very important to emphasize.

In short, the bill now clearly lays out the role of the counties, the advisory board, and the Secretaries, and makes clear that these projects are to be treated just as if they had originated with the Secretaries.

The substitute also eliminates the incentives to use project funds to harvest trees. Under earlier versions of this bill, the counties and the Forest Service each would have received 50 percent of the timber receipts, thereby recoupling the counties' treasuries to forestry payments, that is something we do not want to do, as well as creating an enormous incentive to choose timber harvesting over other such sorts of projects, such as ecosystem restoration. That was totally unacceptable.

Under the substitute, all the receipts from the program will go into special funds in each region to which counties may apply to projects, and those funds will return to the general fund of the Treasury at the end of fiscal 2007.

Madam Chairman, we believe this substitute has eliminated the provisions of the bill that would have been of greatest detriment to the environment.

Again, I thank the gentleman from Virginia (Mr. GOODLATTE), chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, for his willingness to negotiate. I urge that the House pass this substitute and oppose all amendments thereto.

Mr. STENHOLM. Madam Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Madam Chairman, I thank the gentleman from Texas for yielding me the time.

Madam Chairman, this is a compromise that has been in the making for some time. It is a compromise that has come with a lot of people coming to the tables and a lot of variance of it. But it also, I think, is exemplary what we can do when we set our mind to do it.

Now, this is not a permanent fix, though it is, indeed, a reasonable and celebrated victory to move this forward and to make sure that school systems that are in these areas where there are large holdings of Federal lands are not put at the mercy of how we make these decisions, nor should it be seen as a substitute to put the environment at the risk of having to fund our schools.

So this is why we celebrate the compromise. It recognizes both of those forces are good, that the environment, protecting our forest is good, but equally as important is making sure that the children in rural area have an opportunity for the education that they, not choosing, but live in communities that are heavily dependent on lands that are held by the Federal Government.

So I want to urge that we support this bill and also hold this process that is perhaps a process that we can look at other difficult issues to try to work out a compromise.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield 2 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Madam Chairman, I rise in support of H.R. 2389, a bill that will provide much needed financial security for our rural communities and schools that have been so hard hit by the decline in timber production on our Nation's forests.

In 1908, Congress recognized that the Federal Government's control of the huge amount of untaxed land in rural areas would have a serious negative impact on the ability of rural counties to maintain schools and other basic services. Congress enacted a law to pay 25 percent of the revenues from National Forests to the local counties so they can provide for their schools and their roads.

So how does Federal land control affect a county today? Let me give my colleagues a couple of examples. Lake County, in rural southeastern Oregon, is larger than the State of New Jersey, and four times the size of Delaware. About three-quarters of the county is controlled by the Federal Government. So what do my colleagues think would happen to Delaware or New Jersey if three-quarters of their tax roll was eliminated and three-quarters of their land was handed over to the Federal Government? I think they would have problems meeting the bottom line just as Lake County does.

I asked Lake County Commissioner Jane O'Keefe what this legislation will mean to her county. She said that, if the bill becomes law, the county would be able to again adequately maintain one of its most important investments, that of its infrastructure of its roads and its schools. It will keep the critical linkage between Lake County and the Federal forests that lie within its boundaries. It will provide Lake County with a temporary solution to the fiscal crisis that many rural counties are facing in maintaining infrastructure while creating a process to permanently address the county payments issue.

Grant County Judge Dennis Reynolds told me that, in 1992 and 1993, Grant County received $12 million. Last year, they received less than $1.5 million. Next year they are expected to receive only a million.

□ 1400

With a tenth of the receipts they received just 7 years ago, Judge Reynolds said Grant County is not doing any new contribution or reconstruction of their roads; they are simply trying to maintain the roads they currently have. I could cite similar examples in the other 18 counties in my district. This legislation is good for our schools, it is good for our counties, it is good for our communities.

I want to thank the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Oregon (Mr. DEFAZIO), and all my colleagues who stayed at the table and made this legislation possible.

Mr. STENHOLM. Madam Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Madam Chairman, I thank the gentleman for yielding me this time, and I would first like to commend my colleagues, the gentleman from Texas (Mr. STENHOLM), the gentleman from Florida (Mr. BOYD), the gentleman from Georgia (Mr. DEAL), the gentleman from Virginia (Mr. GOODLATTE), the gentleman from Colorado (Mr. UDALL), and the gentleman from Texas (Mr. TURNER) for their work on this bill.

The purpose of this bill is to more adequately compensate counties for the losses that they sustain at the expense of the Forest Service or the Bureau of Land Management-owned lands. Schools, local roads and county budgets should not suffer because national forest lands lie in their county.

This bill sets an important precedent that Congress must follow in the future. If the Federal Government owns land in a particular locality, we should see to it that these counties receive funds to make up the lost property tax base.

My home county of Arkansas County in Southeast Arkansas receives a payment in lieu of taxes from the U.S. Fish and Wildlife Service. While the structure of these payments is not affected by this bill, the bill makes the point that all counties containing Federal land should be sufficiently compensated. Parts of the St. Francis National Forest and the Ozark National Forest do lie in my district, and those counties will benefit from this bill.

Madam Chairman, we should vote to pass this bill.

Mr. GOODLATTE. Madam Chairman, I yield 1½ minutes to the gentleman from Louisiana (Mr. COOKSEY).

Mr. COOKSEY. Madam Chairman, I rise in support of H.R. 2389. Rural communities that depend on national forest receipts to fund education are facing a crisis. By law, the Forest Service must share 25 percent of national forest revenues with the counties in which they are generated as a ''payment in lieu of property taxes.'' This payment is used to fund local schools and roads.

However, severe declines in forest receipts over the last several years have drained school budgets in hundreds of

rural counties, forcing deep cuts in education programs and bringing some school districts to the brink of collapse. Schools have canceled classes, cut teachers, eliminated extracurricular activities, and cut corners in every conceivable way to keep their doors open.

Recently, rural communities from all over America have come together in a unique coalition, the National Forest Counties and Schools Coalition, a unique and diverse grass roots coalition of over 550 local and national organizations representing rural communities in 36 States. This coalition has come together to address this serious problem.

Their proposal, H.R. 2389, the County Schools Funding Revitalization Act of 1999, will stabilize funding for forest-dependent schools and allow rural communities to help craft a new Federal policy that will strengthen and improve education in forest communities for the long term.

H.R. 2389 is strongly supported by the U.S. Chamber of Commerce and the National Association of Counties. I join them in supporting H.R. 2389.

Mr. STENHOLM. Madam Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Chairman, I thank the gentleman for yielding me this time, and I thank my colleagues for all their hard work on this important piece of legislation.

When the Federal Government decided to reclaim the Oregon and California Railroad grant lands in 1916 and 1919, the Government took on a responsibility and made a promise to reimburse those counties that lost their tax base after these lands were reclaimed by the Federal Government. These counties, including six in my district, expend their local tax revenues on efforts that directly affect these Federal lands and the people that use them.

But times have changed, people's attitudes have changed, and the way we manage our lands have changed. We realize that logging at will impacted our lands and clean water. The logging of the 1980s, that saw extensive revenue brought into my district for schools and roads, are long gone. Over the last 10 years, I have seen class sizes grow, teachers, after-school programs and many other services reduced or eliminated because, without the timber receipts, we simply did not have the additional money for education and infrastructure.

In 1993, Congress recognized this trend and enacted an alternative safety net payment to 72 counties in Oregon, Washington, and California. Federal timber sales have been restricted or prohibited due to protection of certain species under the Northwest Forest Plan. This safety net is expected to expire in 2 years. This is not just a problem in the Northwest. This affects over 800 counties throughout the country from Oregon to Florida.

The children in these 800 counties, including six in my district, deserve the same opportunity and the same quality of schools and education opportunities as the rest of America. We made a promise to them. We must extend the safety net for an additional 4 years while we work with these communities to draft a permanent solution to fund infrastructure and, most importantly, our schools.

I hope my colleagues will join me in voting ''yes'' for education and voting ''yes'' on this bill.

Mr. GOODLATTE. Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Madam Chairman, I want to tell my colleagues about Mariposa County, where I was born and raised. It has a single school district within it struggling to make ends meet for about 2,600 students. Arts programs for children have been cut back, six of the districts schools do not have a lunchroom where the children can eat, 60 percent of Mariposa County school buildings are modular, temporary structures, and the school district's bus fleet is rapidly aging.

Such decay is due in part to a lack of management on the national forests. Over the past decade, Mariposa County has gone from generating $800,000 each year from the receipt program to less than $100,000 as a result of diminished forest management.

Mariposa County's resources are Federal lands, so the county is unable to generate a sufficient tax base. It, therefore, relies on funds derived from the receipt program. It is vital that Congress pass H.R. 2389, which creates a system to encourage rural forest communities to be self-sufficient and provide funding for schools in these areas.

Approval of H.R. 2389 is also necessary to prevent the administration from implementing its plan to remove economic incentives to rural communities by decoupling forest receipts and giving direct payments to counties that are not linked to forest management. The loss of the 25 percent receipts would further devastate rural schools and their already economically ailing communities experiencing decreased forest management.

The economies of some rural communities, in Northern California in particular, depend almost entirely on the management of forest. In the absence of receipts, the areas have little else except government welfare upon which to survive. The County Schools Funding Revitalization Act is needed to establish a stable system of funds to provide a solid future for rural schoolchildren.

I strongly support H.R. 2389 on behalf of the rural children throughout my district who simply have had enough cuts in their schools and must be afforded the opportunity to receive the best education possible.

Mr. STENHOLM. Madam Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Madam Chairman, I thank the gentleman for yielding me this time. This is very important legislation before this body, and we are hearing from Members coast to coast on what this means to people in their home States and their counties, particularly to smaller rural school districts and rural counties where there is little other economic opportunity and where the county property tax bases are not sufficient.

In my district it is doubly important. We have not only Forest Service lands, we have something called the O and C lands. More than half of my district is owned by the United States Government. And with the changes that have come about in forest management in the last few years, the revenues to those counties have dropped off dramatically, or would have dropped off dramatically, had we not gotten a guarantee in 1993 when the Clinton forest plan was put into place. That plan expires in the year 2003, and each year under that plan we get fewer revenues.

If this legislation passes today and becomes law, those revenues will immediately increase, and that will mean more funding for schools, that will mean more funding for rural law enforcement, that will mean some additional funds to meet unmet road maintenance and repair needs across southwest Oregon. Those are important programs.

This is legislation that has tremendous merit. As I mentioned earlier, for my colleagues who do not have these sorts of Federal lands, if they can think of it in the way we have dealt with base closings in this Congress; that when Federal bases are closed, payments are made into those communities for the conversion of their economies; and often, again, those bases revert to those local communities.

Again, I am not, nor would I ever suggest, and I will adamantly oppose, any return of these lands to the States or local governments. I believe they are best managed in the Federal interest. But there is no option to raise revenues off of these lands. And some of the things that were mentioned earlier, in terms of recreation and all that, yes, in fact, the recreation can possibly be enhanced by some of these local projects, investments can be made. I have a bicycle path created between two formerly timber-dependent communities in the southern part of my district. It is beginning to attract additional tourism and economic development to that area. But much, much more can be done.

The payments that were to be made for the transition under the President's forest plan were not adequate for many of these rural economies. Our rate of unemployment in Oregon is one of the highest in the United States. And in rural Oregon it is among the highest in the United States. We need a little bit more help, and this bill will provide that additional help.

So I would recommend this bill to my colleagues, not just because it benefits the people of Oregon but because it

benefits hundreds of counties all across America and from a wide breadth of folks on both sides of the aisle, whose voices I think we are hearing asking for their colleagues' support.

Mr. GOODLATTE. Madam Chairman, I yield 3 minutes to the gentleman from California (Mr. OSE).

Mr. OSE. Madam Chairman, I thank the gentleman for yielding me this time, and I rise today in strong support of the County Schools Funding Revitalization Act.

Back in my home district, I have heard firsthand the worries of educators about the lack of funding in their school districts. My good friend, Mr. Bob Douglas, the superintendent of schools in Tehama County, recently shared with me information about deteriorating conditions in Tehama's school system. And they are bad. Teachers have been laid off, causing increases in classroom size; some school bus services have been discontinued, leaving children stranded at the beginning or end of the day and parents forced to either delay going to work or to come home from work to take them home. Textbook budgets have been slashed, vocational training restricted, counseling programs reduced, and that single most valuable piece of our educational system, the library, has had its hours curtailed.

Virtually every part of the school system in forest counties, like many of mine, have been affected by the reductions in this funding. And this is not restricted to Tehama County. I have also heard from folks in Butte, Colusa, and Glenn Counties. Parents and teachers who every day see the impact of reduced funding on our children have stressed to me the urgency of this matter.

We spend a lot of time here throwing rhetoric back and forth across that center aisle. We argue about who is spending more on education and who is spending less. Well, my colleagues, now is the time to put our money where our mouth is. This bill will help level the playing field between children of rural counties and those who live in cities so that every child, regardless of where they live, has the opportunity to meet the expectations and expand the horizons that their parents hold so dear.

This bill will help ensure that the local communities who have fallen on hard times in recent years have the funding to provide an adequate education for that most valuable resource, that one thing we all live and breathe for every day, that being for our children. My colleagues, we cannot let down our children from America's rural areas. We must continue to make education a priority.

Please join me in voting ''yes'' on the County Schools Funding Revitalization Act.

Mr. STENHOLM. Madam Chairman, I yield 2 minutes to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Madam Chairman, right now the United States Government is destroying public land at a loss of $300 million per year to taxpayers. That is a lot of money to spend on the destruction of our national forests.

□ 1415

Some of my colleagues say that if we do not expand our corporate welfare to the timber industries, there will be no money for our Nation's children. That is like robbing Peter to pay Paul. Timber sales have been decreasing and the money for rural schools is on the decline. We need to provide a real solution to the problem, not a false choice between trees or schools.

Supporters of this bill say we need to address the declining rate of funding for schools. Yet 13 States will experience a permanent reduction in education and infrastructure funding under this bill. The fact is we can afford to give our rural schools the funding they need and deserve, but we must separate funding to rural countries from timber receipts.

I am a strong supporter of rural education. I ask my colleagues that if they are true supporters of rural education, then give students what they need, payments that are not dependent upon fluctuating timber sales. Our children deserve a steady supply of funding and a healthy environment. This bill provides neither.

This bill was not written to help students. It actually scratches the back of the timber industry. The National Forest Protection and Restoration Act provides for rural counties by offering them guaranteed annual funding. Counties would no longer have to depend on the Forest Service for what they need. They would have a budget that allows them to plan for the future. They would no longer have to clearcut for our kids.

It seems that the supporters of this bill cannot see the students through the trees, so their solution is to chop the trees down. We are talking about the future of our Nation's children. Let us give them what they need without pandering to big business.

I support a no vote on H.R. 2389.

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

Madam Chairman, I would just say that we have heard the term used over and over by speaker after speaker on both sides of the aisle that this is a reasonable short-term solution, it is a compromise, there has been a good-faith effort put forward by those who have worked very hard on this legislation they bring to us today; and, as indication of that, whereas when we started the administration was threatening to ask for a presidential veto of this legislation, they have withdrawn that threat.

There is still opposition from the administration for the bill, but we are making good progress; and I believe that it is very highly probable that this can become law.

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

Mr. GOODLATTE. Madam Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Madam Chairman, I thank the gentleman for yielding me the time, and I rise to support this legislation.

Madam Chairman, I think it is important, because for the first time in a long time, there is a realization that we own a lot of this country. We own a third of America, we, the national taxpayers.

In my view, there has been a real insensitivity toward Federal policy and how it impacts rural America. And that is the problem that we are finally facing up to today. It is a matter of when we change the Federal land use policies and counties and States are predominantly opened by the Federal Government, it has a huge impact on the economic base and the quality of life in those communities.

I am here to say that I think the Congresses in the past and administrations have been very insensitive to the impact on rural America.

Why do we own a third of this country? For a number of reasons. So that we have land for recreation. So that we have land for wilderness areas. So that we have land for people to hunt and fish and recreate on. Also, it was purchased so that we would have the natural resources that we have that would be well managed and that would be available for the future.

Now, somehow all that got mixed up by legislators and administrations and this whole policy kind of got thrown out of the window, that part of the reason that we own a third of this country is that we have resources for our future and the multi-use prospect was kind of thrown out, the baby with the bath water. I think that is the discussion that needs to be clear today and precise, that we are here today.

Now, we are going to help fix schools. We are going to help fix local roads. But the loss of those industries that used natural resources are still gone, and that base out there is still very fragile.

I urge Members of Congress, because so often I have ended up debating suburbanites who come from suburbia and urban areas who have little sensitivity towards rural America, that out in rural America we cut timber, we drill for oil, we dig for coal, we mine natural resources, and we farm and we manufacture.

When they take over half of that away from us, and we have counties and States that are predominantly owned by Government, and the Government changes its policies quickly, we have huge impacts on the quality of rural life and the opportunities that are there. There is enough land for all. If we manage it well, if we used good sound science, our future can be strong.

I wish we could get by this debate that cutting down a tree is some moral

act. It is the one most renewable resource we have in America. Well-managed forests will produce logs forever. Our great grandchildren will be logging on the same forests that we log on if it is done right. It is a resource.

So I am pleased today that there is finally a realization that Federal policies have had an impact on rural America and it has not been good.

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

Madam Chairman, I first want to refute the statement made by the gentlewoman from Georgia (Ms. MCKINNEY) a little while ago that 13 States were going to lose funding or have reduced funding as a result of this legislation. Nothing could be further from the truth.

Forty-six States and Puerto Rico will receive increases in funding under this legislation, including the State of Georgia, from which the gentlewoman hails, which will receive an 87 percent increase. No States will receive a reduction. Four States will be level-funded under this legislation.

Some of the increases, to give my colleagues an example, Alaska will receive a 204 percent increase, Arizona a 264 percent increase, California a 93 percent increase, Florida a 125 percent increase, Georgia an 87 percent increase, Indiana an 185 percent increase, Missouri a 103 percent increase, New Mexico a 173 percent increase, New York a 212 percent increase, Ohio 1,203 percent increase, South Carolina 226 percent increase. The list goes on and on. Many, many States will receive substantial increases. No State will be cut as a result of this legislation.

Secondly, it is important to note that the amendment that is about to be offered is a poison pill amendment. I urge my colleagues to oppose it.

I would call to their attention the organizations that are a part of the National Forest, Counties, and Schools Coalition that opposes this legislation and want to see more funds get into rural schools.

The Alliance for America, the American Association of Educational Service Agencies, and the American Association of School Administrators support this legislation and oppose the poison pill amendment.

The Forest Products Industry National Labor Management Committee; the Independent Forest Products Association; the International Association of Machinists and Aerospace Workers; the National Association of Counties; the National Association of County Engineers; the National Education Association; Organizations Concerned About Rural Education; the Paper, Allied Industrial, Chemical, and Energy Workers International; People for the U.S.A.; the Southern Forest Products Association; the United Brotherhood of Carpenters and Joiners of America; the United Mine Workers of America; the United States Chamber of Commerce; and the Western Council of Industrial Workers, just to name a few of the more than 800 organizations in 39 States which support this legislation and oppose any amendments thereto.

I urge my colleagues to support this legislation.

Mr. VENTO. Madam Chairman, I rise in opposition to this legislation. H.R. 2389 followed a flawed path since its inception, both in the development of its policy and in the secrecy with which its language was closely guarded until early this week. The underlying goal behind H.R. 2389 was to establish an interim procedure that would provide more money to rural counties for education and road building. This was to make up for reduced payments to the Twenty-Five Percent Fund because of decreases in timber harvesting over the past decade. Unfortunatley, there is nothing interim about this legislation. It establishes a multi year program that increases logging in our National Forests and further solidifies a pattern created at the beginning of the century that educated our children at the expense of environment. Sacrificing their natural heritage isn't necessary today so as to asssure an investment in their future and a sound educational opportunity.

H.R. 2389 had the potential to reverse Twenty-Five Percent Fund's century long destructive path by creating a program that decouples county payments tied to the amount of timber harvested from public lands. Instead, this legislation gives counties some of the highest timber payments ever and yet encourages them to harvest already thinned forests in a potentially unsustainable manner. This legislation should have broken that policy and spending pattern. Instead, it enshrines it. This country should educate our children about protecting the environment, not educate our children at its expense.

H.R. 2389 establishes a special community projects program in Title II, but its method of implementation will unknowingly to most create a tenuous relationship between federal land managers and the counties who will manage Federal lands through Title II projects. These projects will reduce funds going to rural governments and school systems by requiring that 20 percent of the county payments be spent on local forest management projects. The profits from these projects will then be funneled into a special projects account to be spent on more of these projects, thus creating an everlasting sort of synergistic logging effect. If the overall goal of this legislation is aid our rural schools and counties, then I hope that this House will at least use common sense and give all counties the option to use up 20 percent of their funds on these special projects instead of requiring that they use 20 percent of their funds only on special projects.

This interim legislation establishes a working advisory group whose goal is to solve the county payment issue. Unfortunately, Title III attempts to reinvent Government by creating a top heavy advisory panel that fails to represent all interests involved in the formulation of a new program. When we look down the road nearly a decade from now, after this legislation sunsets, the Forest Service Chief should have, in his hands, the advisory panels recommendation. Will he act on it? Who knows? The chief is certainly not bound to. The advisory panel, for all its bells and whistles, in effect, serves little purpose and most likely will accomplish nothing. The Forest Service has no compelling reason to accept their recommendation, and, frankly, when I look at the make up of the panel, it's not likely to come up with recommendations that are balanced.

This body must comprehensively revise the county payments issue and decouple all payment to counties from timber production, and understand that the issue is how and if to make this program a permanent mandatory appropriation. The framework for this solution has already been laid. This body must build the structure into a working program that benefits our counties, our forests and our children.

It was my hope that this legislation would come to the floor today. Many of us went into this week with blinders over our eyes. We were given little opportunity to review this legislation and determine innovative solutions to correct this complex issue. H.R. 2389 is a flawed proposal that takes an antiquated approach to providing counties funds for education and road building at the expense of our National Forests. Proponents want to keep their cake and eat it too. This legislation is promoting a century old program at a time when the Forest Service is managing our forests in a progressive, ecological sound and scientific manner. Everyone in this body recognizes the need for the education of our young. Should it come at the expense of our environment when there are sound proposals already on the table for the House to consider? The short answer to this is no. We are one of the richest nations in the world and this sends a signal that we cannot afford to properly educate our children without using the slash and burn techniques of years past. I urge my colleague to vote no on this legislation.

Mr. STUPAK. Madam Chairman, the bill before us today, H.R. 2389, the County Schools Funding Revitalization Act, is important to the people and communities of Northern Michigan.

Much of my congressional district lies in the Ottawa, and Hiawatha, National Forests. Forest products are my district main industry, and they have a great financial, environmental, cultural, historical and recreational impact on my constituents.

My constituents depend on strong, vibrant national forests. We have been good stewards of our land and its natural resource; the forests depend on us for nurturing and protection.

This proper stewardship helps both the economy and the environment. Continued timber sales help in guaranteeing the future health of our national forests.

Since 1991, more trees die and rot each year in national forests than is sold for timber. I doubt if anyone in this chamber would view this as a proper and efficient use of our resources.

Since the Federal government does not pay property taxes on its own lands, the several counties in my district with national forest lands depend on the 25-percent payments in order to provide essential services such as education, law enforcement, emergency fire and medical, search and rescue, solid waste management, road maintenance, and other health and human services.

The forest industry is one of the top employers in my district. Overall, Michigan generates over $90 million in timber-based employment.

My district has been suffering from high unemployment. The financial guarantee and funding stability provided by this legislation will help the economy of Northern Michigan.

While I would like to see higher levels of funding in this bill for Region Nine of the Upper Midwest, I also accept the need to provide stable levels of funding for our communities and for our schools.

Madam Chairman, I urge my colleagues to support H.R. 2389.

The CHAIRMAN pro tempore (Mrs. EMERSON). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1, modified by the amendments printed in House Report 106–437, is considered as an original bill for the purpose of amendment and is considered read.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Secure Rural Schools and Community Self-Determination Act of 1999''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Definitions.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

Sec. 101. Determination of full payment amount for eligible States and counties.
Sec. 102. Payments to States from Forest Service lands for use by counties to benefit public education and transportation.
Sec. 103. Payments to counties from Bureau of Land Management lands for use to benefit public safety, law enforcement, education, and other public purposes.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.
Sec. 202. General limitation on use of project funds.
Sec. 203. Submission of project proposals by participating counties.
Sec. 204. Evaluation and approval of projects by Secretary concerned.
Sec. 205. Local advisory committees.
Sec. 206. Use of project funds.
Sec. 207. Duration of availability of a county's project funds.
Sec. 208. Treatment of funds generated by locally initiated projects.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

Sec. 301. Definitions.
Sec. 302. National advisory committee to develop long-term methods to meet statutory obligation of Federal lands to contribute to public education and other public services.
Sec. 303. Functions of Advisory Committee.
Sec. 304. Federal Advisory Committee Act requirements.
Sec. 305. Termination of Advisory Committee.
Sec. 306. Sense of Congress regarding Advisory Committee recommendations.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Treatment of funds and revenues.
Sec. 403. Conforming amendments.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The National Forest System, which is managed by the United States Forest Service, was established in 1907 and has grown to include approximately 192,000,000 acres of Federal lands.

(2) The public domain lands known as revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management were returned to Federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of Federal lands.

(3) Congress recognized that, by its decision to secure these lands in Federal ownership, the counties in which these lands are situated would be deprived of revenues they would otherwise receive if the lands were held in private ownership.

(4) Even without such revenues, these same counties have expended public funds year after year to provide services, such as education, road construction and maintenance, search and rescue, law enforcement, waste removal, and fire protection, that directly benefit these Federal lands and people who use these lands.

(5) To accord a measure of compensation to the affected counties for their loss of future revenues and for the critical services they provide to both county residents and visitors to these Federal lands, Congress determined that the Federal Government should share with these counties a portion of the revenues the United States receives from these Federal lands.

(6) Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest System lands be paid to States for use by the counties in which the lands are situated for the benefit of public schools and roads.

(7) Congress enacted in 1937 and subsequently amended a law that requires that 50 percent of the revenues derived from the revested and reconveyed grant lands be paid to the counties in which those lands are situated to be used as are other county funds.

(8) For several decades during the dramatic growth of the American economy, counties dependent on and supportive of these Federal lands received and relied on increasing shares of these revenues to provide educational opportunities for the children of residents of these counties.

(9) In recent years, the principal source of these revenues, Federal timber sales, has been sharply curtailed and, as the volume of timber sold annually from most of the Federal lands has decreased precipitously, so too have the revenues shared with the affected counties.

(10) This decline in shared revenues has severely impacted or crippled educational funding in, and the quality of education provided by, the affected counties.

(11) In the Omnibus Budget Reconciliation Act of 1993, Congress recognized this trend and ameliorated its adverse consequences by providing an alternative annual safety net payment to 72 counties in Oregon, Washington, and northern California in which Federal timber sales had been restricted or prohibited by administrative and judicial decisions to protect the northern spotted owl.

(12) The authority for these particular safety net payments is expiring and no comparable authority has been granted for alternative payments to counties elsewhere in the United States that have suffered similar losses in shared revenues from the Federal lands and in the educational funding those revenues provide.

(13) Although alternative payments are not an adequate substitute for the revenues, wages, purchasing of local goods and services, and social opportunities that are generated when the Federal lands are managed in a manner that encourages revenue-producing activities, such alternative payments are critically needed now to stabilize educational funding in the affected counties.

(14) Changes in Federal land management, in addition to having curtailed timber sales, have altered the historic, cooperative relationship between counties and the Forest Service and the Bureau of Land Management.

(15) Both the Forest Service and the Bureau of Land Management face significant backlogs in infrastructure maintenance and ecosystem restoration that are not likely to be addressed through annual appropriations.

(16) New relationships between the counties in which these Federal lands are located and the managers of these Federal lands need to be formed to benefit both the natural resources and rural communities of the United States as the 21st century begins.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide Federal funds to county governments that are dependent on and supportive of the Federal lands so as to assist such counties in restoring funding for education and other public services that the counties must provide to county residents and visitors;

(2) to provide these funds on a temporary basis in a form that is environmentally sound and consistent with applicable resource management plans;

(3) to facilitate the development, by the Federal Government and the counties which benefit from the shared revenues from the Federal lands, of a new cooperative relationship in Federal land management and the development of local consensus in implementing applicable plans for the Federal lands;

(4) to identify and implement projects on the Federal lands that enjoy broad-based local support; and

(5) to make additional investments in infrastructure maintenance and ecosystem restoration on Federal lands.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)); and

(B) the Oregon and California Railroad grant lands revested in the United States by the Act of June 9, 1916 (Chapter 137; 39 Stat. 218), Coos Bay Wagon Road grant lands reconveyed to the United States by the Act of February 26, 1919 (Chapter 47; 40 Stat. 1179), and subsequent additions to such lands.

(2) ELIGIBILITY PERIOD.—The term ''eligibility period'' means fiscal year 1984 through fiscal year 1999.

(3) ELIGIBLE COUNTY.—The term ''eligible county'' means a county or borough that received 50-percent payments for one or more fiscal years of the eligibility period or a county or borough that received a portion of an eligible State's 25-percent payments for one or more fiscal years of the eligibility period. The term includes a county or borough established after the date of the enactment of this Act so long as the county or borough includes all or a portion of a county or borough described in the preceding sentence.

(4) ELIGIBLE STATE.—The term ''eligible State'' means a State that received 25-percent payments for one or more fiscal years of the eligibility period.

(5) FULL PAYMENT AMOUNT.—The term ''full payment amount'' means the amount calculated for each eligible State and eligible county under section 101.

(6) 25-PERCENT PAYMENTS.—The term ''25-percent payments'' means the payments to States required by the 6th paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(7) 50-PERCENT PAYMENTS.—The term ''50-percent payments'' means the payments that are the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (Chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

(8) SAFETY NET PAYMENTS.—The term ''safety net payments'' means the payments to States and counties required by sections 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT FOR ELIGIBLE STATES AND COUNTIES.

(a) CALCULATION REQUIRED.—

(1) ELIGIBLE STATES.—The Secretary of the Treasury shall calculate for each eligible State an amount equal to the average of the three highest 25-percent payments and safety net payments made to that eligible State for fiscal years of the eligibility period.

(2) BLM COUNTIES.—The Secretary of the Treasury shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the average of the three highest 50-percent payments and safety net payments made to that eligible county for fiscal years of the eligibility period.

(b) ANNUAL ADJUSTMENT.—For each fiscal year in which payments are required to be made to eligible States and eligible counties under this title, the Secretary of the Treasury shall adjust the full payment amount in effect for the previous fiscal year for each eligible State and eligible county to reflect changes in the consumer price index for rural areas (as published in the Bureau of Labor Statistics) that occur after publication of that index for fiscal year 1999.

SEC. 102. PAYMENTS TO STATES FROM FOREST SERVICE LANDS FOR USE BY COUNTIES TO BENEFIT PUBLIC EDUCATION AND TRANSPORTATION.

(a) REQUIREMENT FOR PAYMENTS TO ELIGIBLE STATES.—The Secretary of the Treasury shall make to each eligible State a payment in accordance with subsection (b) for each of fiscal years 2000 through 2006. The payment for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(b) PAYMENT AMOUNTS.—The payment to an eligible State under subsection (a) for a fiscal year shall consist of the following:

(1) The 25-percent payments and safety net payments under section 13982 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note) applicable to that State for that fiscal year.

(2) If the amount under paragraph (1) is less than the full payment amount in effect for that State for that fiscal year, such additional funds as may be appropriated to provide a total payment not to exceed the full payment amount, but only to the extent such additional funds are provided in advance as discretionary appropriations included in appropriation Acts.

(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

(1) DISTRIBUTION METHOD.—An eligible State that receives a payment under subsection (a) shall distribute the payment among all eligible counties in the State, with each eligible county receiving the same percentage of that payment as the percentage of the State's total 25-percent payments and safety net payments under section 13982 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note) that were distributed to that county for fiscal years of the eligibility period.

(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by eligible States under subsection (a) and distributed to eligible counties shall be expended in the same manner in which 25-percent payments are required to be expended.

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) GENERAL RULE.—In the case of an eligible county to which $100,000 or more is distributed in a fiscal year pursuant to subsection (c)—

(A) 80 percent of the funds distributed to the eligible county shall be expended in the same manner in which the 25-percent payments are required to be expended; and

(B) 20 percent of the funds distributed to the eligible county shall be reserved and expended by the eligible county in accordance with title II.

(2) COUNTIES WITH MINOR DISTRIBUTIONS.—In the case of each eligible county to which less than $100,000 is distributed for fiscal year 2000 pursuant to subsection (c), the eligible county shall make an election whether or not to be subject to the requirements of paragraph (1) for that fiscal year and all subsequent fiscal years for which payments are made under subsection (a). The county shall notify the Secretary of Agriculture of its election under this subsection not later than 60 days after the county receives its distribution for fiscal year 2000.

SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND MANAGEMENT LANDS FOR USE TO BENEFIT PUBLIC SAFETY, LAW ENFORCEMENT, EDUCATION, AND OTHER PUBLIC PURPOSES.

(a) REQUIREMENT FOR PAYMENTS TO ELIGIBLE COUNTIES.—The Secretary of the Treasury shall make to each eligible county that received a 50-percent payment during the eligibility period a payment in accordance with subsection (b) for each of fiscal years 2000 through 2006. The payment for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(b) PAYMENT AMOUNTS.—The payment to an eligible county under subsection (a) for a fiscal year shall consist of the following:

(1) The 50-percent payments and safety net payments under section 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 43 U.S.C. 1181f note) applicable to that county for that fiscal year.

(2) If the amount under paragraph (1) is less than the full payment amount in effect for that county for that fiscal year, such additional funds as may be appropriated to provide a total payment not to exceed the full payment amount, but only to the extent such additional funds are provided in advance as discretionary appropriations included in appropriation Acts.

(c) EXPENDITURE OF PAYMENTS.—Subject to subsection (d), payments received by eligible counties under subsection (a) shall be expended in the same manner in which 50-percent payments are required to be expended.

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—In the case of an eligible county to which a payment is made in a fiscal year pursuant to subsection (a)—

(1) 80 percent of the payment to the eligible county shall be expended in the same manner in which the 50-percent payments are required to be expended; and

(2) 20 percent of the payment to the eligible county shall be reserved and expended by the eligible county in accordance with title II.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

SEC. 201. DEFINITIONS.

In this title:

(1) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that—

(A) receives Federal funds pursuant to section 102 or 103; and

(B) is required to expend a portion of those funds in the manner provided in section 102(d)(1)(B) or 103(d)(2) or elects under section 102(d)(2) to expend a portion of those funds in accordance with section 102(d)(1)(B).

(2) PROJECT FUNDS.—The term ''project funds'' means all funds reserved by an eligible county under section 102(d)(1)(B) or 103(d)(2) for expenditure in accordance with this title and all funds that an eligible county elects under section 102(d)(2) to reserve under section 102(d)(1)(B).

(3) LOCAL ADVISORY COMMITTEE.—The term ''local advisory committee'' means an advisory committee established by the Secretary concerned under section 205.

(4) RESOURCE MANAGEMENT PLAN.—The term ''resource management plan'' means a land use plan prepared by the Bureau of Land Management for units of the Federal lands described in section 3(1)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and land and resource management plans prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means the Secretary of the Interior with respect to the Federal lands described in section 3(1)(B) and the Secretary of Agriculture with respect to the Federal lands described in section 3(1)(A).

(6) SPECIAL ACCOUNT.—The term ''special account'' means an account in the Treasury established under section 208(c) for each region of the Forest Service, and for the Bureau of Land Management.

SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

Project funds shall be expended solely on projects that meet the requirements of this title and are conducted on the Federal lands.

SEC. 203. SUBMISSION OF PROJECT PROPOSALS BY PARTICIPATING COUNTIES.

(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30, 2001, and each September 30 thereafter through 2009, each participating county shall submit to the Secretary concerned a description of any projects that the county proposes the Secretary undertake using any project funds reserved by the county during the three-fiscal year period consisting of the fiscal year in which the submission is made and the preceding two fiscal years. A participating county does not have to submit all of its project proposals for a year at the same time.

(2) PROJECTS FUNDED USING SPECIAL ACCOUNTS.—Until September 30, 2007, a participating county may also submit to the Secretary concerned a description of any projects that the county proposes the Secretary undertake using amounts in a special account in lieu of or in addition to the county's project funds.

(3) JOINT PROJECTS.—Participating counties may pool their project funds and jointly propose a project or group of projects to the Secretary concerned under paragraph (1). Participating counties may also jointly propose a project or group of projects to the Secretary concerned under paragraph (2).

(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a participating county shall include in the description of each proposed project the following information:

(1) The purpose of the project.

(2) An estimation of the amount of any timber, forage, and other commodities anticipated to be harvested or generated as part of the project.

(3) The anticipated duration of the project.

(4) The anticipated cost of the project.

(5) The proposed source of funding for the project, whether project funds, funds from the appropriate special account, or both.

(6) The anticipated revenue, if any, to be generated by the project.

(c) ROLE OF LOCAL ADVISORY COMMITTEE.—A participating county may propose a project to the Secretary concerned under subsection (a) only if the project has been reviewed and approved by the relevant local advisory committee in accordance with the requirements of section 205, including the procedures issued under subsection (d) of such section.

(d) AUTHORIZED PROJECTS.—

(1) IN GENERAL.—Projects proposed under subsection (a) shall consist of any type of project or activity that the Secretary concerned may otherwise carry out on the Federal lands.

(2) SEARCH, RESCUE, AND EMERGENCY SERVICES.—Notwithstanding paragraph (1), a participating county may submit as a proposed project under subsection (a) a proposal that the county receive reimbursement for search and rescue and other emergency services performed on Federal lands and paid for by the county. The source of funding for an approved project of this type may only be the special account for the region in which the county is located or, in the case of a county that receives 50-percent payments, the special account for the Bureau of Land Management.

(3) COMMUNITY SERVICE WORK CAMPS.—Notwithstanding paragraph (1), a participating county may submit as a proposed project under subsection (a) a proposal that the county receive reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a participating county under section 203 only if the proposed project satisfies each of the following conditions:

(1) The project complies with all Federal laws and all Federal rules, regulations, and policies.

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the relevant local advisory committee in accordance with section 205, including the procedures issued under subsection (d) of such section.

(4) The project has been described by the participating county in accordance with section 203(b).

(b) ENVIRONMENTAL REVIEWS.—

(1) REVIEW REQUIRED.—Before making a decision to approve a proposed project under subsection (a), the Secretary concerned shall complete any environmental review required by the National Environmental Policy Act of 1969 (42 U.S.C. 321 et seq.) in connection with the project and any consultation and biological assessment required by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in connection with the project.

(2) TREATMENT OF REVIEW.—Decisions of the Secretary concerned related to an environmental review or consultation conducted under paragraph (1) shall not be subject to administrative appeal or judicial review unless and until the Secretary approves the project under subsection (a) for which the review or consultation was conducted.

(3) PAYMENT OF REVIEW COSTS.—

(A) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the participating county or counties submitting a proposed project to use project funds to pay for any environmental review or consultation required under paragraph (1) in connection with the project. When such a payment is requested, the Secretary concerned shall not begin the environmental review or consultation until and unless the payment is received.

(B) EFFECT OF REFUSAL TO PAY.—If a participating county refuses to make the requested payment under subparagraph (A) in connection with a proposed project, the participating county shall withdraw the submission of the project from further consideration by the Secretary concerned. Such a withdrawal shall be deemed to be a rejection of the project for purposes of section 207(d).

(c) TIME PERIODS FOR CONSIDERATION OF PROJECTS.—

(1) PROJECTS REQUIRING ENVIRONMENTAL REVIEW.—If the Secretary concerned determines that an environmental review or consultation is required for a proposed project pursuant to subsection (b), the Secretary concerned shall make a decision under subsection (a) to approve or reject the project, to the extent practicable, within 30 days after the completion of the last of the required environmental reviews and consultations.

(2) OTHER PROJECTS.—If the Secretary concerned determines that an environmental review or consultation is not required for a proposed project, the Secretary shall make a decision under subsection (a) to approve or reject the project, to the extent practicable, within 60 days after the date of that determination.

(d) DECISIONS OF SECRETARY CONCERNED.—

(1) REJECTION OF PROJECTS.—A decision by the Secretary concerned to reject a proposed project shall be at the Secretary's sole discretion. Within 30 days after making the rejection decision, the Secretary concerned shall notify in writing the participating county that submitted the proposed project of the rejection and the reasons therefor.

(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if such notice would be required had the project originated with the Secretary.

(3) PROJECT APPROVAL AS FINAL AGENCY ACTION.—A decision by the Secretary concerned to approve a project under subsection (a) shall be considered a final agency action under the Administrative Procedures Act.

(e) SOURCE AND CONDUCT OF PROJECT.—For purposes of Federal law, a project approved by the Secretary concerned under this section shall be considered to have originated with the Secretary.

(f) IMPLEMENTATION OF APPROVED PROJECTS.—

(1) RESPONSIBILITY OF SECRETARY.—The Secretary concerned shall be responsible for carrying out projects approved by the Secretary under this section. The Secretary concerned shall carry out the projects in compliance with all Federal laws and all Federal rules, regulations, and policies and in the same manner as projects of the same kind that originate with the Secretary.

(2) COOPERATION.—The Secretary concerned may enter into contracts and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

(3) BEST VALUE STEWARDSHIP CONTRACTING.—To enter into a contract authorized by paragraph (2), the Secretary concerned may use a contracting method that secures, for the best price, the best quality service, as determined by the Secretary based upon the following:

(A) The technical demands and complexity of the work to be done.

(B) The ecological sensitivity of the resources being treated.

(C) The past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions.

(D) The use by the contractor of low value species and byproducts.

(E) The commitment of the contractor to hiring highly qualified workers and local residents.

(g) TIME FOR COMMENCEMENT.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—If an approved project is to be funded in whole or in part using project funds to be provided by a participating county or counties, the Secretary concerned shall commence the project as soon as practicable after the receipt of the project funds pursuant to section 206 from the county.

(2) PROJECTS FUNDED USING SPECIAL ACCOUNTS.—If an approved project is to be funded using amounts from a special account in lieu of any project funds, the Secretary concerned shall commence the project as soon as practicable after the approval decision is made.

SEC. 205. LOCAL ADVISORY COMMITTEES.

(a) ESTABLISHMENT AND PURPOSE OF LOCAL ADVISORY COMMITTEES.—

(1) ESTABLISHMENT.—Except as provided in paragraph (2), the Secretary concerned shall establish and maintain, for each unit of Federal lands, a local advisory committee to review projects proposed by participating counties and to recommend projects to participating counties.

(2) COMBINATION OR DIVISION OF UNITS.—The Secretary concerned may, at the Secretary's sole discretion, combine or divide units of Federal lands for the purpose of establishing local advisory committees.

(b) APPOINTMENT BY THE SECRETARY.—

(1) APPOINTMENT AND TERM.—The Secretary concerned shall appoint the members of local advisory committees for a term of 2 years beginning on the date of appointment. The Secretary concerned may reappoint members to subsequent 2-year terms.

(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each local advisory committee established by the Secretary meets the requirements of subsection (c).

(3) INITIAL APPOINTMENT.—The Secretary concerned shall make initial appointments to the local advisory committees not later than 120 days after the date of enactment of this Act.

(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacancies on any local advisory committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the local advisory committees shall not receive any compensation.

(c) COMPOSITION OF ADVISORY COMMITTEE.—

(1) NUMBER.—Each local advisory committee shall be comprised of 15 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Each local advisory committee shall have at least one member representing each of the following:

(A) Local resource users.

(B) Environmental interests.

(C) Forest workers.

(D) Organized labor representatives.

(E) Elected county officials.

(F) School officials or teachers.

(3) GEOGRAPHIC DISTRIBUTION.—To the extent practicable, the members of a local advisory committee shall be drawn from throughout the area covered by the committee.

(4) CHAIRPERSON.—A majority on each local advisory committee shall select the chairperson of the committee.

(d) APPROVAL PROCEDURES.—

(1) ISSUANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretaries concerned shall jointly issue the approval procedures that each local advisory committee must use in order to ensure that a local advisory committee only approves projects that are broadly supported by the committee. The Secretaries shall publish the procedures in the Federal Register.

(2) TREATMENT OF PROCEDURES.—The issuance and content of the procedures issued under paragraph (1) shall not be subject to administrative appeal or judicial review. Nothing in this paragraph shall affect the responsibility of local advisory committees to comply with the procedures.

(e) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—A local advisory committee may submit to the Secretary concerned a request for staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of a local advisory committee shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—A local advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

(f) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The local advisory committees shall be exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 206. USE OF PROJECT FUNDS.

(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

(1) AGREEMENT BETWEEN PARTIES.—As soon as practicable after the approval of a project by the Secretary concerned under section 204, the Secretary concerned and the chief administrative official of the participating county (or one such official representing a group of participating counties) shall enter into an agreement addressing, at a minimum, the following with respect to the project:

(A) The schedule for completing the project.

(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

(C) For a multi-year project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

(D) The remedies for the participating county or counties for the failure of the Secretary concerned to comply with the terms of the agreement.

(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the Secretary's sole discretion, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

(b) TRANSFER OF PROJECT FUNDS.—

(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, the participating county or counties that are parties to the agreement shall transfer to the Secretary concerned an amount of project funds equal to—

(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid by the county or counties; or

(B) in the case of a multi-year project, the amount specified in the agreement to be paid by the county or counties for the first fiscal year.

(2) CONDITION ON PROJECT COMMENCEMENT.—The Secretary concerned shall not commence a project pursuant to section 204(g)(1) until the project funds required to be transferred under paragraph (1) for the project have been received by the Secretary.

(3) SUBSEQUENT TRANSFERS FOR MULTI-YEAR PROJECTS.—For the second and subsequent fiscal years of a multi-year project to be funded in whole or in part using project funds, the participating county or counties shall transfer to the Secretary concerned the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a). The Secretary concerned shall suspend work on the project if the county fails to transfer the required amounts as required by the agreement.

(4) SPECIAL RULE FOR WORK CAMP PROJECTS.—In the case of a project described in section 203(d)(3) and approved under section 204, the agreement required by subsection (a) shall specify the manner in which a participating county that is a party to the agreement may retain project funds to cover the costs of the project.

(c) AVAILABILITY OF TRANSFERRED FUNDS.—Project funds transferred to the Secretary concerned under this section shall remain available until the project is completed.

SEC. 207. DURATION OF AVAILABILITY OF A COUNTY'S PROJECT FUNDS.

(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By the end of each of the fiscal years 2003 through 2009, a participating county shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds the county received under title I in the second preceding fiscal year.

(b) TRANSFER OF UNOBLIGATED FUNDS.—If a participating county fails to comply with subsection (a) for a fiscal year, any project funds that the county received in the second preceding fiscal year and remaining unobligated shall be returned to the Secretary of the Treasury for disposition as provided in subsection (c).

(c) DISPOSITION OF RETURNED FUNDS.—

(1) DEPOSIT IN SPECIAL ACCOUNTS.—In the case of project funds returned under subsection (b) in fiscal year 2004, 2005, or 2006, the Secretary of the Treasury shall deposit the funds in the appropriate special account.

(2) DEPOSIT IN GENERAL FUND.—After fiscal year 2006, the Secretary of the Treasury shall deposit returned project funds in the general fund of the Treasury.

(d) EFFECT OF REJECTION OF PROJECTS.—Notwithstanding subsection (b), any project funds of a participating county that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1), whichever applies to the funds involved. The project funds covered by this subsection shall remain available until expended.

(e) EFFECT OF COURT ORDERS.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—If an approved project is enjoined or prohibited by a Federal court after funds for the project are transferred to the Secretary concerned under section 206, the Secretary concerned shall return any unobligated project funds related to that project to the participating county or counties that transferred the funds. The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1), whichever applies to the funds involved. The funds shall remain available until expended and shall be exempt from the requirements of subsection (b).

(2) PROJECTS FUNDED USING SPECIAL ACCOUNTS.—If an approved project is enjoined or prohibited by a Federal court after funds from a special account have been reserved for the project under section 208, the Secretary concerned shall treat the funds in the same manner as revenues described in section 208(a).

SEC. 208. TREATMENT OF FUNDS GENERATED BY LOCALLY INITIATED PROJECTS.

(a) PAYMENT TO SECRETARY.—Any and all revenues generated from a project carried out in whole or in part using project funds or funds from a special account shall be paid to the Secretary concerned.

(b) DEPOSIT.—Notwithstanding any other provision of law, the Secretary concerned shall deposit the revenues described in subsection (a) as follows:

(1) Through fiscal year 2006, the revenues shall be deposited in the appropriate special account as provided in subsection (c).

(2) After fiscal year 2006, the revenues shall be deposited in the general fund of the Treasury.

(c) REGIONAL AND BLM SPECIAL ACCOUNTS.—

(1) ESTABLISHMENT.—There is established in the Treasury an account for each region of the Forest Service and an account for the Bureau of Land Management. The accounts shall consist of the following:

(A) Revenues described in subsection (a) and deposited pursuant to subsection (b)(1).

(B) Project funds deposited pursuant to section 207(c)(1).

(C) Interest earned on amounts in the special accounts.

(2) REQUIRED DEPOSIT IN FOREST SERVICE ACCOUNTS.—If the revenue-generating project was carried out in whole or in part using project funds that were reserved pursuant to section 102(d)(1)(B), the revenues shall be deposited in the account established under paragraph (1) for the Forest Service region in which the project was conducted.

(3) REQUIRED DEPOSIT IN BLM ACCOUNT.—If the revenue-generating project was carried out in whole or in part using project funds that were reserved pursuant to section 103(d)(2), the revenues shall be deposited in the account established under paragraph (1) for the Bureau of Land Management.

(4) PROJECTS CONDUCTED USING SPECIAL ACCOUNT FUNDS.—If the revenue-generating project was carried out using amounts from a special account in lieu of any project funds, the revenues shall be deposited in the special account from which the amounts were derived.

(d) USE OF ACCOUNTS TO CONDUCT PROJECTS.—

(1) AUTHORITY TO USE ACCOUNTS.—The Secretary concerned may use amounts in the special accounts, without appropriation, to fund projects submitted by participating counties under section 203(a)(2) that have been approved by the Secretary concerned under section 204.

(2) SOURCE OF FUNDS; PROJECT LOCATIONS.—Funds in a special account established under subsection (c)(1) for a region of the Forest Service region may be expended only for projects approved under section 204 to be conducted in that region. Funds in the special account established under subsection (c)(1) for the Bureau of Land Management may be expended only for projects approved under section 204 to be conducted on Federal lands described in section 3(1)(B).

(3) DURATION OF AUTHORITY.—No funds may be obligated under this subsection after September 30, 2007. Unobligated amounts in the special accounts after that date shall be promptly transferred to the general fund of the Treasury.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

SEC. 301. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Forest Counties Payments Committee established by section 302.

(2) HOUSE COMMITTEES OF JURISDICTION.—The term ''House committees of jurisdiction'' means the Committee on Agriculture, the Committee on Resources, and the Committee on Appropriations of the House of Representatives.

(3) SENATE COMMITTEES OF JURISDICTION.—The term ''Senate committees of jurisdiction'' means the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate.

(4) SUSTAINABLE FORESTRY.—The term ''sustainable forestry'' means principles of sustainable forest management that equally consider ecological, economic, and social factors in the management of Federal lands.

SEC. 302. NATIONAL ADVISORY COMMITTEE TO DEVELOP LONG-TERM METHODS TO MEET STATUTORY OBLIGATION OF FEDERAL LANDS TO CONTRIBUTE TO PUBLIC EDUCATION AND OTHER PUBLIC SERVICES.

(a) ESTABLISHMENT OF FOREST COUNTIES PAYMENTS COMMITTEE.—There is hereby established an advisory committee, to be known as the Forest Counties Payments Committee, to develop recommendations, consistent with sustainable forestry, regarding methods to ensure that States and counties in which Federal lands are situated receive adequate Federal payments to be used for the benefit of public education and other public purposes.

(b) MEMBERS.—The Advisory Committee shall be composed of the following members:

(1) The Chief of the Forest Service, or a designee of the Chief who has significant expertise in sustainable forestry.

(2) The Director of the Bureau of Land Management, or a designee of the Director who has significant expertise in sustainable forestry

(3) The Director of the Office of Management and Budget, or the Director's designee.

(4) Two members who are elected members of the governing branches of eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate committees of jurisdiction) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the House committees of jurisdiction) within 60 days of the date of enactment of this Act.

(5) Two members who are elected members of school boards for, superintendents from, or teachers employed by, school districts in eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate committees of jurisdiction) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the House committees of jurisdiction) within 60 days of the date of enactment of this Act.

(c) GEOGRAPHIC REPRESENTATION.—In making appointments under paragraphs (4) and (5) of subsection (b), the President pro tempore of the Senate and the Speaker of the House of Representatives shall seek to ensure that the Advisory Committee members are selected from geographically diverse locations.

(d) ORGANIZATION OF ADVISORY COMMITTEE.—

(1) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be selected from among the members appointed pursuant to paragraphs (4) and (5) of subsection (b).

(2) VACANCIES.—Any vacancy in the membership of the Advisory Committee shall be filled in the same manner as required by subsection (b). A vacancy shall not impair the authority of the remaining members to perform the functions of the Advisory Committee under section 303.

(3) COMPENSATION.—The members of the Advisory Committee who are not officers or employees of the United States, while attending meetings or other events held by the Advisory Committee or at which the members serve as representatives of the Advisory Committee or while otherwise serving at the request of the Chairperson, shall each be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5532 of title 5, United States Code, including traveltime, and while away from their homes or regular places of business shall each be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) STAFF AND RULES.—

(1) EXECUTIVE DIRECTOR.—The Advisory Committee shall have an Executive Director, who shall be appointed (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service) by the Advisory Committee and serve at the pleasure of the Advisory Committee. The Executive Director shall report to the Advisory Committee and assume such duties as the Advisory Committee may assign. The Executive Director shall be paid at a rate not in excess of pay for grade GS–18, as provided in the General Schedule under 5332 of title 5, United States Code.

(2) OTHER STAFF.—In addition to authority to appoint personnel subject to the provisions of title 5, United States Code, governing appointments to the competitive service, and to pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, the Advisory Committee shall have authority to enter into contracts with private or public organizations which may furnish the Advisory Committee with such administrative and technical personnel as may be necessary to carry out the functions of the Advisory Committee under section 303. To the extent practicable, such administrative and technical personnel, and other necessary support services, shall be provided for the Advisory Committee by the Chief of the Forest Service and the Director of the Bureau of Land Management.

(3) COMMITTEE RULES.—The Advisory Committee may establish such procedural and administrative rules as are necessary for the performance of its functions under section 303.

(f) FEDERAL AGENCY COOPERATION.—The heads of the departments, agencies, and instrumentalities of the executive branch of the Federal Government shall cooperate with the Advisory Committee in the performance of its functions under subsection (c) and shall furnish to the Advisory Committee information which the Advisory Committee deems necessary to carry out such functions.

SEC. 303. FUNCTIONS OF ADVISORY COMMITTEE.

(a) DEVELOPMENT OF RECOMMENDATIONS.—

(1) IN GENERAL.—The Advisory Committee shall develop recommendations for policy or legislative initiatives (or both) regarding alternatives for, or substitutes to, the short-term payments required by title I in order to provide a long-term method to generate annual payments to eligible States and eligible counties at or above the full payment amount.

(2) REPORTING REQUIREMENTS.—Not later than 18 months after the date of the enactment of this Act, the Advisory Committee shall submit to the Senate committees of jurisdiction and the House committees of jurisdiction a final report containing the recommendations developed under this subsection. The Advisory Committee shall submit semiannual progress reports on its activities and expenditures to the Senate committees of jurisdiction and the House committees of jurisdiction until the final report has been submitted.

(b) GUIDANCE FOR COMMITTEE.—In developing the recommendations required by subsection (a), the Advisory Committee shall—

(1) evaluate the method by which payments are made to eligible States and eligible counties under title I and the use of such payments;

(2) evaluate the effectiveness of the local advisory committees established pursuant to section 205; and

(3) consider the impact on eligible States and eligible counties of revenues derived from the historic multiple use of the Federal lands.

(c) MONITORING AND RELATED REPORTING ACTIVITIES.—The Advisory Committee shall monitor the payments made to eligible States and eligible counties pursuant to title I and submit to the Senate committees of jurisdiction and the House committees of jurisdiction an annual report describing the amounts and sources of such payments and containing such comments as the Advisory Committee may have regarding such payments.

(d) TESTIMONY.—The Advisory Committee shall make itself available for testimony or comments on the reports required to be submitted by the Advisory Committee and on any legislation or regulations to implement any recommendations made in such reports in any congressional hearings or any rulemaking or other administrative decision process.

SEC. 304. FEDERAL ADVISORY COMMITTEE ACT REQUIREMENTS.

Except as may be provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 305. TERMINATION OF ADVISORY COMMITTEE.

The Advisory Committee shall terminate three years after the date of the enactment of this Act.

SEC. 306. SENSE OF CONGRESS REGARDING ADVISORY COMMITTEE RECOMMENDATIONS.

It is the sense of Congress that the payments to eligible States and eligible counties required by title I should be replaced by a

long-term solution to generate payments conforming to the guidance provided by section 303(b) and that any promulgation of regulations or enactment of legislation to establish such method should be completed within two years after the date of submission of the final report required by section 303(a).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as are necessary to carry out this Act.

SEC. 402. TREATMENT OF FUNDS AND REVENUES.

Funds appropriated pursuant to the authorization of appropriations in section 401, funds transferred to a Secretary concerned under section 206, and revenues described in section 208(a) shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

SEC. 403. CONFORMING AMENDMENTS.

Section 6903(a)(1) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (E) through (K), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D) the Secure Rural Schools and Community Self-Determination Act of 1999;''.

The CHAIRMAN pro tempore. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL 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. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

Page 24, line 5, insert after ''Federal laws'' the following: ''(including the Act of March 3, 1931, commonly known as the Davis-Bacon Act)''.

Page 24, lien 16, strike ''T'' and insert ''subject to paragraph (1), to''.

Mr. GEORGE MILLER of California. Madam Chairman, I will be brief on this amendment.

Under this legislation, which many of my colleagues are supporting, and in their efforts to try and address a real problem about support for school finance in a number of rural areas and resource dependent areas, they have provided for a set-aside of some 20 percent of the money to be used in local projects. And in the consideration of that, in the secretarial approval of those projects, they state that ''the Secretary concerned shall carry out all projects in compliance with all Federal laws, rules, and Federal regulations.'' I would add to that including the law known as the Davis-Bacon Act.

The reason for doing this is it is not quite clear after discussing with a number of people, including some of the staff on the committee, exactly the impact of the stewardship contracts under which these would be let, which I think is an effort to try to make sure that the Government, in fact, gets both the best quality work and gets the best price for that work and provides some flexibility in making that determination.

I just want to make sure that, in that process, since this will be done with Federal dollars, that we do not undermine the prevailing wage provisions of the existing law. So that is why I am offering this amendment. I understand it may be acceptable to the committee.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

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

Mr. GOODLATTE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, this we view as a technical amendment. We think the bill's language is clear on its face, that it includes all Federal laws, which would include the Davis-Bacon Act. But since it is, in our view, simply surplusage and that the language in the bill is not changed by the Miller amendment and it does nothing to affect the provisions related to the Davis-Bacon Act and it is not the intent of the language to exclude the Davis-Bacon Act, we do not object to the adoption of this amendment, which is technical in nature.

Mr. GEORGE MILLER of California. Madam Chairman, I thank the gentleman for his comments.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. UDALL OF COLORADO

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

The Clerk read as follows:

Amendment offered by Mr. UDALL of Colorado:

Page 12, strike line 11 and all that follows through line 9 on page 13, and insert the following:

(d) ELECTION TO RESERVE PORTION OF PAYMENT FOR TITLE II PROJECTS.—Each eligible county that receives a distribution under subsection (c) for a fiscal year may elect to reserve up to 20 percent of the funds for expenditure in accordance with title II.

Page 14, strike lines 13 through 22, and insert the following:

ELECTION TO RESERVE PORTION OF PAYMENT FOR TITLE II PROJECTS.—Each eligible county to which a payment is made under subsection (a) for a fiscal year may elect to reserve up to 20 percent of the payment for expenditure in accordance with title II.

Page 15, strike lines 9 through 19, and insert the following:

(B) elects under section 102(d) or 103(d) to expend a portion of those funds in the manner provided in this title.

(2) PROJECT FUNDS.—The term ''project funds'' means all funds reserved by an eligible county under section 102(d) or 103(d) for expenditure in accordance with this title.

Page 33, lines 18 and 19, strike ''the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1)'' and insert ''25-percent payments or 50-percent payments''.

Page 34, lines 8 and 9, strike ''the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1)'' and insert ''25-percent payments or 50-percent payments''.

Page 35, line 24, strike ''section 102(d)(1)(B)'' and insert ''section 102)d)''.

Page 36, line 6, strike ''section 103(d)(2) and insert ''section 103(d)''.

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

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

There was no objection.

Mr. UDALL of Colorado. Madam Chairman, as I begin, I wanted to acknowledge the work of my colleagues, the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Florida (Mr. BOYD) and the gentleman from Virginia (Mr. GOODLATTE).

I think we all share the same goal, which is to provide the secure and steady and consistent funding for that important resource known as our public schools. And in that spirit, I believe that the amendment that I offer is a simple one but an important one. It would give local discretion on the use of the payments that would go to local governments under the bill.

□ 1430

As I said earlier, the amendment would not make the bill perfect. In fact, I do not believe it would make the bill acceptable so far as I am concerned, because it does not break the link between Federal assistance and timber harvests. But the amendment would at least mean that a county would not be forced to spend 20 percent of its payment for doing things that otherwise would be funded under the budgets of the Forest Service or the Bureau of Land Management.

That is what the bill as it stands now would do. It says that if a county gets more than $100,000 under the bill, that 20 percent of the total payment would have to be used for public land projects. But suppose that a county had other priorities. Suppose that the school board and county commissioners had reviewed their needs and decided that they wanted to spend all of the payments on schools and roads. Remember, under current law that is where the money would go. But under this bill, the answer would be, too bad. The bill says that Congress does not want them to have that choice.

My amendment would provide that discretion. It would allow a local government to use up to 20 percent of its payment for work on the Federal lands, but it would not require it. It would let the local officials decide for themselves. I think that is the right thing to do, regardless of how much money might be involved. But this is not a matter of theory, Madam Chairman.

We could be talking about some substantial sums, especially for some of our rural counties. Let me give my colleagues an example. Based on Forest Service estimates from 1998 payment levels, under the bill one county in my district, Clear Creek County, stands to lose its discretion over $100,000. In a rural county like Clear Creek, that is real money. As I look at other counties in Colorado, they might be in the same boat. In fact, 22 counties would have less to spend on roads and schools under this bill than under current law according to the same Forest Service estimates based on 1998 payments.

I will not list them all, but I will mention that this bill's Federal mandate would override local discretion over more than $22,000 in Park County; $27,000 in Gunnison County; and more than $53,000 in Mesa County. And the bill would impose its Federal mandate on Grand County to the tune of $336,000.

Those other three counties I just mentioned are not in my district; but even if they were, I do not think their commissioners would agree if I said the Federal Government knew better about how they should spend their money than they do. In fact, I do not think that they should have to make that choice, which is why my amendment would let them decide how to spend those funds regardless of how much money is involved.

Madam Chairman, I think there are many serious questions about this whole idea of getting local governments into the business of paying for projects on Federal lands. But my amendment does not deal with those questions. It is much more limited. In fact, it seems to me that the bill's supporters should welcome this amendment. After all, the bill is called the Secure Rural Schools and Communities Self-Determination Act of 1999; and this is a self-determination amendment, pure and simple.

Madam Chairman, I urge adoption of the amendment. I would again mention that I think it is not the dollars we are talking about; it is the principle of local control.

Mr. GOODLATTE. Madam Chairman, I rise in strong opposition to this amendment. This amendment is the poison pill that many of the folks who have spoken on the floor here thus far have talked about. This legislation, the substitute that I offered that was made the underlying text as a part of the rule, is a very carefully crafted compromise involving Members of the House, Members of the Senate. It involves Members of the Republican side of the aisle, Members of the Democratic side of the aisle. It involves Members representing environmental interests; it involves Members representing local government interests, and they are joined by the 800-member coalition that constitutes hundreds and hundreds of local county governments and local school boards that are opposed to this amendment and which support the underlying legislation because they want to see something done on this issue.

This amendment is a deal-breaker. This amendment will cause this entire process to collapse. We will not get this bill through the Senate; we will not get it signed into law unless we keep this carefully crafted compromise together. This is a compromise that I worked on very extensively with the gentleman from New York (Mr. BOEHLERT), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Florida (Mr. BOYD), the gentleman from Georgia (Mr. DEAL).

It is an agreement that is a crafted compromise, drafted in conjunction with Senators CRAIG and WYDEN in the Senate to assure swift action in the Senate. This amendment would undermine this compromise, pushing the effort to stabilize payments to the States and counties back months and perhaps for good. Local education, county, labor and business interests have studied both the Goodlatte compromise and the Udall-Vento amendment and have determined that the Goodlatte compromise is a better idea. The National Education Association, the National Association of Counties, labor, the United States Chamber of Commerce, the Forest Counties and Schools Coalition representing 800 counties, 5,000 school districts, 1.2 million school children in rural America have all supported the Goodlatte compromise and oppose the Udall-Vento amendment. I would urge my colleagues to do the same.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. I thank the gentleman for yielding. I was curious what the objection was to increasing local control as my amendment intends to do.

Mr. GOODLATTE. Counties want to have the connection between not only the people that live in that county but the land in that county, and the connection that exists now and as a part of this compromise continues with the 20 percent that will be dealt with by members of the community. Local government, environmental organizations, business organizations, and the Forest Service will sit down together and using those funds, plan how they can best promote the environmental health of their county and the economic health of their county. We are determined to continue that connection between the federally owned land and those people who live in those counties and who want to, knowing that their livelihood comes from that, want to make sure that that connection persists.

Mr. UDALL of Colorado. If I might, I would point out that the amendment would allow that to occur, those kinds of collaborative efforts could continue to take place, but they just would not require as the bill now does that 20 percent of those dollars would have to go to those kinds of collaborations. It would give the commissioners, the school boards, the option of doing those kinds of projects but also if they felt their schools needed all of those resources, that they could be applied in that fiscal year to those resources, and the next year they might put them into a bike path project or into ecotourism or whatever the opportunity might be.

Mr. GOODLATTE. Reclaiming my time, let me just say to the gentleman that it is a 100-year-old connection that we are talking about here that is being preserved. A substantial change has been made to assure that those counties will get, and will get quickly, the kind of support that they need. But if this decoupling that the gentleman is advocating takes place in the legislation, it will go asunder in the United States Senate and nothing will happen and we will be at the current levels of support that currently exist.

So I have to strongly oppose the amendment and support the strong nationwide coalition of Members from 39 States who want to make sure that that connection between the land and the counties continues and that we not get into this business of each year having the decision made in each county whether or not that is going to go forward.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from Virginia (Mr. GOODLATTE) has expired.

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

Mr. WALDEN of Oregon. Madam Chairman, will the gentleman yield?

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

Mr. WALDEN of Oregon. Madam Chairman, I would just say that I would hazard a guess, there is no district in America that is more affected by this legislation than mine. I think we could run the numbers and probably find that to be clearly the case. Every county commission within that district supports this legislation. And, further, I want this kind of a guarantee, because we have got some habitat improvement projects and other activities that need to take place on those watersheds, in those communities and in those counties that I want to see take place.

Normally, I would be one to advocate for local option and local control, but this is part of a bigger compromise that will help the environment, it will help our schools, it will help our counties; and nobody in this House is probably more affected by this legislation than I and the counties that I represent.

Mr. UDALL of Colorado. I believe that we are all working toward the same goal. My amendment would not serve as a decoupling mechanism. In fact, I think we still have more work to do in that particular way. I would

again just emphasize that I think we are trying to reach the same outcomes. My amendment would make sure that local communities have the ultimate say in how those moneys are used year to year, and they could take part in the kinds of projects my good colleague and friend from Oregon suggests, but it just would not require that they take part in those projects.

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

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

Mr. GEORGE MILLER of California. I would just say, following on to what the gentleman from Colorado has just said about his amendment, as you look through even in the cases of the counties that get more than $100,000 so the set-aside kicks in, in a number of instances the set-aside is $8,000, $15,000, $10,000, it is a very small amount of money. To believe that you are going to somehow initiate a big comprehensive planning operation on the forest for $8,000, while $8,000 would buy you a lot of textbooks or contribute to one of 100,000 teachers——

Mr. GOODLATTE. Reclaiming my time, I was in a county in the gentleman's State earlier this year in which on one timber sale, $2 million was going to go to the county, which would require that in this instance 20 percent of that, or $400,000.

Mr. GEORGE MILLER of California. I understand that. That is fine.

The CHAIRMAN pro tempore. The time of the gentleman from Virginia (Mr. GOODLATTE) has again expired.

(On request of Mr. GEORGE MILLER of California, and by unanimous consent, Mr. GOODLATTE was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. We have no problem with you doing this. The question is mandating it. We were out here a couple of weeks ago, we were all for Ed-flex, because in many instances you have small programs that cost you more to administer than the benefit. The gentleman from Colorado's point is that the county can then make that option. If you have got $400,000 coming in out of $2 million in receipts, you can probably do something meaningful on the forest. If you have $8,000 coming in with all due respect, you may be better off helping the schools buy the textbooks or supplies where you can get a dollar-to-dollar benefit instead of engaging in some kind of mythical planning process when you only have 8 to 10 to $12,000. That is the benefit of his amendment.

It goes for the most efficient use in those counties where the set-aside turns out to be relatively small. Obviously in some counties in Oregon and probably even in California where you have substantial receipts, this option may make some sense. But that is because you are playing with the critical mass of dollars where you can create some of those projects on the forest that might even benefit——

Mr. GOODLATTE. Reclaiming my time, under $100,000 they can opt out. Under $100,000, that is $20,000, to use the gentleman's example.

Mr. GEORGE MILLER of California. Counties that are over $100,000, when they opt out, the 20 percent amounts to 7, 8, $9,000; so it is a relatively small amount of money. They ought to have the option to use the money as they see fit, which may mean they go into this program but also——

Mr. GOODLATTE. When the total receipts by the county are under $100,000, they do have the option to opt out.

Mr. GEORGE MILLER of California. But over $100,000, they get $100,000 and 20 percent is $20,000. The list of set-asides is here, and some of it is as low as $8,000. So they could put that into their schools in a more efficient fashion. That is the argument here.

Mr. GOODLATTE. If it is over $100,000, it is going to be $20,000 plus 20 percent of whatever the amount over $100,000 was, so I do not see where the gentleman's example would ever apply.

Mr. BOYD. Madam Chairman, I move to strike the last word.

Madam Chairman, I rise in strong opposition to the amendment offered by the gentleman from Colorado.

First of all, I think it is important to know that the numbers that he was quoting earlier in his presentation during the amendment would be numbers that that county might receive if the bill were written in a different way. It is not dollars that they are receiving now. He is assuming that it was written so that they would get 100 percent of the 3-year average rather than the 80 percent, so it is a little bit misleading to say they are going to be losing that money. They do not get it now under current law.

The other thing that I want to say about the community projects is that this was an idea that was brought to us by some folks in the other body. We thought it was a good idea, because what has happened in our local communities as we have engaged in this bitter battle over forest management practices, and we have recognized the impact that it has had on our local economies and our local schools, is that many people in those local economies have engaged in a bitter and divisive battle with the local environmentalist community. They have created some real hard feelings in the communities.

I think the intent of this community projects idea is to get everybody to come back to working together, to figure out how we can use this money in a way that benefits the whole community. I can see in some of the areas in the district that I represent in north Florida, that we have had a community that has been totally timber-dependent basically. That timber industry now is gone. We are trying to move to an ecotourism industry, for instance. We could use some of these dollars to help develop that, bike paths have been mentioned here, search and rescue missions, fire protection, those kinds of things that are needed in the national forest whose costs now are borne by the local governments. I would urge strongly that the House reject this amendment, because it would kick out of balance this very fine compromise that we have here and could cost the bill.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. BOYD. I yield to the gentleman from Virginia.

□ 1445

Mr. GOODLATTE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I point out during the debate on the rule the gentleman from Colorado indicated that even if this amendment were to pass, he would still oppose the bill. So clearly this is nothing more than a poison pill to derail this effort to help get some funds back to these local counties and to make sure that we still maintain this compact that has existed for 100 years between the Federal Government, the owner of in some instances 60, 70, 80 percent of the land in some of these counties, and the people who are trying to make a living in these counties.

Mr. BOYD. Madam Chairman, reclaiming my time, that is a very good point. I want to again say this provision, title II, could go a long way toward restoring some cooperative spirit in our communities among some groups that have not liked each other very much. I would strongly oppose the amendment.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. BOYD. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I want to respond to my friend from Virginia (Mr. GOODLATTE). I want to be frank and up front with my comments on the rule about where I stood on the legislation itself. I think, again, we are all striving to find a way to provide consistent and steady funding for school districts, particularly in rural areas. I stand shoulder to shoulder with the gentleman in attempts to make sure that we do that as soon as possible, frankly.

As far as my amendment being a poison pill, the gentleman may wish to characterize it that way, but I think it is offered in a spirit of local control and the principle that if an area wants to spend the money on the projects that are suggested, it can. However, it is not required to. I do not think in my opinion that that should be enough to kill what is an important effort, and a sincere effort on your parts, to meet the needs of these rural areas.

Mr. BOYD. Madam Chairman, reclaiming my time, I strongly oppose the amendment offered by my friend, the gentleman from Colorado (Mr. UDALL), and encourage the other Members to vote against it.

Mrs. CHENOWETH-HAGE. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in opposition to the Udall amendment, and I commend the Goodlatte compromise legislation that is in front of us. A lot of work went into this and there is a huge amount of support across the Nation to see this bill through, to make sure that we have better support for our schools, not just in the Western States, but across the Nation where these programs have impacted all of our States.

There is no topic that has greater ramifications for the schools in my State than this particular issue, because my State is generally a rural State. In the last year alone, funds distributed to Idaho counties from Federal timber receipts declined by 44 percent.

One can imagine the impact in these small rural counties that it has on schools. Idaho County alone lost $1.3 million. Now, when we are dealing with trillions of dollars here, $1.3 million seems like small change. But to an Idaho county, where our schools are involved, it is not small change.

This follows many years of similar reductions because of the reduction in activity on the forest lands. The effects on local schools have been very staggering. In some of our schools, school services like nursing and art and music programs, athletics, counseling, and lunch programs have been eliminated.

Madam Chairman, in some of our schools in Idaho they have actually reduced the number of days they can keep the schools open. We have some schools now operating only 4 days. In other areas, local school boards are actually having to make decisions with regard to the future of certain schools in their counties.

Now, is this what we really want for our rural children with regard to the uncertainty of their educational future? H.R. 2389 will give the rural children these opportunities that they need, and it does it without artificially severing the historic partnership between counties and the national forests that began back in 1908.

Two days ago, President Clinton addressed over 400 of the Nation's top teachers and called on Congress to adequately fund public education in the inner cities. Well, two months ago this same President also visited urban schools and stated that he wanted to offer a hand up, rather than a handout.

Well, by opposing H.R. 2389, he, this administration, this President, is saying that urban schools are important, but rural schools are not. It is a bad message.

We must make all children a priority in this Nation, and that is what H.R. 2389 does. Please join me and the National Education Association, the National Association of Counties, the U.S. Chamber of Commerce, and the National Forest, Counties and Schools Coalition in reaffirming our commitment to our American children in rural America, as well as the children in urban America. Please support H.R. 2389.

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

Madam Chairman, I first want to point out that I had received correspondence yesterday from the League of Conservation Voters, which has sent correspondence in opposition to this measure. Of course, I joined them in opposition to the measure and in support of my colleague from Colorado's amendment that would provide discretion to the counties that received this money as to how they would utilize it.

I understand for counties that receive over $100,000 and those under the O and C lands, that there is no discretion, that they mandate that 20 percent of these dollars would be used for these special projects which are initiated by the advisory committees and submitted to the respective Secretary for funding.

Now, I submit that all of this advocacy about education is very interesting, but the first thing you are doing with these dollars, at least in these counties that get over $100,000, which is most of the counties I expect affected by this, is taking 20 percent of it away and putting it into other special projects.

This is sort of a grant program that is embedded in here into this initiative. What it does, of course, is set up some more government in terms of dozens of advisory committees who would basically have to initiate, and, therefore, would have the power to submit or not submit. So basically it is only up to them.

I do not know about what correspondence my colleagues are getting from back home; but the last time I read mine, it did not say we need more government structure back here, our school boards are not good enough to do the job, we need more people that are in these positions to make these decisions; that we want to take power away from school board, take power away from county commissioners, and create special advisory committees which would control 20 percent of the receipts that we would otherwise receive from having national forests in our area, because, of course, now we are not talking about production anymore in the forests, not talking about the 25 percent in terms of production in the good years and bad years. You are trying to eliminate the roller coaster. I appreciate that issue. But the fact is you are just taking that money out of there, and you are objecting to the Udall amendment which would give discretion to the county commissioners to do that.

In other words, this is one of those amendments that I hear often reported by some colleagues in this chamber as Washington knows best; one size fits all.

These are the types of discussions that we have had. Of course, this grant program, this initiative that is buried in this bill, is going to completely fly under the cover here, under the radar, in terms of what goes down. So I do not think we need these dozens of advisory committees.

But the very least you could do is, if one suggests the counties support this, is let them make the decision locally as to how those dollars are spent. They might have some of their own ideas about how to use this, because you are guaranteeing 1 dollar out of 5 will not be used for schools by virtue of the way the resolution is written in most of the counties that are affected.

You are ensuring that every project, of course, has to be approved by the Secretary of Agriculture, or Interior, I guess, in the case of the O and C lands, but the fact is that that is setting the Secretary up for confrontation. And I do not think that these amendments in this particular mode you are talking about, and I appreciate the good intentions of bringing everyone together, holding hands and talking about how they are going to get along; but the fact of the matter is the way this is structured, I can tell you right now you are going to have a lot of proposals that are going to come up here; the Secretary is going to decide you need an environmental impact statement; you need an environmental assessment. He has just so many days to make the decisions. Those costs have to be borne by the local communities. I just think it is an unworkable proposition.

We do not need more government. At the very least you can improve this bill somewhat, I do not think it is saveable, as I said earlier, but you can improve it somewhat by letting the local governments or the counties make the decisions on how they are going to use these resources.

This bill has many flaws to it. This is one very obvious flaw. I think there are many other problems with the bill, but I would think that in presenting this particular solution, that you would do a lot better letting the counties, rather than just superimposing this program all across the forests, there is no working model any place, this is not a pilot, this is going to go into effect in each county and the counties that receive the dollars under this bill.

So, there is no working model of this in any place that I am aware of, and I think it is not easily demonstrable that it is workable. So there are many provisions written into this that I think are unwieldy. I think at least letting the counties make this decision and avoiding the Washington-knows-best type of model here would serve you much better. So I would urge Members to vote for the Udall amendment.

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

Madam Chairman, I want to speak in opposition to this amendment and for the community project section of this bill. I do so for one main reason, and that is that this bill, as it is so crafted, gives flexibility for local governments to do local forest management plans, like Quincy Library groups. This

amendment would prevent that from happening.

The Quincy Library group, as you may well recall, was something that developed in the Town of Quincy after the Spotted Owl wars, and the President came out and said, ''Why do you not solve your problems locally?''

That gave the incentive for local environmentalists, local business folks, local government leaders, to sit in what was the Quincy Library group, and they met there because they could not shout at each other at a library, and they actually got together and put together a forest management plan that worked for the local communities and also provided for better forest health than the current law that applied in that land.

Now, this is a wonderful plan; and I think that the bill as it is crafted allows for flexibility in the local governments to develop Quincy Library groups all across the country. I might remind this body too that the Quincy Library group, the forest plan that resulted from that, when it was brought to a vote on the floor of the House, passed 429 to 1 and is currently being stymied by the administration because it drives a wedge into the local and national leaders of the environmental community; and the national environmental leaders are threatened for the loss of power, even at the expense of a plan that provides better forest health. I would submit that is really what is going on here.

I think it is ironic that the national environmental lobby is opposed to a bill such as this, even when the possibility of local forest management plans will result in better forest health. That is why I oppose this amendment and urge for the passage of the bill as it stands.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. RADANOVICH. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. Madam Chairman, I wanted to just for the record clarify that my amendment would not prevent these kinds of local projects that the gentleman mentioned and that have great success in some areas. You draw attention to the Quincy Library model.

What it would require, it would not prevent a county from deciding to undertake these kinds of projects. It just would not require that a county would have to spend up to 20 percent of the monies allocated on these kinds of projects.

Mr. RADANOVICH. Madam Chairman, reclaiming my time, the bill allows funding for counties should they propose to set up local Quincy Library plans. I agree with the gentleman, it does not prevent that from happening; but in poor counties like the one I come from, it gives the flexibility to local officials to decide to use some of that money to fund a Quincy Library group plan locally. I do submit that that is what has got the national environmental lobby scared to death, because it is a threat to their power base.

□ 1500

Mr. UDALL of Colorado. Again, the law as it is now written and as I read it, it would be a mandate that these local communities would have to spend 20 percent, no less, on these kinds of projects.

I would also submit that a number of the national environmental groups very much want to find a solution to this situation, where timber receipts are tied to school funding, but they are not necessarily driven by a fear of additional Quincy Library groups.

Mr. RADANOVICH. Reclaiming my time, Madam Chairman, I would submit that the national environmental lobbies' primary reason for opposing this bill is because it gives local communities the ability to fund Quincy Library type groups in their district. I submit that is why the national environmental lobby is scared to death of this bill. That is why I support it wholeheartedly and oppose the amendment.

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

Madam Chairman, I rise in opposition to the Udall amendment.

It is interesting to listen to the debate thus far, and what we see is those who offer the amendment are opposed and will vote against the legislation, no matter whether the amendment goes on or not.

In fact, it is important here to understand that when the delicate compromise was put together on this bill, the provision that we are now debating, the 20 percent set-aside for local projects, when that was placed in this delicate compromise, it was a major concession by the county officials, the school officials who formed the coalition that represents the group that is pushing the passage of this bill.

I think it is important for us to understand that the passage of this bill will be a major victory, not only for the counties and schools that depend on forest revenues to run their counties and their school districts, but this bill will be a major victory for the environmentalists, because the formula placed in this bill will minimize the impact of harvesting of timber in our national forests, on our county budgets and school district budgets.

That effect will remove our counties and school districts from the national debate over the management of our national forests, and that clearly is a big victory for the environmental community.

With regard to the specific amendment being offered, I think it is interesting to note that if we survey the national battle over forest management policy, what we will find is more often than not the only discussion over that policy occurs in the courthouse when somebody files a suit, as happened in my own district in East Texas, where currently we are under an injunction where we cannot harvest timber, creating a severe financial hardship for my counties and school districts.

What this amendment does, it basically requires the interested parties to get together and talk about the national forest, to talk about the proper utilization of it. The language was carefully crafted to ensure protection of environmental interests, because the advisory committee that will make a determination, with the approval of the Secretary, of what the 20 percent will be spent on locally consists of, and I am reading from the bill, ''Local resource users, environmental interests, forest workers, organized labor, elected county officials, school officials, or teachers.''

That is the coalition, that is the advisory group that will make the determination as to what happens with the 20 percent.

So I say it was a major concession on the part of county officials and school officials to accept this language, which is a pro-environmental language section of the bill which ironically is now being opposed by those who purport to represent the environmental interests.

I say that we are at a critical point in time in the national debate over forest policy. To defeat this bill would give up a historic opportunity to strike a compromise that will end the battle that has been ongoing between our school districts and our counties and the environmental community.

So I would urge rejection of the Udall amendment, not because it is offered in bad faith, but because it jeopardizes a compromise that was reached with environmental interests that was agreed to by the coalition that supports the bill in the first place, and it will jeopardize the future of this legislation in the Senate.

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

Madam Chairman, the opponents of this legislation, the supporters of this amendment, have raised two objections to this legislation, two areas of objections. First is the downlink issue, and I believe that what they would really like to do is to turn our counties into wards of the State, to be totally dependent upon the appropriations process, totally dependent upon the Federal government to fund their local school districts.

I am totally opposed to doing that. That is exactly what they have proposed that we do, that no longer would there be a link between what is happening locally, what is happening with their local economy. No longer would they have an interest in what is happening in their local forests. They would now have to come, hat in hand, to the Members of Congress to beg for school funding. That is exactly what the downlink issue would do.

Again, it would increase the power of the Federal government, increase the power of the individual Members of

Congress, and make all of their local school districts beholden to the appropriations process that happens here in the House of Representatives, ever more powerful.

We heard someone talk about the era of big government, and wanting no more big government. The truth is that this is big government in and of itself. All of a sudden, Members of Congress become more powerful. Their school board members have to come to them for funding for their schools. That is exactly the wrong thing we ought to be doing. Yet, it is one of the objections that has been brought up on this legislation.

The second objection, which is related to this particular amendment, talks about the 20 percent set-aside. We wonder, how could people that claim to be environmentalists, people who claim to care about the environment, be opposed to what this legislation does?

The real truth of it is that the national environmental groups are opposed to this because they need confrontation. They do not want solution. What happens when we get all of the local stakeholders together, what happens when we get somebody who actually lives in the community to sit down with somebody else that lives in the community and talk about a forest plan that actually solves the problem, is they come up with the solution, because people who live there, people who work there, people who see each other in the grocery store every day and whose kids go to the same school all of a sudden have to sit down together and come up with a solution, and they do it because they live there and they have something at stake.

But the national environmental groups do not want a solution. They thrive on controversy. Members have all seen the letters they send out. If all of a sudden we had a solution they cannot raise money anymore, so they are opposed to finding that kind of a solution. They are terrified of finding a solution. What they want is they want to continue the controversy.

Why did they oppose the Quincy Library group? Not because it did not solve the environmental problems, not because it did not solve a problem that was very real, that was local, that was driving the locals nuts. They were opposed to it because it was a solution. They were opposed to it because, darn it, people got together and they came up with a solution. It was the local resource users, the local schools, the local businessmen and the local environmentalists that sat down and came up with a solution.

By passing this legislation as is, what we end up with is we end up with people all over the country, not just in Quincy, not just sitting down in a little library that was underfunded in an area where the schools are getting nowhere near the funding that they should, but it would be all over the country, local people would sit down and they would come up with a solution to solve their local problems.

That is what we want. That is what we are trying to solve with this particular legislation.

I realize that the gentleman is saying that he wants to make this optional, but he knows as well as I do that if we do not craft this legislation in the very delicate balance that we have, that all of a sudden, these projects just do not happen, because there is always a need for school funding. There is always the necessity for more money for local schools. That is why we try to solve it by increasing the money substantially.

What he is trying to do is he is trying to take away the ability for them to sit down and solve these problems. That is the result of this amendment, and he knows it, the end result of all of this.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. POMBO) has expired.

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

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

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

Mr. UDALL of Colorado. I thank my colleague, the gentleman from California, for yielding.

Madam Chairman, I want to point out again that the amendment would only give the local entities the option. It would not require them to involve themselves in the kinds of I think very effective local decision-making processes that the gentleman talks about.

Mr. POMBO. Reclaiming my time, I realize, as I said, that the gentleman's amendment does not completely take away that option. But the practical reality of the gentleman's amendment is it does take away the option, because once we create that competition for funding, we take away that option.

What we are attempting to do with this legislation is encourage these people to sit down and do the right thing and come up with local solutions. If the gentleman's amendment were to be adopted by this body, in practical reality, we take away that option. They will never have that option of doing that, as a direct result of what the gentleman is doing.

Mr. UDALL of Colorado. If the gentleman will continue to yield, the projects of which the gentleman speaks, if they are that high a priority, we ought to be looking at other ways of supporting them, as well.

I would remind the gentleman, in the bill there is talk of all kinds of other kinds of projects on Federal lands, bike paths, ecotourism. We should see we do that in the future.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. POMBO) has expired.

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

Mr. POMBO. Just to respond to what the gentleman is saying, Madam Chairman, I understand that there are a great many needs and a great many issues that are out there. They are very important.

In this legislation, we are trying to take care of a very specific need in the education of our children in rural counties. That is the primary focus of what we are trying to do.

But at the same time that all of this is going on, we have an administration that is talking about setting aside an additional 40 to 60 million acres. We have them running around talking about setting aside hundreds of millions of dollars a year to buy more private land and turn it into public land. This problem is going to be exacerbated. This problem is only going to get worse.

We are attempting to try to solve a very real problem with the education of our students in rural counties.

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

Madam Chairman, I first want to thank the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Texas (Mr. STENHOLM) and my good friend, the gentleman from Florida (Mr. BOYD), for providing the leadership of one of the few bipartisan compromises I have seen that is meaningful, as a new Member, to pass or at least come to this stage in this session.

I am very thrilled to rise in support and be a cosponsor of this measure, which provides new hope for struggling rural school districts across the country.

I respectfully rise to oppose the amendment of my good friend, a new Member, who shares a commitment to strong funding for education, both of us do. I know that he has proven and will prove to be that.

But my Southern Illinois district is home to the Shawnee National Forest, which covers 8 of the 27 counties I represent. Any Member with Federal land in his or her district knows that for centuries these counties have depended on Federal payments to compensate for a diminished local property tax base.

The Forest Service has historically shared a portion of its receipts with counties that include large tracts of Forest Service lands. Unfortunately, many counties have seen these payments decline drastically in recent years due to reductions in logging and other revenue-generating activities.

Madam Chairman, I understand the need to alter our forest management practice to reflect increased concerns for habitat protection and greater use of forests for recreation. However, our children should not be forced to suffer when these changes result in a shortfall in funding for schools and other basic needs.

H.R. 2389 promises that rural forest communities will once again be able to depend on adequate and consistent payment for county schools and roads, regardless of forest management decisions over which they have no control.

Under this bill, Illinois will enjoy a 68 percent increase in the payments it

receives from the Forest Service. Because H.R. 2389 promises counties the higher of either of their 25 percent annual payment or their high 3-year average payment, no State and no county will lose money under this legislation.

It is also important to note that the final version of this measure represents a compromise carefully crafted by rural communities, education groups, business leaders, and labor organizations. They all have agreed that this legislation provides an effective solution to a growing problem, allowing for the improvement of schools and local infrastructure while stakeholders and policymakers work toward a permanent resolution to the county payment issue.

□ 1515

Madam Chairman, this legislation is critical to rural communities across the country, and I urge my colleagues to join me in supporting its passage.

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

Madam Chairman, I rise in strong support of this amendment. Let me say why. First of all, we have a lousy policy in the United States. It is an addiction policy. It is addiction where we say to schools they have to be addicted to cutting publicly-owned trees in order to have enough money to run their school. Congress has made it that way and it should have never been that way.

That addiction to cutting trees is because the more trees that are cut the more revenue that can be generated. Now, take rural schools in agricultural communities, they are not addicted to how much wheat is cut or corn is cut.

This is a foolish policy. We say that if one is a school in a National Forest county, that they have to be in favor of cutting as much timber as they possibly can in publicly-owned forests, National Forests. This does not apply to State forests. This does not apply to private lands that are cut, only to National Forests.

There is a debate going on of why we have this silly policy of addicting schools to forest timber harvests. That is why the President has said let us cure this addiction; let us delink the funding of schools to the cutting of trees. It is the only area in the United States where public policy has this linkage. It is foolish.

Now, the proponents of this bill, and I think we are moving in the right direction, are trying to do something about it but they want to keep people a little bit addicted. They want to keep that 20 percent set aside by saying, with this money it can be used but remember the demand is whether it is going to be used for an ecotourism trail, fine, how much revenue is that going to generate versus revenue to cut more trees? We know where the interests are going to be. They are going to say let us spend that money to promote more tree cutting. That is not delinkage. That is not trying to cure the addiction.

This amendment does that. This amendment says if one is interested in schools in the United States, then give all of this money to schools because that is what this bill is about, funding schools. So this silly idea that part of that can be set aside and it will be delinked, and will essentially get schools off the addiction, is totally wrong. I support 100 percent this amendment. If this amendment fails we ought not to be passing the bill.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

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

Mr. UDALL of Colorado. Madam Chairman, I would like to point out that I think we should delink trees and schools, but I want to make sure all of the body understands that my amendment does not go that far. It just says when the money is delivered to the county's doorstep that the counties and those elected officials and those decisionmakers decide how it is spent; that there is no requirement that 20 percent be used on projects on Federal lands.

It is about local control. It is about making sure that the people on the ground make the decisions about whether that money is used for schools or for roads or for a Quincy Library effort.

Mr. FARR of California. Madam Chairman, I thank the gentleman for reminding me that he still has that local control because, frankly, schools in the United States are funded by property taxes and the only reason we are in this is because some States have still made those schools totally dependent on property taxes, so when there is federally-owned land they do not have a lot of property taxes.

In California, it has shifted because we do not do that by property taxes anymore. The State funds the schools. Those counties that still have Federal property have some impact, but do not think that this is a bill where one is going to try to get schools totally and fully financed as long as they are linked to cutting trees. That is the wrong policy for the United States.

We should not be having our National Forests be the only way we can fund an adequate education in the United States.

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

Madam Chairman, just in brief response to my good friend from California, we have major problems in our forests today. I represent 11 National Forests. Particularly in California, where we have stopped fires since the early 1900s and we have forests that the Forest Service says are 2 and 3 and 4 times denser than they have been historically, we have forests that are burning down, forests that we can use some of that wood to provide the wood product, the paper product that our Nation needs, and at the same time we have extremists within some of the environmental movements that would not allow us to remove one single tree, even if it is dead, from our National Forests, and that really stands at the crux of the problem here today.

Madam Chairman, on behalf of the rural school children in my district, I rise in strong opposition to the Udall-Vento amendment which will gut the substance of this bill.

The Northern California District I represent contains all or part of 11 National Forests. The citizens of my district have seen firsthand how the Clinton-Gore administration's locking up of our National Forest through their zero-cut forest management policy has virtually crippled educational funding in rural America.

Allow me to provide one example of the drastic drop in school funding that we have seen in my district. The Plumas National Forest, which is tied to schools in Plumas, Butte and Sierra Counties, generated $3.1 million in education funding in 1993. In contrast, the Plumas National Forest only generated $1.7 million in 1997. Because of this drastic drop in funding, schools have been forced to drop classes, cut programs and eliminate extracurricular activities.

This bill provides the short-term stability in educational funding which these communities desperately need while enabling them to participate with their Federal agencies in a program that will help to begin to restore health to our overgrown National Forest System.

The Udall-Vento amendment would take away this local control.

Madam Chairman, the Secure Rural Schools and Community Self-Determination Act was created in the spirit of the Quincy Library Group, a diverse coalition of local environmentalists, forest-product industry representatives, labor, local officials and concerned citizens that developed a forest health proposal for the forests surrounding the small rural community of Quincy, California, in my northern California district.

The Quincy Group developed a forest pilot project that became the basis of Federal legislation, which I sponsored and which passed last Congress overwhelmingly by a margin of 429-to-1. The group crafted a way to manage our forests for health and safety while providing for a responsible ecologically sound level of harvesting to benefit local counties and schools.

By passing the Herger-Feinstein Quincy Library Group Forest Recovery Act, this Congress recognized that local groups are better able to craft solutions that best benefit their local forests, communities and schools and that we can create win-win solutions when local communities, not Washington, are the source of those solutions. Contrary to this administration's policies, Washington does not know best.

Madam Chairman, this bill will create hundreds of Quincy Library Groups

across the country, where communities will finally be given a greater voice in the management of their local National Forests and the funding of their schools. The Udall amendment will take away this important voice. I strongly urge my colleagues to vote against this amendment and for the bill.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, I thank the gentleman from California (Mr. HERGER) for yielding.

Madam Chairman, the last speaker on the other side raised the administration's position on this, and I think it is important to find out exactly where the administration is.

The administration has been AWOL on this issue from the beginning. The administration continues to maintain the Sierra Club/Wilderness Society position of decoupling or nothing, and when the gentleman says we should not have to cut trees in order to fund schools, what the gentleman is overlooking is that this bill moves in the direction of assuring that the schools get the funds no matter what level of timber harvesting takes place but it continues to maintain that connection not just for timber harvesting.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. HERGER) has expired.

(On request of Mr. GOODLATTE, and by unanimous consent, Mr. HERGER was allowed to proceed for 3 additional minutes.)

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, the effect of that is that for watershed protection, for recreational projects, for environmental improvement of our forests by thinning and other tree-harvesting measures that are environmentally sound, every one of these projects has to comply with every single Federal law. The effect of this is to continue that connection.

More importantly, even if the other side were successful in passing what they want, the reality will never change that these communities are dependent upon these forests because they use such a great portion of the land in those counties. So the jobs that are lost, that is additional loss to the schools in a particular county. When businesses close down and move out, that is additional tax revenue that does not go to the schools and so the net effect of what the gentleman is saying that we should have no connection between the land and its people is a very, very bad policy.

This amendment should not be supported because the effect of it is going to disconnect people with centuries of connection to their communities and to their land for their economic survival.

Mr. RADANOVICH. Madam Chairman, will the gentleman yield?

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

Mr. RADANOVICH. Madam Chairman, it is my opinion that it is the administration's goal to get everybody out of the forest and put rural communities on welfare.

A very good point was made in that the best forest management plans are from local input. This administration's ill-conceived notion is that no management is good forest health, and that is just not true. So I agree and align myself with the gentleman's statement. The administration's goal is to get people out of Federal lands and put rural communities on welfare. That is the goal.

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

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

Mr. POMBO. Madam Chairman, I thank the gentleman from California (Mr. HERGER) for yielding.

Madam Chairman, we heard a few minutes ago my colleagues talk about the addiction, and what this legislation would do is it would give us the opportunity to break that addiction. It would give us the opportunity to find a solution that is driven locally.

We hear about local control. Well, all the people that vote against every bill that ever comes to this floor that has anything to do with local control all of a sudden are talking about it. The reason they are talking about it is that the national environmental groups are terrified, they are terrified, that local people are actually going to get together and find a solution, because they thrive on conflict. It is the very existence of their organizations, and if we get local people together talking about the problems and finding solutions we will have a solution and that addiction will be broken.

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

Madam Chairman, from the beginning there are people on the poles of this issue who have wanted this to be a debate about forest policy and not a debate about schools, about vital county services. I have to say a few of the last speakers are succeeding in dragging us back to that point.

Successfully, throughout the day, we have been addressing the needs of the schools, the needs of counties that are more than half owned by the Federal Government, with few alternatives, with depressed rural economies, with underfunded schools, with few sheriffs deputies and other tremendous needs going unmet.

What we heard out of the last few speakers, they want to assassinate the administration here. Well, let us get it straight. Who proposed giving this money to the counties and schools to begin with? It was the President, in the budget a year ago.

What did the Republican majority do in the last Congress on this issue? Nothing. They did not even hold a hearing.

Now, this Congress there has been some action, but not through a regular process. It did not go through my committee where I sit, the Committee on Resources, which it should have by all rights. Now we are down on the floor and there are people here who would just as soon blow this up as opposed to get something done here today.

This is an important issue. This is not a perfect bill. It is not the bill I would have written. It is probably not the bill that we would have had if it had gone through the regular process, but it is vitally important and it is the best we can do today here in the United States House of Representatives.

The administration has not sent a veto threat. They have raised concerns about parts of this bill, concerns which can be worked out with the Senate if it is going to be signed into law, and it needs to be signed into law. For the sake of the kids and the counties, it must pass.

So let us not go where the poles in this debate want us to go. Let us not drag this out into a debate of forest policy. We can debate that every day of the week and we can all disagree and we can come down here and just have a great time pounding on each other or we can do it in committee, we can do it in the hallways, in the cloakrooms, everywhere else. This is not about forest policy. It is about money. It is about vital funds for kids, for schools, for counties, for law enforcement, for roads and infrastructure. Please support passage of this bill.

□ 1530

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

Madam Chairman, I rise in strong opposition to the Udall amendment. As one who has participated in this discussion for the last couple of years, I am glad to see us finally get to the point to where we can achieve what the gentleman from Oregon (Mr. DEFAZIO) was just talking about that we need to achieve today with the amendment before us.

At first glance, the Udall amendment seems to make sense, and I know that is certainly the gentleman's intention by allowing local entities total discretion in the use of their full payments.

Usually, I support that kind of flexibility given to the local level for the use of such funds. But this is not a simple amendment as it appears. We have over 830 local entities that are suggesting that the compromise that we have heard mentioned over and over and over again is the best solution for us to date.

An extensive coalition of grassroots or organizations, including education, rural development and labor organizations, have come together to determine the parameter of the payments provided. They recognize that local communities need a steady source of funding for things like education and the

investment to ensure the long-term viability of these local communities dependent on timber resources.

The Udall amendment, unfortunately, provides no assurance that funding would be available for local communities to develop a long-term sustainable solution for management of their forestlands. The bill will provide an incentive for local communities to participate and develop the resources available to the communities.

Please oppose the Udall amendment. Support the bill on final passage.

Madam Chairman, I yield to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Madam Chairman, I thank the gentleman from Texas (Mr. STENHOLM) for yielding to me.

Madam Chairman, I sense that we are about to wind up here. We have had a spirited debate. I think the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Texas (Mr. STENHOLM) have best said it in the last two statements.

I would be remiss at this point in time if I did not pause to again thank the Members, the gentleman from Georgia (Mr. DEAL) and the gentleman from Virginia (Mr. GOODLATTE), the gentleman from Oregon (Mr. DEFAZIO), and also the gentleman from New York (Mr. BOEHLERT) for their role in making this happen.

Also, I want to thank all of the staff. This is my first opportunity to be heavily involved in a bill like this on the floor. I want to tell my colleagues that we have some very professional staff here, Dave Tenny and Kevin Kramp from the House Committee on Agriculture, Doug Crandall from the House Committee on Resources, Jennifer Rich from the office of the gentleman from Georgia (Mr. DEAL), Penny Dodge from the office of the gentleman from Oregon (Mr. DEFAZIO), David Goldston from the office of the gentleman from New York (Mr. BOEHLERT), Chris Schloesser from my staff, and also Greg Kosta from Legislative Counsel. I want to give my thanks to all of those folks.

Mr. DEAL of Georgia. Madam Chairman, I move to strike the requisite number of words.

Madam chairman, as we come to the conclusion of the debate on this amendment, I quite frankly am surprised we can still see across this room because it has become smoke filled, and traditional smoke screens have all been thrown up as we debated this amendment. But let me just deal with some basic, pure legislative arithmetic.

This bill, as the gentleman from Oregon (Mr. DEFAZIO) says, is not a debate about forest policy. It was not intended to be. This amendment is a smoke screen for that debate. Because, in all honesty, and I admire his candor on it, the proponent of the amendment admits that, even if it is adopted, he will not support the bill because he does want to debate the forest policy of delinkage.

That is a debate for another day. If we debate delinkage, we ought to debate the issues of delinking those local sheriff's departments of having to provide law enforcement protection for those forests in their counties. We ought to debate their search and rescue efforts that cost them tens of thousands of dollars in very small rural communities when they have to find somebody who has drowned in one of our rivers or whose plane has crashed in one of our National Forests. But that is a debate for another day.

But let us talk about the legislative math, about what is before us. We are talking about giving to our counties that qualify the average of the highest 3 years from 1984 through 1999. I want to tell my colleagues what that does in my State of Georgia. The debate of the amendment is about 80 percent or 100 percent, let me tell my colleagues what the real story is.

In my State of Georgia, if they get 80 percent of the highest 3 years for that time frame compared with what they have gotten on average for the last 3 years, they will get a 250 percent increase. Now, that is Georgia math. 250 percent, even if it is at an 80 percent level, is a whole lot better than 100 percent of what one is getting now. That holds true for almost every State across this country.

Now, let me tell my colleagues what the math of the amendment is; and that is 100 percent of nothing is still nothing. If this amendment passes, that is exactly what will happen. The compromise of the groups that have supported this bill as it now comes before us, that compromise will disintegrate, and the gentleman will get 100 percent, but it will be 100 percent of nothing. I oppose the amendment. I urge its defeat, and I urge the adoption of the bill as proposed.

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

Madam Chairman, I rise in support of the amendment. Let me just say that I rise in strong support of the Udall amendment because I think it is an important amendment. There will be varying amounts of money that will be available if one has the 20 percent set-aside, a 20 percent that is mandated within this legislation.

This is supposedly an argument, as the gentleman from Oregon (Mr. DEFAZIO) said and as has been said over the last several years as timber policy in this country has changed, that this is an argument about sustaining the rural schools and county roads and other obligations of county governments where one has high ownership of Federal lands and timber based economies.

If this is about maintaining those schools, schools that are in dire straits, I sit on the Committee on Education and the Workforce, we listen to these schools every day in that committee talk about the problems of rural schools, talk about the problems of the western United States, of rural schools.

We just had a bipartisan effort to try to get additional money to those schools under ESEA to provide them additional flexibility. We understand that problem. It is a very real problem. The administration, as the gentleman from Oregon (Mr. DEFAZIO) pointed out, offered legislation to make whole these schools without coupling it to forest policy.

Why is this amendment important? This amendment is important, the amendment offered by the gentleman from Colorado (Mr. UDALL), because it recognizes what this 20 percent set-aside is. This 20 percent set-aside is the last gasping of the forest industry in these areas to try to see whether or not they can bootstrap themselves into additional logging in these areas, to try to tell the communities that they can bring in additional monies even if it is contrary to the national interest of the National Forests and the people of this country.

That is what this 20 percent set-aside is. That is why they fought so hard about it. I do not know how they got the school districts to do it. I do not know how they got the NEA and the School Boards Association and others, because supposedly the school boards are in such terrible trouble, that is why we need this legislation, but they took 20 percent of the money off the top on a mandatory mandate by the Congress.

Now, we are told that, if one wants local flexibility, it is a poison pill. Six weeks ago, we are out here arguing that we had to give absolute flexibility to local governments, we had to give absolute flexibility to local schools. My, how far we have come from the Contract on America when local flexibility is a poison pill.

But we are going to go ahead, if this legislation is passed without the Udall amendment, we are going to set up 150 Federal advisory committees. They are going to try to see whether or not they can come up with projects on the forests. That is not a problem.

But do my colleagues know what? If the local community decides that 100 percent of these receipts should go into the schools, why should not they be able to make that determination? They are prohibited from making that determination because there is a Federal mandate in this legislation that says the local community cannot make that decision.

So even if they decide what is in their best interest, they do not get to make that decision. They do not get to make that decision. That is why the Udall amendment is important. Because the fact of the matter is, what we are trying to do here and what this formula tries to do, is we take the highest users of forest policy when maybe, perhaps, the poorest policy was at its most irresponsible level, where we were timbering lands far beyond their sustained yield, far beyond their sustained productivity.

That is why we are in the fix we are in today, because those lands have been

butchered in such a fashion that they no longer will yield, because the people 10 years ago decided they would take everything they could get and they would rip and run. Now these communities are left without the resources to educate the children.

We happen to believe, I think most people, that those communities can be made whole still, and the administration proposed that. But the timber industry said that is not good enough. That is not good enough. We have got to have the means to try to come in the back door and see whether or not we can, again, drive the timber harvest.

So, therefore, one has a mandatory 20 percent set-aside, a 20 percent set-aside against the best interest of the community if the community decides that its roads and its school children are important.

Plus in some cases, as I tried to point out earlier, the amount of money is so small that it is hard to believe that one can efficiently use it. But we will set up these committees, we will have 150 of them on every unit of the Forest, and they can decide what to do with $8,000 or $10,000.

But if the community said we want to buy 10 computers or we want to buy software or we want to buy books or we want to contribute to the payment of one of the 100,000 teachers the President is trying to get passed, they will not be able to do that, because they will have to spend this 20 percent in a mandated set-aside to try to come up with some project on the Forest that the community, in fact, may not agree with.

That is the wisdom of the Udall amendment. It is about understand what this 20 percent set-aside does.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. Madam Chairman, it is about understanding the need for communities to be able to make the full range of decisions that affect them. Because apparently from the debate and from the remarks of most of my colleagues in the affected areas, it becomes very clear that the money for schools today is insufficient. The money for schools in 1984 was insufficient.

So now, out of an insufficient amount of money, the Federal Government is going to mandate that one has got to set aside 20 percent, so the schools cannot have it, the county roads cannot have it, even if the community decides that is what is important.

I suggest what we do is make a bad bill better, we vote for the Udall amendment, and we give these local communities the controls that they need and they desire and that are most beneficial for their local communities and for the school children in those areas.

Mr. PETERSON of Pennsylvania. Madam Chairman, I move to strike the requisite number of words.

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

Mr. HERGER. Madam Chairman, I would like to respond to the gentleman from California (Mr. GEORGE MILLER) on some of his comments. He mentioned that the forests were being over cut back some years ago, and that is true. But as the gentleman knows, we have laws now, Federal laws, and certainly those in California that do not allow this anymore.

Our predicament now is just the opposite of what it was 15 and 20 years ago. Today we have forests that are two and three and four times denser than they have ever been. We have fire hazards now where we are having catastrophic wildfires, and we need to go in and actually thin out our forests, of which we are unable to do.

Mr. PETERSON of Pennsylvania. Madam Chairman, I would just like to raise the issue that I think we have been asked today to trust the Federal Government to take care of these 800 communities just like we have had in the past.

When we look at the history of Congress and previous administrations, we have about a billion acres in this country in public land owned by the Federal Government plus local governments more. But now that billion acres we have a payment in lieu of tax program. If one looks at it, can one say we should trust Congress to take care of communities who have huge mounts of their acreage owned by the Federal Government?

This year, we will appropriate $125 million for a billion acres. That is 12 cents an acre. In Pennsylvania where we own a lot of land, the State I come from, we pay $1.20 for every acre that the State owns to help local schools, to help local roads. That does not break the State. Congress has paid 12 cents an acre, and they are saying trust us, Congress will take care of these school districts, these law enforcement agencies, and these local governments who have the bulk of the land in their communities.

I want to tell my colleagues, when I look at that record, I am not going to trust Congress. I am not going to trust future administrations. Everything we can do to help rural America have a base of government, the great amount of ownership of this Congress, of this country, and our closed and calloused attitude towards it, our unwillingness to be sensitive to the needs out there as we change Federal policy is historic.

So I say today let us defeat the amendment that is before us, and let us pass this bill. It is a major step. It does not fix the problem, but it is a major step of help to rural America. It shows rural America that we care about their educational building in small rural communities that are surrounded with public land. It shows we care a little bit.

I urge a defeat of this amendment and passage of the bill.

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

Mr. WU. Madam Chairman, I rise today in support of the amendment offered by the gentleman from Colorado. I would like to thank my good friend for bringing this important amendment to the floor. I believe that this amendment will improve H.R. 2389.

The Udall amendment helps bring decision making closer to home. Under the proposed bill, any county, which receives over $100,000 in safety net payments, will be required to use 20 percent for ''projects on federal lands.'' Those counties, which receive less than $100,000 in safety net payments, have the choice to use the entire payment for schools and roads or elect to use 20 percent for ''projects on federal lands.'' The federal government will in effect be mandating to counties, which receive over $100,000, how to spend 20 percent of the assistance.

Madam Chairman, by mandating that 20 percent of the revenue be used for purposes other than education and transportation, we, the U.S. Congress, are tying the hands of local decision-makers about local priorities.

The Udall amendment allows the affected county to make the decision. The Udall amendment allows local officials to decide if smaller class size is more important than a new Search and Rescue unit, whether new books for third graders are needed more than forest management. These are the difficult choices that need to be left in the hands of the people who are most affected by them, local communities.

☐ 1545

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

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

RECORDED VOTE

Mr. UDALL of Colorado. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 241, not voting 6, as follows:

[Roll No. 559]

AYES—186

Abercrombie	Carson	Evans
Ackerman	Castle	Farr
Allen	Clay	Fattah
Andrews	Clyburn	Filner
Baird	Condit	Forbes
Baldacci	Conyers	Frank (MA)
Baldwin	Costello	Ganske
Barcia	Coyne	Gejdenson
Barrett (WI)	Crowley	Gephardt
Becerra	Cummings	Gilman
Berkley	Davis (IL)	Gutierrez
Berman	DeGette	Hall (OH)
Berry	Delahunt	Hastings (FL)
Blagojevich	DeLauro	Hill (IN)
Blumenauer	Deutsch	Hilliard
Bonior	Dickey	Hinchey
Borski	Dicks	Hinojosa
Boucher	Dixon	Hoeffel
Brady (PA)	Doggett	Holden
Brown (OH)	Dooley	Holt
Campbell	Doyle	Horn
Capps	Ehlers	Hutchinson
Capuano	Engel	Inslee
Cardin	Eshoo	Jackson (IL)

Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Luther
Maloney (CT)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Porter
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Sweeney
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—241

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hooley
Hostettler
Houghton
Hoyer
Hunter
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Mascara
McCollum
McCrery
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Ose
Oxley
Packard
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rogan
Rogers
Ros-Lehtinen
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Spence
Stenholm
Stump
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Bereuter
Hulshof
Kilpatrick
Scarborough
Souder
Weldon (PA)

☐ 1609

Messrs. NORWOOD, ISAKSON, MCCOLLUM, KOLBE, FRELINGHUYSEN, REYES, HALL of Texas, and Mrs. FOWLER, and Ms. LOFGREN changed their vote from ''aye'' to ''no.''

Messrs. OBEY, HORN, MCHUGH, HOLDEN, DOYLE, LEACH, SCOTT, LAZIO, and CAMPBELL changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. ROUKEMA. Madam Chairman, on rollcall No. 559, I inadvertently voted ''no.'' I meant to vote ''aye.''

The CHAIRMAN pro tempore. Are there any other amendments?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having resumed the chair, Mrs. EMERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes, pursuant to House Resolution 352, she 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 the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. GOODLATTE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 274, noes 153, not voting 6, as follows:

[Roll No. 560]

AYES—274

Aderholt
Allen
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Berry
Biggert
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kasich
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kuykendall
LaHood
Lampson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salmon
Sanchez
Sandlin
Schaffer
Sensenbrenner

Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—153

Abercrombie
Ackerman
Andrews
Baldwin
Barrett (WI)
Becerra
Berkley
Berman
Bilbray
Blagojevich
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clyburn
Coburn
Conyers
Coyne
Crane
Crowley
Cummings
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dixon
Doggett
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Filner
Forbes
Frank (MA)
Franks (NJ)
Frelinghuysen
Gejdenson
Gephardt
Gilman
Gonzalez
Hastings (FL)
Hinchey
Hoeffel
Holden
Holt
Inslee
Jackson (IL)
Jefferson
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kleczka
Kolbe
Kucinich
LaFalce
Lantos
Largent
Larson
Lazio
Lee
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Porter
Portman
Ramstad
Rangel
Regula
Rivers
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Stabenow
Stark
Stearns
Sununu
Tauscher
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Upton
Vento
Wamp
Waters
Waxman
Weiner
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—6

Bereuter
Hulshof
Kilpatrick
Ryan (WI)
Scarborough
Weldon (PA)

□ 1627

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RYAN of Wisconsin. Mr. Speaker, on rollcall No. 560, I was unavoidably detained. Had I been present, I would have noted ''yes.''

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2389, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2389, COUNTY SCHOOLS FUNDING REVITALIZATION ACT OF 1999

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 2389) the Clerk be authorized to correct 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. Is there objection to the request of the gentleman from Virginia?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1832

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1832, the Muhammad Ali Boxing Reform Act.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 353 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 353

Resolved, That it shall be in order at any time on or before the legislative day of Wednesday, November 10, 1999, for the Speaker to entertain motions to suspend the rules, provided that the object of any such motion is announced from the floor at least two hours before the motion is offered. In scheduling the consideration of legislation under this authority, the Speaker or his designee shall consult with the Minority Leader or his designee.

□ 1630

The SPEAKER pro tempore (Mr. PEASE). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to my very good and hard-working late-at-night friend, the gentleman from South Boston, Massachusetts (Mr. MOAKLEY). Pending that, I yield myself such time as I may consume. All time I will be yielding will be for debate purposes only.

(Mr. DREIER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DREIER. Mr. Speaker, House Resolution 353 will provide for the consideration of motions to suspend the rules at any time up to and including the legislative day of Wednesday, November 10. In addition, this resolution requires that the Speaker or his designee consult with the minority leader or his designee on the designation of any matter for consideration under suspension of the rules. Finally, this resolution provides that the object of any motion to suspend the rules be announced, based on a brilliantly crafted amendment from the gentleman from Massachusetts (Mr. MOAKLEY) for at least 2 hours prior to its consideration.

Under clause 1 of rule XV of the rules of the House, the Speaker may only entertain motions to suspend the rules on Mondays, Tuesday, and the last 6 days of the session. Since the House has not yet passed an adjournment resolution, the last 6 days of this session have not been determined, although we still hope they will be the last 6 days that begin before too terribly long. Therefore, Mr. Speaker, it is necessary for us to pass this resolution in order to allow the House to consider suspensions on days other than those designated as suspension days under the rules of the House.

Mr. Speaker, as we near the end of the first session of this Congress, it is imperative we allow ourselves the utmost flexibility in scheduling and considering the remaining matters before us. While we have produced such success in this session, most notably reforming education, providing for our national defense and protecting Social Security, there still are a number of items that do need to be considered. This resolution will allow us to expeditiously consider the noncontroversial and narrowly tailored, yet important matters, that remain unresolved.

Every year around this time we consider a resolution such as this in order to officially dispose of the remaining bipartisan matters before us.

Therefore, Mr. Speaker, in pursuit of that, I urge adoption of this resolution and thank the gentleman from Massachusetts (Mr. MOAKLEY) for helping us in this quest.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my colleague and my very dear friend, the illustrious gentleman from California (Chairman DREIER), for yielding me the customary 30 minutes.

Mr. Speaker, by bringing up this rule making every day a suspension day, one might be led to believe my Republican colleagues have seen the light at the end of the tunnel; but from what I can tell, we still have a lot to do before Congress finishes the work for the year.

I hope the people negotiating the omnibus appropriations bill will be able to