look at exactly how many we are going to have to do, look at how many we would have to vote on tonight, how many we would have to vote on in the morning, and try to be reasonable in how we schedule those votes. But we do need to get both of them completed not later than tomorrow morning. So votes are expected into the night. We could have, I guess, conceivably 10, 15, or more votes tonight beginning at 6:15. Of course, we have stacked them and the votes will be limited to 10 minutes in length after the first vote. Senators will be encouraged to remain in the Chamber again during the votes.

We were able to record 10 votes in about 1½ hours I think on Friday, which probably is some kind of new record. A lot of the credit for that goes to Senator HARRY REID, the assistant minority leader, because he stayed in the Chamber and helped me make sure that we wrapped those votes up as quickly as was possible.

This will be an important week. After we complete those two very important issues, we will need to go to the Agriculture appropriations bill which has been awaiting action in the Senate now for probably a month. Senator COCHRAN has indicated he will be ready to go tomorrow morning or right after lunch, whichever is available to him, to begin debate on this very important legislation.

We also would like to have the opportunity to consider the energy and water appropriations bill this week also. It is ready and should not take a lot of time. But that will depend on how long it takes on the Agriculture appropriations bill.

I see smiles throughout the Chamber, the idea that we would complete these two bills I have already mentioned and then take up two appropriations bills, but with determination we can get it done.

We achieved more last week than most people thought we would be able to do. It took work and it took some time and it took cooperation between leaders on both sides of the aisle. We were able to get that. I hope we can do it this week. I thank my colleagues for their participation and their cooperation.

With that, I will yield the floor and I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSERVATION REINVESTMENT ACT

Mr. BURNS. Mr. President, on the eve of marking up the Conservation Reinvestment Act—an act that can only be described as great politics but very bad policy—to enact a law that gives the Federal Government a blank check to buy land for the purpose of conservation, preservation, or any other so called environmental cause is ill-advised and ill-conceived, it appears, on the surface, the idea of putting land under Federal control for conservation purposes is a good idea and good policy for the nation. However, under the surface, hidden in the dark side of government ownership of lands, it is very bad policy.

Nobody has hunted or fished and appreciated it more than this Senator. Nobody enjoys the outdoors as much as I do—the cold crisp mornings in a hunting camp or a fishing camp is unequaled and one would not need a fishing rod or a rifle.

I would say that nobody in this body has fought harder for habitat and policies that promote the enjoyment of the outdoors, hunting, and fishing. As former cochairman of the sportman's caucus and still active in the foundation, we guard this privilege.

There is no way, Mr. President, this piece of legislation can be made to reflect or fulfill our role in the protection and improvement of our public lands. Just adding acres to the Federal estate does not get it done. Just no way. The supporters of this legislation has been blinded by the prospects of dollars, free dollars coming to their respective States. The money comes from royalties from off-shore drilling. I have no problem with that and, in fact, support such a scheme. It is the purchasing of land for the Federal estate that I cannot support.

I ask your patience to bear with me but I feel some facts should be made part of this record and my colleagues need reminding of some startling facts.

The Federal Government now controls one-third of the land in the United States. That is wrong and was never intended to be as envisioned by the Founders of our Nation nor the Framers of our Constitution.

However, the Federal Government has from its first day, a healthy appetite for land ownership and has never stopped acquiring more and more land. Some for good and solid reasons. In the last 40 years, however, land acquisition has been under the guise of conservation and preservation.

Do we have enough surplus of money to squander on the idea that the Federal Government needs more land.

Since 1960, major Federal land agencies have added 33.6 million acres of land. That is the area the size of Florida.

These agencies control more than 612 million acres or just over one-fourth of the land area of the United States.

True, the majority of Americans support land conservation and some acquisition, but few know or understand what it entails.

Most of those demanding public ownership of lands have come from groups who have little regard for private land ownership or property rights as provided by our Constitution. Land ownership is the cornerstone to individual freedom which most Americans hold very dear. Have you not seen the movie, ''The Patriot''?

> . . . A major increase in Federal funding for land acquisition has long been needed. There is a tremendous backlog in land purchases. . . .

So says Carl Pope, Ex. Director of the Sierra Club.

Ron Tipton, a vice president of the National Park Conservation Association echoes the same line.

I would suggest that both organizations have the money and the political will to buy land for conservation, preservation, or to heal some real or perceived environmental ill. The problem arises that they also would be responsible for the operation and management of the lands.

That being the case, why in the world does the Federal Government need more land? That is why I started to do some research some 3 or 4 years ago and using some information gathered by very credible organizations, I was startled what I found.

The Congressional Budget Office has gone so far as to suggest a freeze on Federal acquisitions. A 1999 report asserts:

> Land management agencies should improve their stewardship of the lands they already own before taking on additional acreage and management responsibilities.
>
> Environmental objectives might be best met by improving that they already own.

There is one glaring fact that throughout our history, private individuals and groups have offered the best and most sound resource conservation. Several organizations such as the Sierra Club has the funds and expertise to do and I suggest they proceed.

Here is CBO's concern. BLM, USF&W, and NPS have added 840,000 acres per year since 1960. That is the area the size of Rhode Island.

In the 1990's, 3.4 million acres and 25 new units for NPS; 2.7 million acres and 24 new units for USF&W; plus 18 million acres in military installations, 8.5 million acres in BOR, and 11.7 million acres in the Corps of Engineers. Even the conservation reserve ''CRP'' controls 33 million acres.

SPIRALING COSTS AND BALLOONING BUDGETS

Here are the reasons the Congressional Budget Office suggested a freeze in land acquisition:

Annual costs for land management have far outpaced the rate at which the Federal estate was expanding.

For the past 40 years, government's appetite for land ownership grew the total acres just over 6 percent, yet operating budgets have risen 262 percent above inflation.

From 1962 to 1998, land acquisition cost $10.5 billion. At that same timeframe, managing Federal lands cost $176 billion, $6.6 billion in 1999 alone.

It is a little easier to grasp when one looks at the cost of management in 1962 at $3 per acre. In 1997 the cost has grown to $10 per acre adjusted for inflation.

The NPS operating expenses have risen 2.6 percent per year above inflation since 1980. During the same time, the system grew only 1 percent per year in acreage and units. The system has always gotten more money to operate. Park visits, nationally, only grew 2.3 percent per year.

BLM generated .50 cents for every $1.00 invested and the NPS .08 cents for every $1.00. While operating budgets for day-to-day upkeep and services have grown faster than acreage, provisions for infrastructure and major maintenance have not followed a similar pattern.

In some instances, these capital budgets that provide for long-term facility maintenance have shrunk. Between 1980 and 1995, NPS declined to an annual rate of 1.5 percent when adjusted for inflation. As a result, the NPS has a $5.6 billion deficit for construction and maintenance and a $2 billion deficit for resource management.

The USFS has a $5 billion maintenance backlog. Throwing more money into the Federal trough is not getting us what we want. Eroding forest roads, deteriorating water quality, disappearing wildlife habitat, and loss of priceless artifacts are just the most obvious indicators that current policies are not providing quality management.

Buying more land only contributes to a situation that is not achieving the environmental objectives that we want.

Billions of dollars are spent each year to manage our Federal lands, and the public is not getting the benefits of multiple-use fiscal responsibility, or good resource stewardship.

A number of ecologists have also questioned the ability to fulfill its mission of resource protection. Biologist Charles Kay of Utah State University has documented the destruction of the Crown Jewel of national parks, Yellowstone. Overpopulation of elk and buffalo has taken its toll. The result is starvation of thousands of elk, and overgrazed range, the destruction of plant communities, the elimination of critical habitat, and a serious decline in biodiversity. Karl Hess reported the same in Rocky Mountain National Park.

Some 39 million acres of Federal forest land are, as we speak, at risk of catastrophic wildfire and disease according to a GAO report of last year.

BETTER TOOLS—BETTER RESULTS—SATISFIED CONSERVATIONISTS

It is clear that merely dipping into the Federal Treasury does not ensure land conservation for the future. Under the current system of command and control, politics plays a major role in Federal land management. Some pragmatic changes in our Federal land agencies, however, could help us get the incentives right.

RECREATIONAL LAND

Lands historically used for recreation, should pay or attempt to pay their own way and not rely entirely upon congressional appropriations.

There is no doubt that park managers can better care for the land that Federal overseers in Congress who fail to allocate funds for necessary maintenance. The Fee Demonstration Program is a step in the right direction.

As land managers generate revenues and decide how the money will be spent, they are allowed to be more responsive to visitors, more expedient with maintenance, and more protective of natural resources.

COMMODITY LANDS

Not all Federal lands are equally deserving of preservation. In a world of limited resources, it makes sense to sell lands with lesser conservation values to ensure adequate protection for those worthy of conservation.

HABITAT SET-ASIDES

There are some lands under Federal management that are not likely to ever pay their own way, but have ecological or cultural value. The land might be critical wildlife habitat, watershed for large, diversified users, or the site of some historical event. These should be placed under a trust or endowment board. A portion of revenues derived from user fees at more popular sites or the sale of other lands could be used as endowment funds to manage these valuable areas. I am very supportive of this idea.

NEW ACQUISITIONS

Current Federal land management permits land acquisitions without regard to operating and maintenance costs. Before adding more land to the Federal estate and obligating the American taxpayer, a detailed accounting of annual operating and maintenance costs should be prepared and, like private conservators, laws should require that funding for proper management be part of the appropriation. No O&M money, no deal. I will insist on it.

LAND EXCHANGES

There is no doubt in my mind that land exchanges are necessary. Small units of range should be either traded or sold to block up large units for management purposes. The funds derived from the sales should be placed in the trust or endowment for management of other public holdings.

PRIVATE SOLUTIONS

As an alternative to Federal land conservation, private conservation by individuals and groups is a viable option with a long history in the United States. The growing demand to protect land resources has created a new impetus for private conservation through ownership and other legal mechanisms. Whether the land is managed for profit or to fulfill a mission, these private conservators have the right incentives. They face the opportunity costs for alternative uses of the resources. The result is often better land management than that provided by our Federal land managers.

FEE SIMPLE

Private landownership is the oldest and simplest form of land conservation. It will continue to exist as long as property rights are well-defined and owners can profit from their investment in conservation or achieve their conservation goals.

LAND TRUSTS, CONSERVATION EASEMENTS

Tax benefits.

Perpetual easements.

Restructuring easements.

CONCLUSION

Changes that would improve land conservation and mitigate environmental damage without adding more land to the Federal estate include:

Lands for recreational use should pay their own way or generate some revenue to cover costs;

Land use rights on commodity producing lands should be sold for the highest value use. The winning bid could be commercial timber harvest, selective harvest to enhance wildlife habitat, wilderness, recreation, or some combination of uses;

Income from the sale of land and land use rights should be put into endowment funds to buy or manage lands with higher conservation values, such as those with critical wildlife habitat, scenic value, or historical significance; and

Barriers should be lowered to encourage private conservation and good stewardship.

At present our Federal land agencies are poor land stewards. Many times through no fault of their own, their budgets reach into the billions, yet damage to roads, sewers, buildings, forest, and rangelands remain and continue to worsen.

Only the lands that are under long-term lease arrangements with individuals or groups continue to improve.

Given the right incentives, we can protect areas like Yellowstone and Yosemite, preserve the Bob Marshall Wilderness of Montana, and the east front. But forests such as Clinch Valley, VA, are better left in private hands.

Again, I must iterate that the Conservation Reinvestment Act as written and presented this day, is ill-conceived and ill-advised. We can and must invest those dollars where the environmental objectives are clearly achievable.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business not to extend beyond the hour of 3 o'clock with Senators permitted to speak therein for up to 10 minutes each, with the following exceptions: The Senator from