They are holding small businesses and farmers hostage to their flagrant scheme to help the super-rich even while they talk piously of helping the middle class.

This Republican Congress is the trillion-dollar-travesty Congress. Fortunately, President Clinton and AL GORE are here—in this case, President Clinton—with a veto pen to burst their bubble. But thank goodness that working families, middle-income families, have a President who really cares about the economic and financial situation in this country.

I take pride that I was one of 11 Members of the Senate who voted against the Reagan tax cut that took us from $400 billion to $4 trillion in debt. That is why I am always interested in listening to those on the other side talk about what wonderful economic programs we have had over the recent times.

Let me finally use these charts to demonstrate, once again, what this repeal of the estate tax will cost. It is $55 billion per year that we are effectively giving the wealthiest individuals by the year 2010. This could fund every program in the Department of Education.

We are not saying that just throwing money at it answers all the problems. But it is a pretty clear indication about what a nation's priorities are, about how we are going to allocate resources. We could have fully done that, funded all of education, on this. We could have funded the total cost of prescription drug medicines for every beneficiary and had $15 billion left over. We could have had funding for all the beneficiaries, for all of our senor citizens. We could have provided the funding for the $20 billion which takes care of all the medical research in the National Institutes of Health, and you would still have $35 billion left.

This is an indication of priorities. This is another indication.

This chart depicts that from the Republican estate tax, those who are going to benefit from it, benefit from it to the average of $268,000. All we are trying to get is a Medicare prescription drug benefit that will be valued for our senior citizens at $900.

Here it is: $268,000, by 2010, for those who will benefit under the Republican tax cut. All we are trying to do is get $900 for our senior citizens, our 40 million senior citizens we will have at that time. Or to put it another way, the beneficiaries will have the estates worth $2.3 million. The people we are trying to help average $13,000 a year. They are the people we are trying to look out for.

This is the contrast. I believe, as I have said, never has so much been given to so few in such a short period of time—without, I think, the fair, adequate national debate or discussion in terms of what is really necessary, in terms of meeting the human needs of families in this country, the educational needs, the health needs, of what is needed in terms of housing for working families and what is necessary in terms of prescription drugs.

How are we going to have clean air? How are we going to have clean water? How are we going to clean up the brownfields? How are we going to make sure people are going to continue to have an opportunity to work in employment and have the training and the skills in order to be able to compete in the new economy?

All of those priorities have been washed away. With $1.3 trillion, we would be able to provide the investments for the American people. We have given that away. We have given that away without adequate and fair consideration of these priorities. I welcome the fact that we have a President who is going to veto those measures.

I yield the floor.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—Continued

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Rhode Island.

AMENDMENT NO. 3798

Mr. REED. Mr. President, I have amendment No. 3798 at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 3798.

Mr. REED. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for weatherization assistance grants, with an offset)

On page 182, beginning on line 9, strike ''$761,937,000'' and all that follows through ''$138,000,000'' on line 17 and insert ''$769,937,000, to remain available until expended, of which $2,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account and $8,000,000 shall be derived by transfer of a proportionate amount from each other account for which this Act makes funds available for travel, supplies, and printing expenses: *Provided*, That $172,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $146,000,000''.

Mr. REED. Mr. President, I ask unanimous consent that Senator KENNEDY and Senator SCHUMER be added as cosponsors of this amendment.

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

Mr. REED. Mr. President, this amendment would provide an additional $8 million for the Department of Energy's Weatherization Assistance Program.

Across the country this summer, Americans have faced unacceptably high gasoline prices. Last winter, our constituents, particularly in the Northeast, saw extraordinary increases in home heating oil prices.

Members of this body have offered various proposals to address this issue, ranging from urging OPEC to increase production; increasing domestic crude oil production, by drilling in new areas; building up our refining capacity; and expanding our use of ethanol and alternative fuels. Essentially, all of these proposals are supply side proposals, increasing the supply of energy.

In fact, we are reaching a point now where the proposal to encourage OPEC might be running out of time. I note that the Saudi Arabians are asking for a meeting of OPEC in the next few days, because if there is not a meeting immediately, even if there is an increase in production, it will be insufficient in terms of reaching our markets for the winter heating season.

All of these supply side proposals are interesting, but we are neglecting an important aspect of the overall composition of the heating market—and that is demand.

The weatherization program goes right to this critical issue of demand. By weatherizing homes, by making them more energy efficient, we are literally cutting down the demand for energy, and typically foreign energy.

As Congress debates these proposals for supply relief, we should also start thinking seriously about demand reduction. That is critically involved in the whole issue of energy efficiency and weatherization. At the same time, our weatherization program protects the most vulnerable people in our society because they are aimed at the elderly, individuals with disabilities, children, all of them being subject to huge increases in heating costs, not only in the wintertime—that is the case in the Northeast—but in the Southeast and Southwest and the very hot parts of this country in the summertime.

In fact, it was not too long ago—several years ago—in Chicago where there was an extraordinary heat spell. People literally died because they could not afford to keep their air-conditioners running, if they had air-conditioning. Or they could not afford to keep paying exorbitant energy costs because their homes were inefficient in terms of retaining the cool air from air-conditioning. So this is a program that cuts across the entire country.

The Weatherization Assistance Program supports the weatherization of over 70,000 low-income homes each year. To date, over 5 million American homes have been weatherized with Federal funds, and also local funds, which must be part of the formula in order to provide this type of assistance for American homes.

Last December, I had a chance to witness this program in action. I was in Providence, RI, with Secretary of Energy Bill Richardson. We went to a low-income home in Providence. In just a few hours, a contractor was able

to blow in insulation between the walls; they were able to caulk windows and doorways; they were able to conduct tests to ensure that the energy efficiency of the structure had increased dramatically.

This was a home of a family of first-generation Americans. They had come from Southeast Asia in the turmoil of the war in Southeast Asia. The father was in his late 40s, early 50s, and had several children—all of them American success stories. The children were in college. His mother was living with them. She was disabled, suffering from Alzheimer's.

This is typically the type of families—low-income families, struggling, working hard with jobs, trying to get kids through college—who are the beneficiaries of this program. It is an excellent program. It is a program that is terribly needed by these low-income families.

Typically, low-income families will spend about 15 percent of their income on heat—or in the summer, air-conditioning—more than four times the average of more affluent families. Over 90 percent of the households that are served by this weatherization program have annual incomes of less than $15,000. This is a program that works. It works for these individual families.

Not only that, it also works for us. It creates jobs. About 8,000 jobs throughout the country have been created because of this weatherization program. It also saves us from consuming and wasting energy.

I argue, as I have initially, one should look at the supply side complications of the energy crisis. One should implore OPEC to increase production. One should have sensible problems to ensure supply. But if we neglect the demand part of the equation, we are not only missing the boat, but I think we are deficient in our responsibility to formulate a comprehensive approach to energy efficiency in this country.

In 1996, the budget was $214 million, but because of cuts generated by the Contract With America, and other proposals, it dipped down to about $111 million—a significant cut. This was one of those programs that was devastated by the budget policies of the mid-1990s.

Since that time, we have added money back because, again, I believe this body particularly recognizes both the fairness and the efficiency of this program. But still we are at about $135 million in fiscal year 2000.

That is still 37 percent below the 1996 figure.

If we can afford, as Senator KENNEDY said, at length and eloquently, to engage in trillion-dollar tax cuts, multi-billion-dollar benefits that go to the very wealthiest Americans, we should be able to at least increase our weatherization funding by $8 million to cover additional families, low-income families, families who have disabled members, families who are working hard trying to get by and need this type of assistance.

Again, as we look over the last several weeks, and even this week, talking about relief for the marriage penalty, estate tax relief, it reminds me of a play on Winston Churchill's famous line about the RAF, ''never have so many owed so much to so few.'' We seem to be in a position of saying, never have so few gotten so much from so many.

I want to ensure that at least when it comes to weatherization we are responding to the critical needs of families across this country. I had hoped we could move towards the President's request of $154 million. That would be about a 14-percent increase over our present level of $135 million. My amendment does not seek that full increase. It simply seeks an additional $8 million. I think the money will be well spent. The program works. It puts people to work. It helps low-income families. It helps us address a problem which is growing with increasing importance, and that is to control our insatiable demand for energy, particularly petroleum.

For all these reasons, I urge my colleagues to support this amendment. I hope, perhaps, we can even work out a way in which this amendment can be accepted by the chairman and his colleagues.

If it is appropriate, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, just under 2 hours ago, at the outset of this debate, the distinguished Senator from Tennessee, Mr. THOMPSON, came to the floor with an eloquent plea about the lack of money to properly manage Great Smokey National Park and pointed out the tremendous challenges to that major national park in our system. The Senator from Nevada, the other Mr. REID, spoke in agreement with that proposition. The Senator from Tennessee did not have an amendment to increase the appropriations for Great Smokey National Park or for any other.

I have found it curious that in the several years I have managed this bill and written this bill, almost without exception the amendments that are brought to the floor are amendments to increase the amount of money we donate to other units of Government for their primary purposes and almost never do they express a concern for increasing the amount of money to support the functions of the Government of the United States itself.

I have gone a long way—my committee has gone a long way—in drafting this bill at least to begin to make up for the deferred maintenance in our national parks and in our national forests and with respect to our Indian reservations and our Indian programs and the management of the Bureau of Public Lands. I think we have at least turned the corner. As I said in my opening remarks on the bill, this is our primary function and our primary goal; that is, to see to it that we manage the public lands of the United States and the other functions in this bill that are exclusively Federal functions first and deal with other matters later.

I sympathize with the eloquent statement of the Senator from Rhode Island. In fact, I have supported that case in this bill for several years. When one compares this appropriation with that in the first year during which I managed this bill, it is increased by a good 20 percent. But here we have a proposal to add another $8 million, which will come out of every program for which the U.S. Government has exclusive responsibility. It will mean there will be less—not much less, but there will be less —for Great Smokey National Park. There will be less for the Fish and Wildlife Service and its multitude of obligations. There will be less for the Smithsonian Institution. There will be less for research and development of the very programs for energy efficiency which are the key to providing both energy independence and the proper and efficient use of energy.

With all respect to the Senator from Rhode Island, this has nothing to do with the tax debate. We have a budget resolution and a set of allocations that have given this committee a fixed number of dollars with which to work. I repeat that: a fixed number of dollars with which to work. It is all spent in this bill. So we can't just add this $8 million or $18 million to the bill and say, well, let's take it out of a tax cut or out of a budget surplus or the like. The Senator from Rhode Island recognizes that. He has a match for this $8 million. But I simply have to repeat: The match is from the primary functions of the Federal Government, the management of our national parks and forests, the energy research we undertake, the cultural institutions of the United States. That is from where this match comes.

A year ago, we said: If this program is so important to the States, let's require them to match what we come up with by 25 percent. Let them come up with 25 percent. Some States do provide some money for this. We had to postpone that for a year. In this bill we have had to have a way to grant State waivers, when States regard this program evidently as so lacking in importance that they are not willing to put up 25 percent of the money for their own citizens for something that is primarily their responsibility.

As I said, we are $3 million above the level for the current year. The House is $5 million above the level for the current year. If we end up with a larger allocation—and, personally, I hope for a larger allocation—by the time the conference committee has completed its

work, we will have a modestly larger amount of money for this program in a final conference committee report. But it is not responsible to take it out of our National Park System. It is not responsible to take it out of our existing energy research. It is not responsible to take it out of the cultural institutions of the United States. That is precisely what this does.

Mr. REED. Will the Senator yield?

Mr. GORTON. Certainly.

Mr. REED. Mr. President, I do applaud the Senator's efforts over many years to increase this account. He has done that. I think it makes a great deal of sense to provide a local match, which he has, and we would encourage more local participation. It is true we have provided an offset because I recognize that we do not have unlimited free money to put back into the budget.

We have taken money from every Federal agency. But I am told that our cut represents .05 percent per agency coming out of travel pay, coming out of administrative overhead. I think that is probably something they could well absorb. I daresay it would not require them to either turn down the heat or turn off the air-conditioning, whereas we are talking about a situation of homes throughout this country where they don't have that luxury.

So I agree in principle that we are taking it from agencies, but we are taking such a minute fraction that I think it would be readily absorbed. And we are putting it into a program that is both worthwhile and necessary in so many cases, and also going to the heart of ensuring that people can go into this heating season —particularly in the Northeast—with a little more confidence. I am concerned we are going to see tremendous oil heating price hikes which will force people into very difficult choices between heating or eating. This is a way, I believe, in which we can begin to start addressing this point.

Again, I recognize that the chairman has very diligently and sincerely tried to increase these funds. I hope we can do better. I don't think we are penalizing the agencies, and I don't anticipate a park being shut down by the loss of .5 percent of their travel expenses and other overhead.

Mr. GORTON. Mr. President, first, there is another far more important program and far more expensive program that goes to these very issues. The appropriations bill for military construction included many other matters. There was $600 million more for the direct assistance to people with their heating oil bills. In some respects, this is every bit as important a program because it tries to lower the bills in the first place.

The Senator from Rhode Island is correct; this is a small percentage of the budgets for the national parks. It is also the subject of match for several other amendments here because it is so easy. We don't say this program is much more important than another program, so let's cut the other program; we just say, in effect, cut them all across the board. But it is $8 million more in deferred maintenance for our national parks, or for our other national lands. And since this is a program that, over the course of the last 5 years, has increased more rapidly, bluntly, than the amount of money we have for these primary responsibilities, that is the reason we came up with the amount that we did.

Would I have liked to come up with more? Yes. If I have a larger allocation later, I will. Will there be more? There will be. I don't think at this point, for a State program, that many States aren't matching—and the requirement for match is only 25 percent—that this is as important as the national priorities that are the subject of the rest of this bill.

The PRESIDING OFFICER. The distinguished Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside.

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

AMENDMENT NO. 3800

Mr. THOMAS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. THOMAS], for himself, Mr. CRAIG, Mr. GRAMS, Mr. CRAPO, and Mr. ENZI, proposes an amendment numbered 3800.

Mr. THOMAS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide authority for the Secretary of the Interior to conduct a study on the management of conflicting activities and uses)

On page 125, line 25 strike ''$58,209,000'' through page 126, line 2 and insert in lieu thereof ''$57,809,000, of which $2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

SEC. . MANAGEMENT STUDY OF CONFLICTING USES.

(a) SNOW MACHINE STUDY.—Of funds made available to the Secretary of the Interior for the operation of National Recreation and Preservation Programs of the National Park Service $400,000 shall be available to conduct a study to determine how the National Park Service can:

(1) minimize the potential impact of snow machines and properly manage competing recreational activities in the National Park System; and

(2) properly manage competing recreational activities in units of the National Park System.

(b) LIMITATION OF FUNDS PENDING STUDY COMPLETION.—No funds appropriated under this Act may be expended to prohibit, ban or reduce the number of snow machines from units of the National Park System that allowed the use of snow machines during any one of the last three winter seasons until the study referred to in subsection (a) is completed and submitted to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

Mr. THOMAS. Mr. President, I come to the floor today to talk about an issue that is very important to many people. It is certainly important to me as chairman of the parks subcommittee in the Senate and as a supporter of parks. Having grown up right outside of Yellowstone Park, the parks there are very much a part of our lives.

Let me quickly summarize what this amendment does. I can do it very quickly because it is quite simple. It deals with the idea and the concept of having access to national parks, when it is appropriate, for the use of individual snow machines—something we have done for some 20 years—frankly, without any particular objection until this last year, and without any real evidence that we can't make some changes that would allow us to continue to do that.

Unfortunately, rather than looking for an opportunity to bring about some changes in the machines, or some changes in the way they are used, or to manage the way they are used, this administration has simply said: We are going to bring about a regulation unilaterally that will eliminate the use of snow machines in the parks of the United States.

What this amendment does, simply, is provide some money—$400,000; and we have found a place to get that money—to conduct a study to determine how the national parks can do a couple of things: One, minimize the potential impact of snow machines and properly manage competing recreational activities in the National Park System. That is pretty logical stuff. In fact, you can almost ask yourself, haven't they done this? The answer is that they have not. Two, properly manage competing recreational activities in units of the national park. Again, that is pretty easy to do. In Yellowstone Park, where there is a great demand for using snow machines, on the one hand, and cross-country skiing, on the other, with management you can separate these two so that they are not conflicting uses. Of course, that requires some management.

So then the second part of it is that no funds may be appropriated until such time, basically, as the Park Service has completed their study and submitted it back to the Committee on Appropriations in the House of Representatives and the Committee on Appropriations in the Senate. So this doesn't put any long-time restriction on what can be done. It simply says: Here is some money; take a look at where we are, what the problems are, and what we can do about them, and bring that back and make some management decisions. It is fairly simple and, I think, fairly reasonable. That is what this amendment is all about.

I guess the real issue comes about due to the fact that we have had a considerable amount of activity. What really brings it about is a winter use study that is going on now in Yellowstone and the Teton Parks. It has to do with the broad aspect of winter use and with buffalo moving out of the park and what kinds of things can be done there; and how people can get in and out of the parks and utilize them in the wintertime, which really brought about this whole thing. The Assistant Secretary of the Interior went out to look and came back with an idea—I think mostly of his own—that we ought to do away with snowmobile use. He did this without having any facts, science, or looking at what could be done so that you could be consistent with the purpose of the park.

The purpose of a park is basically to maintain the resource and to maintain it in such a way that its owners can enjoy the use of it. Those things are not inconsistent. Those things are not inconsistent with snowmobiles, in my judgment. But whether it is my judgment or not, more importantly, the idea to come to the conclusion that they are inconsistent without any facts is something we ought not to accept.

I am a little surprised that someone in this Congress would rise to defend the authority of the executive branch to go around the Congress and to do something without even including the Congress or the people. That is not the way this place is set up. That is not what we are here for. That is why we have a division between the executive and the legislative and the judicial—a very important division. It is, frankly, being ignored by this administration not only on this issue but on many of them. They are overtly saying: If we don't get approval, we will just do it. That is not the way things are supposed to happen.

I am also a little surprised, frankly, that a representative of a public lands State would be interested in having the agencies that manage—in the case of Nevada—nearly 90 percent of the land and, in Wyoming, over half, making decisions without involving some of the people who should be involved, who are involved with living in these areas.

I think we are really talking about a system of rulemaking—a system of regulation—and one that needs to be based on facts and based on the idea that you take a look at issues. Frankly, the substantial amount of evidence about what has been said about snowmobiles in west Yellowstone and other places simply isn't factual. I could go through all of that stuff, but I will not. But it is terribly important that we try to do things based on real facts.

The Department of Interior has announced that it intends to ban snowmobiles in all but 12 of about 30 parks—not all in the West, as a matter of fact. We sent a letter to the Secretary of the Interior some time ago with 12 signatures on it. They quickly came to the Senate from Maine, from Minnesota, from the west coast, and some from the Rocky Mountains. It is not only in the area that has limited interest; it has interest from all over the whole country.

The Department claims that only a complete ban to curb snowmobiles on issues and noise will protect the wildlife. That simply isn't the only alternative that is available.

I want to make it very clear that it is not my position, nor would I defend the notion that snowmobiles ought to continue to be used as they are currently being used. They can be changed substantially. We have had meetings with the manufacturers, which, by the way, have a very strong presence in Minnesota. Lots of jobs and lots of issues are involved. Jobs isn't really the issue. The issue is access to the land that belongs to the people of this country, but they can be changed.

One of the things that has not happened and that should happen is there ought to have been some standard established for snowmobiles, saying here is the level of emissions that is acceptable, and here is the level of noise that is acceptable. If you want to use your machine in the park, you have to have one that complies with these regulations. There have been none.

The same thing could be said about where you use the machine. If you are going to be in the same track as deer, it doesn't need to be that way.

We have had failure on the part of management of the Park Service to do something to make these kinds of uses compatible with the purposes of the parks. Rather than do that, or rather than making efforts to do that, they simply say, no. They are just going to cut it out; they aren't going to do that.

I object to that process. I don't think that is the kind of process that we ought to look forward to in this country—whether it is snowmobiles, or water, or whether it is automobiles, or whether it is food regulations, or whatever. We have to have something better. Interior has never considered a single management scheme to be able to make it better.

Certainly I hear all the time: Well, the snow machine people should have done something better. Maybe so. I don't argue with that. However, if you were a developer of snow machines, if you were a manufacturer and you were going to invest a good deal of money to make changes in them, I think it would be important to you to know what the standard is going to be so you are able to meet those requirements and continue to be able to put out the machine that would comply.

We have had hearings. We have met with those manufacturers. They testified they can and will produce and market the machine, if EPA will set the standard.

It is kind of interesting that most of the parks, such as Yellowstone, are full of cars, buses, and all kinds of things in the summertime which do not seem to have an impact here. But in the wintertime, it seems that something much less in terms of numbers is what we are going to cut off.

I want to deal largely with the concept that we ought to really pay attention to the purpose of these resources—to make them available, to have access to them, that we need to have a system that is based on findings of fact and science, and be able to come up with alternatives rather than simply making the bureaucrat decision downtown that we are going to do away with this or we are going to do away with that.

We ought to put into effect a time that this agency can study this issue, look at the alternatives, provide some money to do that, have them bring their findings back, and then certainly make some choices.

This amendment is simple and straightforward. I think that is better than the bureaucratic approach of just deciding somewhere in the bowels of the Interior Department we are going to do something.

I find a great deal of reaction to it in my State, of course, and the surrounding States which are very much impacted.

This is not a partisan issue. I have worked with the majority leader and the Senator from Montana to try to find a solution. We are looking for solutions. That is really what we need some time to be able to do.

Mr. GRAMS. Mr. President, I rise in support of the amendment to reverse the snowmobile ban in our national parks and provide funding for a study to determine how the National Park Service can minimize the impact of snow machines and properly manage competing recreational activities in the National Park System. I want to thank Senators THOMAS and CRAIG for their efforts to bring this important amendment before the Senate for consideration.

While the Interior Department's ill-conceived ban will not immediately affect snowmobiling in Minnesota's Voyageurs National Park, it will impact snowmobiling in at least two units of the Park System in my home state—Grand Portage National Monument and the St. Croix National Scenic Riverway. In addition, this decision will greatly impact Minnesotans who enjoy snowmobiling, not only in Minnesota, but in many of our National Parks, particularly in the western part of our country.

When I think of snowmobiling in Minnesota, I think of families and friends. I think of people who come together on their free time to enjoy the wonders of Minnesota in a way no other form of transportation allows them. I also think of the fact that in many instances snowmobiles in Minnesota are used for much more than just recreation. For some, they're a mode of transportation when snow blankets our state. For others, snowmobiles provide a mode of search and rescue activity. Whatever the reason,

snowmobiles are an extremely important aspect of commerce, travel, recreation, and safety in my home state.

Minnesota, right now, is home to over 280,000 registered snowmobiles and 20,000 miles of snowmobile trails. According to the Minnesota United Snowmobilers Association, an association with over 51,000 individual members, Minnesota's 311 snowmobile riding clubs raised $264,000 for charity in 1998 alone. Snowmobiling creates over 6,600 jobs and $645 million of economic activity in Minnesota. Minnesota is home to two major snowmobile manufacturers—Arctic Cat and Polaris. And yes, I enjoy my own snowmobiles.

People who enjoy snowmobiling come from all walks of life. They're farmers, lawyers, nurses, construction workers, loggers, and miners. They're men, women, and young adults. They're people who enjoy the outdoors, time with their families, and the recreational opportunities our diverse climate offers. These are people who not only enjoy the natural resources through which they ride, but understand the important balance between enjoying and conserving our natural resources.

Just three years ago, I took part in a snowmobile ride through a number of cities and trails in northern Minnesota. While our ride didn't take us through a unit of the National Park Service, it did take us through parks, forests, and trails that sustain a diverse amount of plant and animal species. I talked with my fellow riders and I learned a great deal about the work their snowmobile clubs undertake to conserve natural resources, respect the integrity of the land upon which the ride, and educate their members about the need to ride responsibly.

The time I spent with these individuals and the time I've spent on my own snowmobiles have given me a great respect for both the quality and enjoyment of the recreational experience and the need to ride responsibly and safely. It has also given me reason to strongly disagree with the approach the Park Service has chosen in banning snowmobiles from our National Parks.

I was stunned to read of the severity of the Park Service's ban and the rhetoric used by Assistant Secretary Donald J. Barry in announcing the ban. In the announcement, Assistant Secretary Barry said, ''The time has come for the National Park Service to pull in its welcome mat for recreational snowmobiling.'' He went on to say that snowmobiles were, ''machines that are no longer welcome in our national parks.'' These are the words of a bureaucrat whose agenda has been handwritten for him by those opposed to snowmobiling.

The last time I checked, Congress is supposed to be setting the agenda of the federal agencies. The last time I checked, Congress should be determining who is and is not welcome on our federal lands. And the last time I checked, the American people own our public-lands—not the Clinton administration and certainly not Donald J. Barry.

I can't begin to count the rules, regulations, and executive orders this Administration has undertaken without even the most minimal consideration for Congress or local officials. It has happened in state after state, to Democrats and Republicans, and with little or no regard for the rule or the intent of law. I want to quote Interior Secretary Bruce Babbitt from an article in the National Journal, dated May 22, 1999. In the article, Secretary Babbitt was quoted as saying:

> When I got to town, what I didn't know was that we didn't need more legislation. But we looked around and saw we had authority to regulate grazing policies. It took 18 months to draft new grazing regulations. On mining, we have also found that we already had authority over, well, probably two-thirds of the issues in contention. We've switched the rules of the game. We're not trying to do anything legislative.

As further evidence of this Administration's abuse of Congress—and therefore of the American people—Environmental Protection Agency Administrator Carol Browner was quoted in the same article as saying:

> We completely understand all of the executive tools that are available to us—And boy do we use them.

While Ms. Browner's words strongly imply an intent to work around Congress, at least she did not join Secretary Babbitt in coming right out and admitting it.

Well, Mr. President, I for one am getting a little sick and tried of watching this Administration force park users out of their parks, steal land from our states and counties, impose costly new regulations on farmers and businesses without scientific justification, and force Congress to become a spectator on many of the most controversial and important issues before the American people. Quite frankly, I'm getting a little sick and tired of this Administration's positions of zero-cut, zero-access, and zero-fun on public lands.

When forging public policy, those of us in Congress often have to consider the opinions of the state and local officials who are most impacted. If I'm going to support an action on public land, I usually contact the state and local official who represent the area to see what they have to say. I know that if I don't get their perspective, I might miss a detail that could improve my efforts are necessary or if they're misplaced. They can alert me to areas where I need to forge a broader consensus and of ways in which my efforts might actually hurt the people I represent. I think that is a prudent way to forge public policy and a fair way to deal with state and local officials.

I know, however, that no one from the Park Service ever contacted me to see how I felt about banning snowmobiling in Park Service units In Minnesota. I was never consulted on snowmobile usage in Minnesota or on any complaints that I might have received from my constituents. While I've not checked with every local official in Minnesota, not one local official has called me to say that the Park Service contacted them. In fact, while I knew the Park Service was considering taking action to curb snowmobile usage in some parks, I had no idea the Park Service was considering an action so broad, and so extreme, nor did I think they would issue it this quickly.

This quick, overreaching action by the Park Service, I believe, was unwarranted. It did not allow time for federal, state, or local officials to work together on the issue. It didn't bring snowmobile users to the table to discuss the impact of the decision. It didn't allow time for Congress and the Administration to look at all of the available options or to differentiate between parks with heavy snowmobile usage and those with occasional usage. This decision stands as a dramatic example of how not to conduct policy formulation and is an affront to the consideration American citizens deserve from their elected officials.

That is why this amendment is so important. It reverses the dark of night, back room tactics used by this Administration to arrive at this decision. We cannot simply stand by and watch as the administration continues its quest for even greater power at the expense of the deliberative legislative processes envisioned by the founders of our country. Secretary Babbitt, Administrator Browner, and Donald J. Barry may believe they're above working with Congress, but only we can make sure they're reminded, in the strongest possible terms, that when they neglect Congress they're neglecting the American people. This amendment does just that.

Mr. ENZI. Mr. President, I rise in support of the amendment introduced by the Senator from Wyoming, Senator CRAIG THOMAS, regarding a study on snowmobile use within our National Parks.

The development of the Yellowstone and Grand Tetons National Parks winter use plan draft environmental impact statement has been a landmark exercise for inclusion and cooperation between state, local and Federal Agencies involved in the land management planning process. While this endeavor has not progressed without flaws, it has established that local and state governments possess the expertise and ability to respond in a timely and educated manner to address issues critical to the development of a comprehensive land-use document.

In spite of these efforts, however, the United States Department of the Interior has announced a decision to usurp this process and has chosen to implement an outright ban on all snowmobiles, in virtually all national parks, including Yellowstone.

I must admit I am not surprised at the over-reaching nature of this action. In fact, several months ago I predicted that the Park Service would ban snowmobiles in Yellowstone Park and would

extend its ban on snowmobiles to all national parks. I am further concerned that this action will spread to include other public land including the national forests. In fact, discussions with National Forest supervisors surrounding Yellowstone indicate that all it will take is an adverse opinion by the U.S. Fish and Wildlife Service to ban snowmobiles altogether.

The United States Forest Service could claim that increased snowmobile use on our national forests will impact the Canadian lynx, or some other threatened or endangered species, without proof or documentation to put such a ban in place.

After a ban in the forests, we can expect action on BLM lands. After snowmobiles, what next? A ban on automobiles and then even on bicycles? If that sounds farfetched, think back just three years ago when we were assured that snowmobiles would not be banned in Yellowstone Park. Soon, we may even expect that bans on other types of recreation will follow and our public lands will no longer be available to the public.

As one of the Senators representing the bulk of Yellowstone, I feel it is my duty to correct some of the misconceptions that surround this proposal by the federal government to prohibit access to our nation's oldest and dearest of national parks.

Millions of visitors come to Yellowstone National Park each year to experience first hand the park's unique and awesome beauty. They come from all over the world to see Earth's largest collection of geothermal features and to witness some of the largest free-roaming bison and elk herds in the United States.

In a proposal announced March 24, 2000 the U.S. Department of the Interior declared its plan to permanently ban snowmobiles from the park beginning in 2002. This announcement was followed by a later statement, on April 27, 2000, where the Department of Interior expanded a proposed ban to dozens of other national parks across the country. If federal officials and national special interest groups have their way, however, a visit to Yellowstone National Park may become as rare and endangered as the trumpeter swan or black footed ferret.

There is little evidence to support claims that this proposal was made to protect the environment or to reduce the impact on Park animals. In fact, later statements by park personnel indicate that the main reason for this ban was to comply with changing Park Service policy which was developed to supersede ongoing efforts to reach a reasonable compromise on national park winter use.

As I stated earlier, the decision to ban snowmobiles was announced before the Park Service had completed its review of comments on a draft environmental impact statement created by the park and adjacent states and counties to address concerns over winter use in Yellowstone and its neighbor, Grand Teton National Park. The announcement also came before officials could incorporate revisions and amendments to major studies that the Park Service relied on in drafting the draft environmental impact statement.

The Park Service admits these initial studies were seriously flawed and exaggerated snowmobile pollution estimates. The original draft study on snowmobile emissions erroneously computed emissions amounts using pounds instead of grams as is used to compute all standard emission amounts.

So what is the real reason for banning snowmobiles from Yellowstone and all other national parks? The Park Service's proposal to ban snowmobiles is all about deciding who will have the privilege of experiencing the Park up close and in person, and who will be forced to stay home. Unfortunately, this will leave an even larger segment of the United States ignorant of how vast and wonderful our parks really are.

It is vitally important, therefore, that a true picture be painted for the American public to understand what is really being taken away from them.

One poll touted by national environmental organizations claims most Americans favor banning snowmobiles, partially based on an image of snowmobiles as heinous, smog producing, noisy devices used to run down poor, defenseless animals and lacking a conception of the size of the park and the limited number of snowmobiles accessing the park on any given day.

The administration failed to inform the public of other alternatives to an outright ban that were in the works. For example: snowmobile manufacturers are interested in cleaner, quieter machines. There was also discussion about reducing the number of snowmobiles that could access the park every winter. Not many people realize that local leaders were very involved in trying to resolve the situation to avoid implementing a full fledged ban.

In addition, the snowmobile industry has been working for several years to develop air and noise standards with the Environmental Protection Agency so there is a clear target for cleaner, quieter machines. Industry has stated time and time again that once they have clearly defined standards they will develop the technology to meet those standards (assuming some reasonableness to the standard) One company even gave the Park Service some advanced model snowmobiles to test.

Right now, snowmobiles are only allowed on groomed roads, the same roads used by cars in the summer and average less than two-thousand snowmobiles a day. A speed limit of 45 miles per hour is strictly enforced. Any driver who puts one ski off the designated trails is subject to fines and possible arrest. The same goes for speeding.

This is a significant point to make by the way, because the Executive order this ban is based on regulates off-road vehicle use on our national parks, and as I just noted, snowmobiles are not off-road vehicles in national parks.

What a snowmobile ban really does is deny access for old and young riders with physical limitations that preclude them from snowshoeing or cross country skiing into the park. The only alternative left for those visitors unable to snowshoe or ski into the park will only be able to access the park via a mass transit vehicle known as a snow coach.

Because of its size, and the type of terrain, it is incredibly impractical to limit access to Yellowstone to just snow coaches or cross country skis and snowshoes. Yellowstone is made up of approximately 2.2 million acres, most of which is already closed to public access other than by foot, snow shoe or skis, and has less than 2,000 snowmobiles inside the park on any given day.

By comparison, the State of Connecticut is slightly larger than Yellowstone Park with more than 3.3 million people, many of which drive a car every day. Perspective is important.

On its face, and in the safety of your own living room, the idea of riding a van-sized, over snow vehicle may sound like a romantic mode of travel, but in reality, snow coaches are large, cumbersome vehicles that grind, scrape, and shake their way across high mountain passes. It is impossible to ride in a snow coach for long periods of time.

As a result, the proposal to only access the park by means of mass transit further restricts time and access to the park by virtually eliminating all entrances to Yellowstone except for the gate at West Yellowstone, Montana. The terrain and elevation at Wyoming's East Gate is so rugged and high that it is impractical for snow coaches to travel in that area of the park. Sylvan Pass reaches an elevation of 8,530 feet and is surrounded by mountains that rise well over 10,000 feet on one side, and gorges with sheet drops of several thousand feet on the other. This is definitely not a place for a snow coach.

Furthermore, by moving the southern access point from Flag Ranch to Colter Bay, the Park Service makes any southern day trip into Yellowstone an impossible 113 miles round trip. This also creates a serious safety problem for Idaho snow groomers who, in the past, filled up their gas tanks at Flag Ranch. Under the current proposal, these facilities will be closed and the groomers will not have enough gas to make one complete round trip. This creates a serious safety problem and shuts off access to more than 60 miles of non-Park Service trails.

Once again, I would like to reiterate that the complete banning of snowmobiles is not the only available alternative for national park recreational winter use. For the past three years, I have worked with the communities surrounding Yellowstone to develop a more practical and more inclusive approach to Yellowstone winter use.

After holding dozens of meetings with residents and business owners, we have been able to create a proposal that preserves the park's environmental health while at the same time ensuring future access—for everyone. This amendment will enable the Park Service to rethink its actions and hopefully incorporate a more positive approach to winter management.

I grew up spending time in Yellowstone where grandparents camped inside the park all summer. I have been back many times since, sometimes on a snowmobile. In fact, I get there every year. Over the years the park has improved, not been overrun or run down as efforts mostly to get additional funds imply. Anyone who knows and loves Yellowstone like I do can attest to the fact that there is room enough for wildlife, snowmobiles, snowshoers, cross country skiers and snow coaches in Yellowstone, and a reasonable compromise can be reached to include all of these uses, that is unless federal officials don't step in first and ensure everyone is excluded. Wildlife and human enjoyment of the wildlife are not mutually exclusive. Good administration would accommodate both.

The study outlined in this amendment would establish a necessary first step in restoring access, not just to the park, but to the land planning process, for those people who will bear the brunt of the Park Service's decision to ban snowmobiles. Clearly, the Park Service's decision in this matter is an arbitrary decision that bypassed local communities, counties, states and even Congress. The Park Service needs the direction provided for in this amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I stand in support of my colleague from Wyoming on his amendment.

I was quite surprised when Senator REID of Nevada spoke on the floor about this issue because I heard what he was saying before. It was given in testimony before the Subcommittee on Parks, chaired by the Senator from Wyoming, by the national environmental groups. He was following their script. Their script says: Get all of the snowmobiles out of the park. For some reason that impacts the parks. I have ridden snowmobiles in Yellowstone. I am not sure the Senator from Nevada has. I am not sure many Senators have. I don't dispute the need to manage the number of snowmobiles and the entry of snowmobiles where they travel.

But arbitrarily and without justification, Assistant Secretary Barry—who has now fled to the Wilderness Society once he tried to accomplish his damage here in this administration with the Park Service—came before the committee and emphatically said they had to go. In a press conference a few days prior to that hearing in almost a defiant, arrogant way, he said he was going to take all of them out of the parks, finish the rulemaking in Yellowstone, and so be it—failing to recognize the industries that have built up around snowmobiling at both entrances to Yellowstone Park; failing to deal with them in a responsible, cooperative way—so that he could ensure the mantra of the Clinton administration, and that public lands generate economies in recreation and tourism.

Here quite the opposite was going on—no economy, everything for the environment, even though the facts bear out that you can still have an economy, meaning people on snowmobiles in Yellowstone in the wintertime, and still protect the environment.

How do you accomplish that? You work with the industry. What do you do with the industry? You ask them to redesign their sleds so they make little to no noise and very little pollution—if there is any of consequence that would damage the environment to begin with.

What does the industry say? They can do it. In fact, last winter they were operating in Yellowstone with a prototype put out by one of the snowmobile manufacturers. It was a four-cycle instead of a two-cycle engine. The Senator from Nevada was bemoaning the pollution of the two-cycle. We now know they can produce a four-cycle that will be certainly less environmentally damaging. They are willing to do that.

The moment the industry said to the Park Service we can supply you with a new sled that meets these standards, the Park Service says: Oh, well, it wasn't air pollution, it wasn't noise pollution, it was wildlife harassment.

Somehow the wildlife of Yellowstone is going through some emotional problem as a result of snowmobiles trafficking by recreationists on a daily basis. I am not quite sure they have had any examples of these wildlife species in therapy. But somehow they seem to know a great deal about it.

The bottom line is simply this: The environmentalists have told this administration they want snowmobiles out of the parks.

I suggest to the National Park Service that they have a real problem on their hands in management. In other words, they are denying public access to parks that were designed to protect the environment and also allow public access. They have a crisis in management.

They don't have an environmental problem in Yellowstone, they have a management problem, a failure on the part of this administration, and certainly this President, to recognize the cooperative balance between the environment and the public and how one benefits from creating this kind of balance for all to benefit from.

Mr. GORTON. Will the Senator yield?

Mr. CRAIG. I am happy to yield to the Senator.

Mr. GORTON. Mr. President, I note another Senator interested in the subject. I note there are 55 minutes between now and 6:15. I have a minimum of 3 amendments that I know are going to be debated and will require votes, and perhaps five. While there are no limitations on this, I appreciate it being concluded relatively quickly so we can go to the Senator from Nevada. His amendment will be contested, and there will be more after that. We are scheduled to go off this bill, for good, except for votes, at 6:15.

Mr. CRAIG. I thank the chairman of the subcommittee for giving an evaluation of the time remaining on the amendments that must be dealt with. I know the chairman has been struggling since around 3:15 to get Senators to debate the amendments, and now all of a sudden they appear on the floor in the last minutes.

I conclude my debate. The Senator from Montana, I know, wants to speak to this issue. It impacts his State and the economy of his State. Once again I say to the administration, shame on you for taking people out of the environment, all in the name of the environment. It doesn't seem a very good solution to me, if you are going to tout tourism and recreation to us western States as an alternative to the elimination of the extractive resource industries that have provided economies to our States for the last 100-plus years.

The PRESIDING OFFICER. The distinguished Senator from Montana is recognized.

Mr. BURNS. It will not take long to make the point. I will facilitate everything, as the chairman of the subcommittee wants.

If Members want to talk about wildlife in Yellowstone, you will see very little variety in wildlife in Yellowstone in the wintertime. If you have been there, you know that about the only thing you will see is bison. Let me tell you, you don't bother them with a little old snowmobile. They are just walking around, and they go wherever they want to, whenever they want to. So let's not be worried about the bison. Whether you agree with it or not, there are too many bison in the park. We have grazed that country right into the ground.

I remind Members that those who operate the snowmobiles out of West Yellowstone have gone to the Park Service and said: We will make arrangements to prevent line-ups at the gate, we will get new, cleaner, quieter machines, we will work with you in order to protect the environment of Yellowstone Park.

There will be more people in a week this summer through the park than all of next winter. You cannot even get through that park for traffic right now. One of these days, you will have to go to a gate and pick a number and they call your number and you get to go to the park. The impact is in the summer, not in the winter, no matter what you are riding. It could be an old gray horse or a snowmobile, it doesn't make any difference. And are we concerned about that?

Let's not be shocked. The Senator from Wyoming has a good idea. It is time we take a realistic look at this, do the study, and go forward with the recommendations that are made.

Mr. REID. Mr. President, the Environmental Protection Agency has issued proposed regulations governing the emissions of snowmobiles in our National Park System. It is very clear that these vehicles cause big problems. Why do I say that? A single snowmobile belches out the same pollution that 20 automobiles do. One snowmobile equals the pollution of 20 passenger cars.

Also, my friend from Tennessee earlier talked about the air pollution in the Great Smoky Mountains because of coal-fired generating plants in that area. There isn't much that can be done, at this stage at least, to stop those longstanding power producers from generating the emissions they do. But there is something we can do to stop air pollution from developing as it has in our National Park System.

It is a national disgrace that the levels of toxic pollution, such as carbon monoxide—in Yellowstone National Park, to pick just one—rival major urban centers such as Los Angeles and Denver. I repeat, it is a national disgrace that levels of toxic pollutants such as carbon monoxide, in our national parks—especially Yellowstone—at times, rival major urban centers such as Los Angeles and Denver. That is significant.

But what is being proposed by the Environmental Protection Agency is nothing that is going to eliminate snowmobiling in our country.

For example, of the more than 130,000 miles of designated snowmobile trails in the United States, less than 1,000 of those miles are in national parks—to be exact, there are 600 miles. So this furor, and the offering of this amendment, to eliminate this proposal to stop the air pollution of snowmobiles in national parks is really a red herring. There are other places you can ride snowmobiles. In fact, you can ride them over 129,000 miles in the United States alone. We need not ride them this 600 miles in national parks.

Appropriate access to national parks is important, but such access does not include all forms of transportation at all times. Protecting parks from air, water, and noise pollution, for the enjoyment of all Americans, should be our No. 1 goal.

I am very happy that the Senator from Tennessee spoke earlier about how important national parks are. I agree with him. We are the envy of the rest of the world with our national parks.

Yosemite, Great Basin National Park, Yellowstone National Park—these wonderful gems of nature, that we are attempting to preserve, need to be preserved.

The amendment would prohibit the Park Service from doing its job to protect some of America's most awe-inspiring national treasures. The landscape of our national parks should reflect the wonders of our Creator, which I think we have an obligation to protect. National parks do not need to serve as racetracks for noisy, high-polluting snow machines.

The State of Nevada shares Lake Tahoe with California. We wish we had all of Lake Tahoe, but we do not mind sharing it with California. It is a wonderful, beautiful lake. There is only one other lake like it in the world, and that is Lake Bakal in the former Soviet Union, now Russia, an alpine glacial lake. Lake Tahoe it is very deep—not as deep as Lake Bakal, which is over 5,000 feet deep, but very deep. It was only 35 years ago they found the bottom of Lake Tahoe. It is extremely cold. It is beautiful. It is emerald colored.

But one of the things contributing to the ruination of Lake Tahoe is two-stroke engines. They were outlawed last year. I am glad they were outlawed. People may complain: What are we going to do for recreation?

There are plenty of things to do for recreation without these two-stroke engines. They are gone now. The lake is less polluted. It sounds better. Two-stroke engines are also the engines that snowmobiles use. They have been outlawed at Lake Tahoe. Why? Because they are inefficient, highly polluting, and contribute disproportionately to the decline of the lake's legendary clarity and degradation of its water quality.

Our national parks deserve similar protection from the pollution produced by these snow machines.

In sum, the use of snowmobiles currently prevents adequate protection of air and water quality for wildlife. Damage is being done to national parks not some time in the future but right now. The unnecessary delay caused by this amendment would allow further damage to our parks.

Congress should allow individual parks that currently allow snowmobiling to go through a public comment process to determine what course of action is appropriate. This amendment would eliminate that.

EPA agrees that the Park Service has the primary and immediate duty to take action to protect parks from snowmobile impacts. In comments on the draft EIS for winter use at Yellowstone, EPA said:

> We encourage the National Park Service to take the steps necessary to protect human health and the environment immediately rather than to depend on future regulations of off-highway vehicle engines from EPA.

They are saying let's not wait for us to do it. The Park Service has an obligation to do it right now. Postponing Park Service action on the snowmobile issue is a delay tactic, pure and simple.

The amendment we are debating assumes there is an inherent right of snowmobiles to run wild in the national parks, irrespective of their impact on other users and the environment. This is a very flawed assumption. They have no inherent right to run wild in national parks.

All Americans have the right to enjoy our national parks but only in ways that do not damage the parks. Prohibiting snowmobiles in national parks will have an insignificant impact on recreational opportunities available to snowmobilers. Again, there are more than 130,000 miles of designated trails in the United States, and less than 1,000 of those miles are in national parks. That is less than 1 percent.

Because millions of acres of public lands are already open to public snowmobiling, banning snow machines in national parks does not prevent recreationists from using their vehicles. It just prevents them from using the most sensitive and heavily visited public lands.

Arguing that every form of recreational access should be allowed in national parks is silly. Visitors do not need to jet boat in Crater Lake National Park. Visitors do not need to ride dirt bikes in the Grand Canyon. Visitors do not need to bungee jump from the Washington Monument.

Prohibitions against such activities do not restrict Americans' access to our parks; rather, they indicate a willingness to protect parks for the enjoyment of all visitors.

Great Basin National Park in Nevada already prohibits snowmobile use. Glacier and Yosemite Parks do not allow snowmobile use.

What are some of the environmental problems caused by snowmobiles in national parks?

Environmental analyses done at Yellowstone and elsewhere have shown that snowmobiles can seriously damage park resources. According to the Environmental Protection Agency, existing scientific evidence ''clearly and convincingly demonstrates [that] current snowmobile use is adversely affecting the natural . . . aesthetic . . . and scenic values'' in Yellowstone.

Air pollution: Yellowstone and several other national parks are recognized as Class I airsheds under the Clean Air Act. The Park Service is required by law to protect these areas from any degradation. The presence of snowmobiles in the park makes that task virtually impossible.

Air quality monitors at Yellowstone's west entrance have found carbon monoxide levels that rival or exceed those found in major urban areas such as Denver and Los Angeles.

Snowmobiles account for up to 68 percent of Yellowstone's annual carbon monoxide emissions and up to 90 percent of hydrocarbon emissions, even through automobiles out number them 16 to 1.

Water pollution: Every winter, snowmobiles spew unburned fuel into the snow in national parks and ultimately into their rivers and lakes.

Contaminants released by snowmobiles two-stroke engines include polycyclic aromatic hydrocarbons (PAH) and methyl tertiary butyl ether.

PAHs in water are toxic to aquatic life, and MTBE is an identified human health hazard

Noise pollution: The preservation of natural sounds is a major national park management objective,

A study of snowmobile noise interfered with visitors' ability to hear natural sounds at 12 out of 13 popular locations, including Morning Glory Pool, Grand Prismatic Spring, and other destinations. At Old Faithful, the world's most famous geyser, snowmobile engines were the dominant sound 100 percent of the time.

Wildlife impacts: The NPS Biological Resources Division found that ''snowmobile usage adversely affects wildlife.''

Noise and the physical presence of snowmobiles cause animals to alter their activity patterns, This behavioral response is of concern because snowmobile use occurs when food supplies are low and an animal's ability to conserve energy may be critical to its survival.

Heavily used snowmobile routes can cut off winter migration paths used by park wildlife.

Conflicts with other park visitors: Snowmobiles detract from other people's experience in the national parks. A 1996 visitor use study conducted in Yellowstone found many people who reported that encounters with snowmobiles were the least enjoyable part of their park visit because of the noise, pollution, and impact on wildlife viewing.

How will restrictions on national parks affect other recreational snowmobiling opportunities?

According to the International Snowmobile Manufacturers Association there are approximately 230,000 miles of groomed and marked snowmobile trails in North America, and about 130,000 miles in the United States. This does not include areas such as national forest roads that are open to snowmobiles but not explicitly designated for snowmobiles. In contrast, there are only about 600 miles of roads and waterways open to snowmobile in national parks in the continental United States, and 300 of those miles are excluded from the NPS April 26 announcement. Closing national parks will not diminish recreation opportunities for snowmobiles, but it will help reduce noise, pollution, and congestion in Yellowstone and other parks.

Many states have thousands of miles of designated trails for snowmobilers to enjoy. Promotional material from the state of Wyoming does not even mention Yellowstone National Park, but does promise that ''with over 2,200 miles of snowmobile trails, you can access some of the most scenic backcountry in the world.'' (See attachment #8)

Snowmobile opportunities in other States include: Colorado, over 3,000 miles of trails; Idaho, over 7,200 miles of trails; Maine, over 12,000 miles of trails; Michigan, 5,800 miles of trails; Minnesota, 14,000 miles of trails; and Montana, over 2,500 miles of trails.

How much snowmobile use is there in the national parks?

There are 42 units of the National Park System that allow snowmobiles, 28 of these parks are in the continental U.S. Over 175,000 snowmobiles use these 28 parks annually. The five parks with the most annual use are: Yellowstone, 65,000 are 1.5 million registered snowmobiles in the United States.

How will this affect individual national parks?

The National Park Service action DOES NOT immediately ban snowmobile use in all national parks. Late this summer, the Park Service plans to release a proposed rule that will amend its overall snowmobile regulation, 36 CFR 2.18 and address each of the parks that currently allow snowmobiles. This proposed rule would modify or amend those special regulations to bring parks into compliance with the Executive Orders, statutes, and regulations. Public comments will be incorporated before the rule is made final.

For example, approximately 80 percent of existing snowmobile use at Pictured Rocks National Lakeshore is expected to continue. and at St. Croix National Scenic Riverway, an annual ''Winterfest'' celebration that includes snowmobiles is expected to continue under a special use permit.

There are arguments by opponents of Park Service regulations.

Argument: A snowcoach system in Yellowstone would deny visitors access to the park.

Response: The snowcoach system proposed by the Park Service for Yellowstone and Grand Teton national parks will provide park visitors access to all of the areas currently open to snowmobile visitors.

The only access proposed to be limited is that of backcountry ski and snowshoe visitors in off-trail areas of critical winter wildlife habitat.

The snowcoach system will allow the same number, if not more, of visitors to enter the park each winter, while reducing the number of vehicles by 90% (assuming average capacities of one person per snowmobile and the ten per snowcoach).

There is a tendency to confuse access with recreational use. Snowmobiles as currently used are a form of recreation. The parks have a duty to determine the means of access to park attractions that cause the least damage to resources. In no way is public access being eroded, rather a recreational pursuit is being eliminated due to its negative impacts on park resources. A less damaging mode of transportation will be substituted to allow visitor access to the parks.

Proposals to allow snowmobiles but to cap their numbers would essentially limit the numbers of winter visitors to the park. People are not the problem in the parks. Noisy, polluting machines are what's needed to be limited.

In relation to economic impacts—argument: The Yellowstone gateway communities are uniformly opposed to the removal of snowmobiles because it will destroy their winter economies.

Response: Scores of businesspeople in West Yellowstone, MT, the main winter gateway to Yellowstone, have raised their voices in support of removal of snowmobiles from the park. Several representatives of the community/business owner organization West Yellowstone Citizens for a Healthy Park traveled to Washington, D.C. this spring to tell Congress that the health of their local economy depends on the health of Yellowstone National Park.

Current snowmobile use in Yellowstone creates numerous problems of safety, noise and air pollution in gateway communities. A change in winter park transportation will allow for much-desired diversification of gateway economies.

In relation to improved technology—Argument: The regulation of snowmobiles in national parks should be delayed until new snowmobile technologies are available.

Response: The EPA has explicitly told the Park Service not to wait for upcoming EPA regulations: ''This DEIS includes extensive analysis of the effects from current winter use and that analysis demonstrates significant environmental and human health impacts. We encourage NPS to take the steps necessary to protect human health and the environment immediately rather than to depend on future regulation of OHV engines from EPA.'' EPA comments on Draft EIS for Winter Use Plans, Yellowstone and Grand Teton National Parks and John D. Rockefeller Jr. Memorial Parkway, Region 8 EPA, Denver, CO.

EPA regulations will not address noise emissions from snowmobiles and may not require air emissions stringent enough to protect park air quality.

Compliance with park regulations and laws regarding wildlife, noise and visitor conflict will not be addressed by the development of snowmobiles with less air pollution.

Less polluting snowmobiles would not address the mass transit needs of the parks. Many parks are adopting mass transit using the cleanest, quietest technologies available; this is also the case in Yellowstone. Transportation alternatives to the one-person, one vehicle model have been implemented in Acadia and Denali, and will soon be in place in Grand Canyon, Zion and Yosemite National Parks. The NPS should be a leader in promoting clean, quiet and affordable modes of group transportation that are protective of the natural qualities of the parks.

Recognizing that it is the vehicles, not the people at the root of the problem, Yellowstone in winter is a natural place to look next for expansion of the alternative transportation program already taking place in the Park System.

In relation to the history of Snowmobiling in Yellowstone National Park, in 1963, the first snowmobile enters Yellowstone. In 1973–1974, 30,000

snowmobiles enter Yellowstone. In 1972 the National Park Service Regional Director asked all parks to devise winter use plans. Glacier National Park undertook such a review and noted the variety of problems caused by snowmobiling in the park including air and noise pollution, wildlife disturbance and conflicts with other park users. For these reasons and because of strong public sentiment against disrupting the quiet and beauty of Glacier National Park with snowmobiles, the park decided to ban them. Yosemite, Sequoia/Kings Canyon, Lassen and others followed suit.

Yellowstone, however, did not follow the directive to assess the impact of snowmobiles on park resources. Complaints from visitors and park rangers concerning air and noise pollution grew commonplace and the first studies documenting adverse impacts to wildlife from snowmobile use were completed. Future superintendents of Yellowstone allowed further expansion of snowmobiling in the park despite ongoing concerns about air and noise pollution and wildlife impacts. Finally, in the 1990s conditions in Yellowstone and Grand Teton grew so bad that the parks were forced to take action.

Mr. DASCHLE. Mr. President, I wanted to take a few minutes to discuss the rulemaking that has been proposed by the National Park Service to limit the use of snowmobiles in national parks.

National parks are the crown jewels of our nation's system of public lands. They harbor diverse wildlife, rare and beautiful species of plants and spectacular geological formations. In my home state of South Dakota, the Badlands National Park is home to a rich trove of ancient fossils and it provides important habitat for the black-tailed prairie dog and black-footed ferret.

I support the efforts of the National Park Service to ensure that these lands remain pristine so that future generations of Americans can enjoy them. I also understand the strong desire of many snowmobilers to continue to have wintertime access to these lands, where the activity has been enjoyed for many years.

While snowmobiling does not currently take place in national parks in South Dakota, there is a great deal of interest in this issue in the state and support for appropriately managed access to national parks. By carefully managing the parks, I believe that we can provide this access in a manner that is sensitive to the needs of the environment and to those who go to public lands in search of solitude and quiet.

Today, Secretary Bruce Babbitt wrote me to describe in greater detail how the National Park Service intends to proceed in coming months. I believe that it is critical for the agency to review a variety of options for managing snowmobiles and to ensure a full opportunity for public comment. According to the Secretary's letter, the agency does not intend to ban snowmobiles, but will proceed with a rulemaking and public comment period that will allow a full analysis of this issue and provide options for the controlled use of snowmobiles in national parks. I look forward to continuing to discuss this issue with my colleagues, the administration, representatives of environmental groups and snowmobiling enthusiasts.

I ask unanimous consent that a letter from Secretary Babbitt be included in the RECORD at this time.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 17, 2000.

Hon. THOMAS A. DASCHLE,
U.S. Senate, Washington, DC.

DEAR SENATOR DASCHLE: I am responding to your recent request for clarification of the status of National Park Service actions on the use of snowmobiles in national parks. Since there have been some misperceptions about what the Service has done, I appreciate the opportunity to provide this clarification.

In response to a petition for a rulemaking, the National Park Service has reviewed the snowmobile use that is now allowed in 42 of the 379 units of the national park system. That review, including a review by the Office of the Solicitor of the Department, had led us to conclude that much of the snowmobile use that is now occurring is not consistent with the requirements of Executive Orders 11644 and 11898, issued by Presidents Nixon and Carter, and other legal requirements. Accordingly, in April the Department and the Service announced that we would undertake a new rulemaking to modify the existing system-wide general rule (36 CFR 2.18), and additional park-specific special rules, to bring them into compliance with the applicable legal requirements. We did not announce that any decision had been made, but instead that we intend to initiate a rulemaking process. In that process, we will comply with all established requirements for rulemaking, including the requirements for seeking and considering public comments. It is our current intent to publish by mid-September a proposed rule, for public comment, to begin the formal process of making these changes.

Until a new rulemaking is completed, the existing rules on snowmobile use in the national parks remain in effect.

We will seek public comment on a proposed rule generally following the format of the existing rule, which prohibits snowmobile use in national parks except in certain instances. The draft rule has not yet been completed, but, when finalized, it would not affect snowmobile use opportunities in national park system areas for the following purposes: For access to private, or other nonfederal property; for access across national parks to reach private or other public lands that are open to snowmobiles use; where the roads through national parks are not under federal jurisdiction; and as authorized in specific national park enabling statutes (i.e., with respect to national parks in Alaska and Voyaguers National Park).

In addition, as a result of settlement of litigation, the National Park Service is in the final stages of preparing a Winter Use Management Plan and EIS for Yellowstone and Grand Teton National Parks. The final decisions on winter use have not been made there, but those decisions will determine future winter use management in these two parks, including the use of snowmobiles.

If we do propose a rule containing these elements, and if, following public comment, we finalize a rule along these lines, the net effect would be that some level of snowmobile use would continue in about 30 of the 42 national parks where it is now allowed. Of course, since the proposed rule will be subject to public review and comment, we are likely to consider additional alternatives during this process and a different outcome could result.

To summarize, the National Park Service has not made any final decisions on what changes to make in the snowmobile use that is allowed in national parks, and any decisions we make will be made following public comment and in compliance with other requirements for agency rulemaking. I appreciate the opportunity to clarify this.

Sincerely,

BRUCE BABBITT.

Mr. BAUCUS. Mr. President, I would like to take a moment to comment on the issue of snowmobiling in Yellowstone.

It is pretty clear to anyone who has visited Yellowstone during the winter that changes need to be made to protect the park. I have met with folks on all sides of this issue, and I think that most people agree that the noise, air pollution and wildlife impacts are unacceptable and have to be addressed.

Yellowstone is the engine for local economies and is part of our national heritage. We owe it to our children and grandchildren to make sure that we don't harm the park and its wildlife.

That having been said, I don't think we need an outright ban. I believe that we can protect the park and its wildlife in other ways. Already, people have put forth a number of creative alternatives to meet these goals, including limiting the number of snowmobiles allowed in the park, requiring clean and quiet machines, and using guided tours.

I think we need to explore all these alternatives and work together to strike a common-sense balance that best serves Yellowstone and Montana. A balance that protects the Park, the local economies and involves people on all sides of this issue.

As my colleagues in this body know, I am not in favor of legislating on appropriations bills. I am pleased that the Senate has decided to not pursue that route for the time being. It is my hope that the current administrative process that is underway for Yellowstone will produce an administrative compromise that protects Yellowstone National Park and provides for a broad range of visitor uses of the Park.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

AMENDMENT NO. 3800, WITHDRAWN

Mr. THOMAS. I thank the Senator from Montana and the other Members who have joined.

There is no one in this place who is a stronger supporter of national parks than I. I continue to support the national parks. Here is a chance to find some alternative ways to do that.

I thank the chairman of the subcommittee for giving time.

I do not intend to ask for a vote.

Mr. GORTON. Is the Senator withdrawing the amendment?

Mr. THOMAS. I will withdraw the amendment. I intend to withdraw the amendment to try to find a mutual resolution.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. GORTON. I thank the Senator from Wyoming for that gesture. I support the cause to which he has spoken. If there is a way to get at least part of that adopted, I will try to find it.

I express my appreciation to my friend from Nevada to whom I made a promise about debating this amendment earlier that I could not keep. He has been most understanding.

Mr. BRYAN. I appreciate the distinguished leader's comments. The Senator from Washington has honored his commitment because, as the Senator knows, I had a previous commitment earlier in the day. I thank the Senator for his accommodation.

As I understand the parliamentary status, I will need to seek unanimous consent to set aside the pending amendment for the purpose of offering an amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. BRYAN. I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

AMENDMENT NO. 3883

Mr. BRYAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. BRYAN], for himself, and Mr. FITZGERALD, proposes an amendment numbered 3883.

Mr. BRYAN. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reduce the Forest Service timber sale budget by $30,000,000 and increase the wildland fire management budget by $15,000,000)

On page 164, line 19, strike ''$1,233,824,000,'' and insert ''$1,203,824,000,''.

On page 164, line 23, strike ''(16 U.S.C. 460*l*6a(i)):'' and insert ''(16 U.S.C. 460*l*6a(i)), of which $220,844,000 shall be available for forest products:''.

On page 165, beginning on line 6, strike ''*Provided*'' and all that follows through ''accomplishment:'' on lines 11 and 12.

On page 165, line 25, strike ''$618,500,000, to remain available until expended:'' and insert ''$633,500,000, to remain available until expended, of which $419,593,000 shall be available for preparedness and fire use functions:''.

Mr. BRYAN. Mr. President, today I am offering an amendment with my colleague from Illinois that is a win-win for the American taxpayer and for those communities that reside near our National Forests.

The Bryan-Fitzgerald amendment will cut $30 million from the Forest Service's money losing timber program and shift $15 million to needed fire planning and preparedness activities.

Thee is a crucial need for increased fire planning on our National Forests.

Our amendment responds to the findings of a recent internal Forest Service report that found that the agency was violating its own National Fire Management Policy due to the lack of ''Fire Management Plans'' for each national forest.

The report indicated that fire management planning has not been a priority within the Forest Service, with less than 5 percent of the National Forests having current, approved fire plans.

The Federal Wildland Fire Management Policy calls for ''every area with burnable vegetation [to] have an approved Fire Management Plan.''

The Wildland Fire program protects life, property, and natural resources on the 192 million acres of National Forest System lands as well as an additional 20 million acres of adjacent State and private lands that are protected through fee or reciprocal protection agreements.

In my home state of Nevada, we have a multi-jurisdictional firefighting organization known as the Sierra Front, which is comprised of federal, state, and local fire management agencies. I might say, parenthetically, in my experience both as a former Governor and as a member of this body, the Sierra Front has done an extraordinary job in terms of coordinating and preparing its own activities and is relied upon by local, State, as well as national forest administrators for a coordinated effort.

There are similar organizations in other States, and all of these organizations depend heavily on Federal fire preparedness funds for necessary training and organizational planning activities.

The amendment we offer will provide an additional $15 million for the Forest Service to enhance its capability to prevent, detect, or take prompt, effective, official suppression action on wildlife fires.

There is a financial benefit, a cost-benefit analysis that needs to be considered. I bring my colleagues' attention to an internal Forest Service report issued earlier this year entitled ''Policy implications of large fire management, the strategic assessment of factors influencing the cost.'' I think our colleagues will be interested to know that this report concludes that estimates have shown that for every dollar of appropriated preparedness dollars received, there is a savings of $5 to $7 in fire suppression and emergency rehabilitation funds spent.

The point that needs to be made is, a little fire management planning goes a long way to reduce and to minimize the overall impact when fire comes because of the training, the planning, and the preparedness activities that go on as a result of that. That is a dollar savings to the American taxpayer and, in my judgment, is a very prudent expenditure of Federal dollars.

Unfortunately, notwithstanding this assessment, the myth that commercial logging is the best method of fuels reduction is driving some of my colleagues to appropriate more funds for the timber program at the expense of needed fire plans for national forests, increased education for residents on wildland boundaries, and on fire preparedness activities. In fact, to the contrary, it is widely recognized in the scientific community that past commercial logging and associated road-building activities are the prime culprits for the severity of many of our wildfires.

Commercial logging removes the least flammable portion of trees—their main stems or trunks, while leaving behind their most flammable portions—their needles and limbs, directly on the ground. Untreated logging slash can adversely affect fire behavior for up to 30 years following the logging operations.

According to the Sierra Nevada Ecosystem Project report, issued in 1996 by the Federal Government,

timber harvest, through its effects on forest structure, local microclimate and fuel accumulation, has increased fire severity more than any other recent human activity.

In addition, a recent GAO report stated that:

Mechanically removing fuels through commercial timber harvesting and other means can also have adverse effects on wildlife habitat and water quality in many areas. Officials told GAO that, because of these effects, a large-scale expansion of commercial timber harvesting alone for removing materials would not be feasible. However, because the Forest Service relies on the timber program for funding many of its other activities, including reducing fuels, it has often used this program to address the wildfire problem. The difficulty with such an approach, however, is that the lands with commercially valuable timber are often not those with the greatest wildfire hazards.

Logging causes adverse changes in forest composition—intensive thinning and clearcutting dry out soils and leave behind debris that becomes tinder dry in open clearcuts.

Congress should invest in proactive fire planning and non-commercial hazardous fuels reduction projects as the best means of avoiding the high costs to taxpayers, damage to ecosystems, and risk to firefighters from reactive, unplanned, emergency fire suppression actions.

This bill contains $250 million for the administration of the timber sale program, which is more than $30 million above the Administration's budget request.

These expenditures for a money losing timber program are an enormous drain on the Treasury.

In their most recent Forest Management Program Annual Report, July, 1998, the Forest Service admits to losing $88.6 million from their timber program in FY97.

This was the second consecutive year that the Forest Service reported a loss.

In addition to the reported loss, the $88.6 million figure excludes a full accounting of all costs associated with logging.

In past fiscal years, independent analyses estimate the loss from below-cost timber sales are far greater than those reported by the Forest Service.

The General Accounting Office estimated that the timber program cost taxpayers at least $2 billion from 1922 to 1997, and in recent testimony they indicated that ''[t]he Forest Service is still years away from providing the Congress and the public with a clear understanding of what is being accomplished with taxpayer dollars.''

Our amendment would reduce funding for the Forest Service's timber program by $30 million to the level requested by the Administration.

In spite of the fact that our National Forest supply a mere 4% of our nation's annual timber harvest, this bill continues to reflect the dominance of the timber program at the expense of other programs designed to improve forest health and enhance the public's enjoyment of our national forest.

Over 380,000 miles of roads criss-cross the national forests—that is over eight times the distance of the Federal Interstate Highway System—and, in addition, there are an additional 40,000 miles of univentoried roads.

The Forest Service estimates that over 80% of these roads are not maintained to public safety and environmental standards.

As a matter of public policy, I would argue that it makes more sense to maintain the roads we already have than to spend money building new roads we don't need for a logging program that costs taxpayers millions of dollars each year.

I urge my colleagues to support the Bryan-Fitzgerald amendment to cut wasteful subsidies for the commercial timber industry and to enhance the Forest Service's ability to combat the devastating wildfires confronting many of our communities in the West.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I have been listening with great interest for the last several minutes as the Senator from Nevada made his presentation in relation to an amendment to take $30 million out of the timber program. He has given the reason that we have a catastrophic situation in the West today—some 39 million acres of our public timbered lands are in a critical situation as it relates to stand-altering fires, and we ought to do better planning. Therefore, we ought to take the money out to do better planning so we could circumvent this situation. And, oh, by the way, logging exacerbates that problem by leaving some slash on the ground.

The argument of the Senator might have some modicum of validity if we had not done what we did last week. Last week, we passed Senator PETE DOMENICI's bill for which the Senator from Nevada voted. We put $240 million, not $30 million—$240 million in a fuel reduction program. In fact, the Forest Service says it funds entirely, Senator BRYAN, all that they can do. It even provides additional money for planning. So, really, the fire issue should be set aside in your debate, based on the actions of the Senate last week. I think what the Senate did last week is responsible, to put that kind of money into fuel reduction, especially in the urban interface and in those areas of the kind we saw at Los Alamos, in New Mexico, where we saw hundreds of homes go up in smoke as a result of bad policy and bad management on the part of this administration coming together.

What are we talking about, then, if the fire issue has been dealt with appropriately by this Senate? If what we are talking about is the existing timber program that obviously the Senator from Nevada opposes, as do many environmental groups that he finds himself here on the floor today representing, then the fire issue I think is relatively moot. So let's talk about the timber sale program.

What the Senator from Nevada is doing when he talks about it being a money loser is he is taking money out of a program from a portion of the program that really is the money maker. So he is fulfilling a prophesy of argument that somehow this will continue to be a money loser, and most assuredly it will be if you take money from that kind of program.

Let me talk about the program for a few moments, where it is as a part of an overall forest policy in our Nation, and why it is important we keep some approach to a timber program, whether it is for green sales to supply dimensional timber to the housing industry of our Nation, or whether it is for the purpose of thinning and reducing the overall burden of the number of trees within a stand of timber, therefore increasing the viability of forest health in our Nation's forests.

Those 39 million acres of timberland that are in critical condition today across our Nation are, in fact, a result of the overstocking of these acreages. Some 400-plus trees per acre now exist on land that 100 years ago, long before man was out there logging them, had only 60 trees per acre.

As a result, we need a concentrated program of management for fuels reduction for fire, but I also think we can reasonably argue that we can take some of those trees out for timber, logging, home building, purposes for the Nation's economy.

Let me give an example of where we are with the industry at this moment and why I think it is important we discuss it.

On this first chart, it shows in 1989 there were about 150,000 jobs in the timber industry nationwide. In 1997, that had been reduced to about 55,000 timber jobs, almost a two-thirds reduction in overall employment that is in direct correspondence, in part, to the amount of logging that goes on.

Since the Clinton administration has come to Washington, its timber policies have reduced logging on our national forests by over 80 percent nationwide—an 80-percent reduction nationwide in overall logging.

What does that mean on a State-by-State basis? Let me give an example of what it means in at least three States. It does not mean much in the State of Nevada. They do not have trees to log, except in very limited ways. This is what it means in the State of Washington from 1989 to present: It means 55 mills closed and 3,285 primary mill jobs. That is what that kind of policy means. In my State of Idaho, 13 mills closed, 1,083 people. In the State of Oregon, 111 mills closed and 11,600 people. That is even after the President's new plan.

Remember, when he came to office, he held a big timber summit in Oregon: Save the trees and save the jobs. They have not been able to produce the jobs. In fact, they had to backtrack and even back away from their own policy because of the pressure from environmental groups. They were unwilling to support their own policy. The Senator from Nevada is now on the floor trying to argue for a major reduction in that policy.

In the State of California, 46 mills and 4,427 jobs. It will not affect Nevada. They do not cut trees there, or cut very few.

I have worked with the Senator from Nevada on an area that I think is tremendously important. The Committee on Energy and Natural Resources just reported out S. 1925, the Lake Tahoe Restoration Act. The Senator from Nevada and his colleague have been extremely concerned about the health of the forest in the Greater Tahoe Basin, and he should be. That forest is an overmature, climax forest. In other words, it is beyond the point of healthy adulthood. Trees are dying; trees are too thick. There is an urban interface with beautiful big recreational homes built amongst the stands of timber. They have a silviculture problem with the potential of massive wildfires in the Tahoe Basin, losing those beautiful homes, and creating a catastrophic environmental situation that could badly damage the beautiful Lake Tahoe itself.

The Senator from Nevada has a problem. He has a bill that authorizes work to be done in the basin, but he has no money. What he is doing tonight is cutting out of one of the budgets of the Forest Service, some of the very money that will go to restore Lake Tahoe and the Tahoe Basin. I am not quite sure he can get it both ways.

I have worked with the Senator from Nevada to try to assure the Tahoe Basin restoration program will go forward and that we will have adequate moneys to begin to do the kinds of

silviculture programs, the thinnings and the necessary efforts, that will create a higher level of forest health in the Tahoe Basin. We cannot do it tonight because the Senator from Nevada is cutting $30 million to the detriment of his own program.

I suggest when he was approached by the environmental groups to do this amendment that was not a factor, but what is a factor is that the Senator from Nevada has not had money appropriated for his project. He will hand it over to the Forest Service at large. It is a bill that will authorize the Forest Service to move in that area, and he is even cutting the budgets of the Forest Service, or attempting to as we speak.

That is frustrating. It is extremely frustrating to this Senator who has worked very closely with the Senator from Nevada to assure that his Tahoe Basin project is authorized because it is necessary and it is appropriate.

Last week, the Senator from Nevada joined with us to put over $240 million into a fire reduction program and a program to allow the Forest Service to study even greater amounts of fire suppression by reduction of the fuel loading on our national forest floors.

Yet today he comes back with that argument. Let me suggest this argument is for one purpose and one purpose only, and his amendment will serve for one purpose and one purpose only. We find it right here in a letter from the United Brotherhood of Carpenters and Joiners of America. This labor union—men and women who work for the forest products industries—says:

> The Bryan amendment places thousands of forest product jobs at risk and jeopardizes the social and economic stability of rural communities.

You are darned right it does. In the rural communities of Idaho, Oregon, and Washington that still have mill jobs, that still ought to be cutting trees. We have 13 and 14 percent unemployment, and this will drive the unemployment up even further.

No, those communities are not reaping the benefit of the current full employment economy. The mills on the eastern side of Washington are not reaping the benefit of the high-tech jobs of western Washington. The mills in north Idaho are not reaping the benefits of the high-tech jobs of south Idaho, and so on.

What we have attempted to do with reasonably consistent and environmentally sound policy is to ensure a balance. The Senator from Nevada denies us that balance by refusing to allow the Forest Service to have the very tools necessary to properly manage the current timber program.

This is not about new roads. There is a road moratorium. The Senator from Nevada knows that. The environmental community last week claimed a major victory with the President's new roadless area initiative. The Senator knows there is not going to be any new roads built. So roads are not the argument, not now and not for the near future.

What is at stake is the very jobs that produce the dimensional lumber that comes to the markets that builds the homes of America. It is right and reasonable to assume that some of it ought to come from the forests of Idaho, Oregon, Washington, and California.

I hope the Senator, recognizing that this whole issue has shifted pretty dramatically in the last 72 hours, will recognize that his amendment no longer has carrying with it the validity that his argument might have had just last week.

Mr. President, $240 million later, this Congress, in a responsible fashion, has addressed the catastrophic fire situation that might now exist in our public lands and are willing to deal with it. Those are the issues at hand that are so very important to all of us.

Lastly, the very money the Senator will eliminate from the projects and from the programs—here is a letter from the Society of American Foresters saying that the fire in Los Alamos that cost us 235 homes clearly demonstrates that if we had been allowed to have used the stewardship timber sales programs that, in part, the Senator's amendment will now deny us, we could have reduced the fuel loading and, in many instances, we might have saved those homes. That is exactly what we are trying to deal with here.

I hope my colleagues will vote with me in voting down the Bryan amendment. There is no basis for the arguments that are placed today that relate to the amendment itself. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, I will be very brief. I must say I have difficulty following the arguments of my friend from Idaho. First, I have no objection to—in fact, I am very supportive of it—the amendment offered by Senator DOMENICI last week. That has to do with hazardous fuels reduction, $120 million going to the Forest Service, $120 million going to BLM. I am for that.

As the Senator knows, that is a separate budget category entirely than the issue of the Bryan-Fitzgerald amendment. That is a subcategory of fire operations. What we are talking about is preparedness money, a totally different concept.

The issue is not whether Lake Tahoe could be harmed. Lake Tahoe does not have a commercial harvest timber program as such. It is minimal. We are talking about the money that is necessary to do the hazardous fuels reduction. The Senator from Nevada is very supportive of that. The Senator from Nevada wants to see more money set aside for preparedness and planning which is cost effective.

Let me, by way of an additional comment, point out that the program which the Senator from Nevada supports is cost effective; that is, it saves taxpayers dollars. It is a savings. The argument that the Senator from Idaho made refers to a program that has cost taxpayers, between 1992 and 1997, $2 billion. We are subsidizing them. I do not think that is a particularly good value.

But even though I might not think it is a particularly good value, I have not sought to eliminate that program. That program would be funded, if the Bryan-Fitzgerald amendment were offered, for $220 million. That is what the President recommended.

So what we are simply trying to do is to reprogram some of that money into an area that would be cost effective, in terms of planning and preparedness—something that all of the agencies that interface with the urban, forest, local, State, and Federal support and favor—and simply reduce, by the amount of $30 million, the amount that would go into a timber harvest program that has been found, by the GAO, and other internal reports, to be cost ineffective in a substantial subsidy.

So the issue is not, as my colleague from Idaho suggested, whether you favor timber harvest in the national forests—that is not the issue we are debating today; maybe he wants to make that the issue—but the question of where you allocate the funds.

Mr. CRAIG. Will the Senator yield?

Mr. BRYAN. I will yield.

Mr. CRAIG. We checked with the Forest Service when we prepared the Forest Service budget, and their preparedness program has been fully budgeted for the year. They told us that it was adequate to meet their needs, and the current needs.

Does the Senator know otherwise?

Mr. BRYAN. The Senator from Nevada believes it is not adequate. Indeed, I think the amount of money that has been——

Mr. CRAIG. Even though the chief and his budget people say it is? I see. That is what we understood. Does the Senator now have information from the Forest Service that says otherwise?

Mr. BRYAN. If the Senator follows that line of reasoning, would he not agree the same managers will tell you that $220 million is adequate for the timber harvest program, would the Senator agree with that?

Mr. CRAIG. No, not at all, because what we did with the $220 million——

Mr. BRYAN. Did they argue for more?

Mr. CRAIG. Are you talking about timber harvest or the fuel reduction program?

Mr. BRYAN. The program that is called timber harvest.

Mr. CRAIG. I am quite sure they would say that it is funded adequately because this administration does not want to cut trees commercially.

Mr. BRYAN. You can't have it both ways.

Mr. CRAIG. Yes, we can, because I am giving categorical facts that the President's chief of the Forest Service

said the preparedness program was fully funded. That is all I am saying.

Mr. BRYAN. I would say to the Senator from Idaho, I thought we were all Americans, and these positions did not represent a particular party; they represent the entire country. The national forests belong not to Democrats or Republicans.

Mr. CRAIG. Now, the chief is a political appointee.

Will the Senator yield for another question?

Mr. BRYAN. I would yield for one more question.

Mr. CRAIG. In the Tahoe Basin Restoration Program, that is near and dear to the Senator—and it is to me; it is a beautiful part of our country.

Mr. BRYAN. It is indeed.

Mr. CRAIG. Where trees must be removed—merchantable timber—there are areas where thinning is clearly necessary and so proscribed under the act.

Mr. BRYAN. The Senator from Nevada would agree with that.

Mr. CRAIG. Those would be under the commercial logging program because they could be done for less money and more efficiently. And that is the point of my argument, I say to the Senator. That is the program you are cutting.

Mr. BRYAN. I am not sure I would agree with the Senator from Idaho. Clearly, the hazardous fuels reduction program, in which we have provided, as you pointed out, 120 million additional dollars, would be the program that would address that issue, in my judgment.

I know other colleagues need to speak.

Mr. CRAIG. We yield the floor.

Mr. NICKLES. Mr. President, I know my colleague from Connecticut has an amendment, so I will defer to him.

The PRESIDING OFFICER. The distinguished Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the extremely distinguished occupant of the chair. I also thank my friend from Oklahoma. I will try to respond to his graciousness by being brief.

AMENDMENT NO. 3811

Mr. LIEBERMAN. Mr. President, I call up amendment No. 3811, which I filed at the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN] proposes an amendment numbered 3811.

Mr. LIEBERMAN. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide funding for maintenance of a Northeast Home Heating Oil Reserve, with an offset)

On page 183, strike line 15 and insert ''$165,000,000, to remain available until expended, of which $8,000,000 shall be derived by transfer of unobligated balances of funds previously appropriated under the heading ''NAVAL PETROLEUM AND OIL SHALE RESERVES'', and of which $8,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.''.

On page 225, between lines 11 and 12, insert the following:

SEC. 3. STRATEGIC PETROLEUM RESERVE PLAN.

(a) IN GENERAL.—For purposes of Amendment No. 6 to the Strategic Petroleum Reserve Plan transmitted by the Secretary of Energy on July 10, 2000, under section 154 of the Energy Policy and Conservation Act (42 U.S.C. 6234), the Secretary may draw down product from the Regional Distillate Reserve only on a finding by the President that there is a severe energy supply interruption.

(b) SEVERE ENERGY SUPPLY INTERRUPTION.—

(1) IN GENERAL.—For the purposes of subsection (a), a severe energy supply interruption shall be deemed to exist if the President determines that—

(A) a severe increase in the price of middle distillate oil has resulted from an energy supply interruption; or

(B)(i) a circumstance other than that described in subparagraph (A) exists that constitutes a regional supply shortage of significant scope or duration; and

(ii) action taken under this section would assist directly and significantly in reducing the adverse impact of the supply shortage.

(2) SEVERE INCREASE IN THE PRICE OF MIDDLE DISTILLATE OIL.—For the purposes of paragraph (1)(A), a severe increase in the price of middle distillate oil'' shall be deemed to have occurred if—

(A) the price differential between crude oil and residential No. 2 heating oil in the Northeast, as determined by the Energy Information Administration, increases by—

(i) more than 15 percent over a 2-week period;

(ii) more than 25 percent over a 4-week period; or

(iii) more than 60 percent over its 5-year seasonally adjusted rolling average; and

(B) the price differential continues to increase during the most recent week for which price information is available.

Mr. LIEBERMAN. Mr. President, I rise to offer an amendment along with my colleague from Connecticut, Senator DODD, and Senator LEAHY of Vermont. I ask unanimous consent Senators DODD and LEAHY be added as cosponsors to the amendment.

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

Mr. LIEBERMAN. Mr. President, we think this amendment is critical for the energy security of the Northeastern United States. Last winter, in the Northeast, we were really whacked by oil market whims, as we saw the prices of home heating oil soar, and we hovered dangerously close to heating oil supply shortages.

In New England, the price of home heating oil rose from an average of $1.18 a gallon to about $1.79 a gallon in just 3 weeks' time.

Some residents of my State were actually paying over $2 for a gallon of heating oil, which meant they were spending almost $500—some of them—to fill their tanks. Of course, lower income residents and fixed-income residents, including thousands of elderly, were faced with the tough choice of buying heating oil for their homes or food for their tables.

This burdensome situation was caused by high crude oil prices, resulting from low crude oil supplies and low stocks of home heating oil converging with a downward turn in the weather that led to these price shocks that so disrupted the Northeast.

There were a series of meetings and much concern last winter. I think one of the best ideas that emerged was to build on the strategic crude oil reserve that we have and to create a regional Northeast home heating oil reserve in which the Government would possess home heating oil, which at times of crisis could be moved out into the market to increase supply and therefore reduce price.

I recall that one of the places that this idea was discussed was at a bipartisan meeting of Members of Congress from the Northeast with the President at the White House. He said he would take this under advisement. In fact, President Clinton did act to create a Northeast home heating oil reserve earlier this month, pursuant to his congressionally authorized authority under the Energy Policy and Conservation Act.

This amendment, which Senators DODD and LEAHY and I offer, would appropriate $4 million to maintain the Northeast heating oil reserve that the President has now created. The President has directed that the reserve be filled with home heating oil by conducting oil exchanges with the Strategic Petroleum Reserve. Therefore, there is no initial cost of filling the reserve.

However, the funding that is made possible by this amendment is critical for maintaining the reserve. The reserve itself is an integral piece of ensuring that if we do encounter exorbitant prices and short supplies again this winter, we will be able to count on our own publicly owned reserves of heating oil to get us through the crisis.

In fact, the following Energy Information Agency report, unfortunately, indicates that the industry at the current time is way below the desirable level of building up inventories of home heating oil, which means that if this continues as we head toward the winter and the weather turns cold, people in our region of the country are going to be suffering economically and physically. So that is the intention of offering this amendment.

I do want to indicate that I am exercising my prerogative as sponsor of the amendment to modify the amendment by striking the section of the amendment that begins on line 8 on the first page, and ends at the end of the document. This section describes an appropriate trigger mechanism for releasing the home heating oil reserve. In addition, I want to change the amount of funding requested from $8 million to $4 million. Finally, I would like to specify that the offset for these funds would come from unobligated funds from the

Strategic Petroleum Reserve petroleum account in the amount of $3 million, and $1 million from the Naval Petroleum Reserve and oil shale reserves.

AMENDMENT NO. 3811, AS MODIFIED

Mr. President, I send to the desk, therefore, a copy of the amendment as it emerges after the modifications that I have just announced, which is effectively a $4 million appropriation for this regional reserve the President has created.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so modified.

The amendment, as modified, is as follows:

On page 183, strike line 15 and insert ''$165,000,000, to remain available until expended, of which $3,000,000 shall be derived by transfer of unobligated balances of funds previously appropriated under the heading ''STRATEGIC PETROLEUM RESERVES PETROLEUM ACCOUNT'', and of which $1,000,000 shall be derived by transfer of unobligated balances of funds previously appropriated under the heading ''NAVAL PETROLEUM AND OIL SHALE RESERVES'', and of which $4,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.''.

Mr. LIEBERMAN. Mr. President, I rise today to offer an amendment to the Interior appropriations bill that I think is critical for the energy security of the Northeastern United States. My amendment would fund the Northeast Home Heating Oil Reserve, which was created by the President on Monday, July 10. The President created this reserve under his Congressionally authorized authority under the Energy Policy and Conservation Act.

The Northeast region of the country is heavily dependent upon home heating oil—instead of natural gas, as is the case in much of the rest of the country—for heating homes and other buildings during cold months of the year. As heating oil is refined from crude oil that is produced both domestically and abroad, the price of heating oil is subject to the same market whims that we have seen and continue to see in gasoline and other petroleum products. The difference, however, is that when a family runs out of heating oil, they literally run out of heat. This is a dangerous situation in the Northeast, where people may face days at a time of icy-cold weather.

This part winter in the Northeast, we got a taste of market whims as we saw the prices of home heating oil soar, and as we hovered dangerously close to heating oil supply shortages. The price of home heating oil rose from an average in New England of $1.18 per gallon to about $1.79 per gallon in three weeks. Some residents were paying over $2.00 for a gallon of heating oil. Lower-income residents were faced with buying heat for their homes versus food for their tables. In this instance, we saw high crude oil prices and low stocks of heating oil converge with extremely cold weather, leading to the price shocks that so disrupted the Northeast. We saw a similar situation in 1996, when prices of heating oil soared.

I want to offer my amendment to ensure that this type of problem does not happen again. My amendment would appropriate four million dollars to maintain the Northeast heating oil reserve that the President has created. The President has directed that the reserve be filled with home heating oil by conducting oil exchanges with the Strategic Petroleum Reserve. Therefore, there is no initial cost to filling the reserve. However, this funding is critical for maintaining the reserve. The reserve itself is an integral piece to ensuring that if we do encounter exorbitant prices and short supplies again, we will be able to count on our own reserves of heating oil to get us through the crisis.

I would like to exercise my prerogative to modify my amendment by striking the section of the amendment that begins on line 8 on the first page and ends at the end of the document—this section describes an appropriate trigger mechanism for releasing home heating oil from the regional reserve. In addition, I would like to change the amount of funding requested from eight million dollars to four million dollars. Finally, I would like to specify that the offset for these funds will come from unobligated funds from the Strategic Petroleum Reserve Petroleum Account in the amount of three million dollars and from the Naval Petroleum and Oil Shale Reserves in the amount of one million dollars.

Senator DODD joins me in offering this amendment.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Washington.

Mr. GORTON. Mr. President, I thank the Senator from Connecticut for his explanation and for the modifications which have at least brought this amendment within the parameters of the bill itself. I must say, without going into it, I think there are several serious policy questions about this amendment, but more than that I think it needs to be resolved in the context of a reauthorization of the Energy Policy and Conservation Act. I understand the Senator from Connecticut is working with the chairman of the committee on that, and so we can defer our final decision until tomorrow.

Mr. CRAPO. Mr. President, I rise today in opposition to an amendment that would make drastic cuts to the timber program.

While we have heard a lot of rhetoric regarding the timber program, it is important to understand the context within which these cuts to the timber sale and road construction programs are being considered. Federal timber sales are in a steep and devastating decline. Forest health is increasingly at risk from fire, insects and disease.

Both the economic and ecological contexts created by this reduction are undesirable.

More than 80,000 jobs have been lost and a 1999 General Accounting Office study reported that over forty million acres of National Forest system lands are at risk of catastrophic wildfire. Another twenty-six million acres are at risk from insects and disease. The recent fires in New Mexico and in other states provide alarming evidence of the impact of increased fuel loads in our forests. Already this year, more than four-and-a-half million acres have burned. Active management is vital to forest health, and it is irresponsible for the federal government to reduce the management options available to local forest managers who best know how to deal with their specific situations.

It is confounding that additional cuts in the federal timber sale program are being considered at a time when the industry and those working men and women who depend on it has already been crippled by deep cuts and our forests are suffering from lack of active management that includes responsible timber harvest. Since the early 1990s, the timber program has been reduced by 70 percent and more than 75 percent of the National Forest system is off-limits to timber harvest. The federal timber supply has dropped from twelve billion board-feet harvested to three billion board-feet harvested annually. This amendment would jeopardize 55,000 jobs and $2 billion in employment income, mostly in rural areas. In addition, national forests have 50 percent of our nation's softwood growing stock, which is used for home construction. New reductions in the availability of this supply will hurt housing prices.

In my home State of Idaho, small, rural communities continue to suffer devastating reductions in Forest Service Payments-to-states funds from timber sales. In rural Idaho and America, schools are going without needed renovation, county governments are struggling, and basic services are already being jeopardized by steep reductions in federal timber harvest in recent years. This amendment would further reduce payments to rural counties by $7 million and returns to the treasury by $30 million.

While some will claim that recreation receipts can replace timber receipts, this simply is not true in Idaho. Eight counties in Idaho derive more than 20 percent of their employment activity from the primary timber industry. There are only two counties in Idaho that have more than a 5 percent dependence on the recreation industry.

This amendment is also counterintuitive from an environmental perspective. Active forest management, including thinning and other timber harvest, has widely acknowledge benefits. In fact, most timber sales are currently designed to attain other stewardship objectives. Interestingly enough, it is the sales that have been planned to focus on stewardship objectives that have been criticized as below cost. Timber sales are the most economical, efficient, and effective

method available to local resource managers to treat and control many insect epidemics. These harvests contribute greatly to reducing the risk of catastrophic wildfire and promoting diverse stands.

Each year, the National Forest system grows 23 billion board-feet. Six billion board-feet die naturally. Only 3 billion board-feet are harvested annually. Tree growth in the National Forest system exceeds harvest by 600 percent. There is no need, environmental or otherwise, to further cripple this important program. I urge my colleagues to vote against this amendment and for the health of rural economies and the forests within the National Forest system.

Mr. ENZI. Mr. President, I rise in opposition to the amendment introduced by the Senator from Nevada, Senator BRYAN, that would cut funding for the United States Forest Service's Timber Sale program. Our Nation is experiencing a renaissance in Forest Health initiatives. The terrible tragedies suffered in New Mexico earlier this summer have awakened our understanding of the current state of our forests.

These forests, that traditionally housed wildlife and produced valuable resources used in building our Nation, have become deadly fire time bombs. The Forest Service itself has reported that more than 40 million acres of our National Forest System are at high risk of destruction by catastrophic wildfire and an additional 23 million acres are at risk from insects and disease. And yet, at a time when national awareness is up, and we have an increased commitment to improve forest health, there are still those critics who would remove the Forest Service's single most effective tool for restoring forest health.

The use of modern silviculture practices in regards to Federal timber sales are designed to accomplish a number of goals and objectives in regards to forest management. And they do so in a way that provides jobs for local communities, and money for rural schools and counties. We have also just begun to realize the value that a well-designed and carefully conducted timber sale can have on things like water quality and the future of a healthy water table.

The city of Denver had to learn this the hard way. Several years ago a fire swept through the city's watershed and turned the surrounding ecosystem into ashes. Since then, the city has had to pay millions of dollars to dredge and remove silt and other particles carried into its water supply. What the city learned is that fires, not timber sales are the biggest threat to watershed health. The city now actively manages its watershed and conducts regular assessment and thinnings to maintain a healthy, fire resilient forest.

Notice I said fire resilient, not fire resistant. Fire can be an invaluable management tool when conducted under the proper circumstances. Those conditions, however, do not exist in Western forests, nor will they exist until our forest managers are allowed to thin out the forests and remove the dense undergrowth and some of the increasingly taller layers of trees that create the deadly fuel ladders that feed catastrophic fires.

I am also deeply concerned about the impact this amendment could have on rural economies. The United States is importing more and more wood every year as a result of declines in federal timber sales. This means that the American lumber market is being fed by highly-subsidized timber that was produced under conditions that do not meet our Nation's high environmental standards. As a result, not only do we loose the environmental benefits that federal timber sales can produce, but we are feeling negative social and economic effects as America jobs are lost and moved offshore. The brunt of these losses are felt most keenly in rural areas, where forest products jobs are concentrated.

In closing, Mr. President, I would like to add that the Federal Timber Sale Program is not a subsidy for the forest products industry. Federal timber contractors do not receive any special benefit, nor do they pay less money for the timber they harvest on federal lands. Federal timber is sold by means of a competitive bid system. As a result, these auction sales are the most likely of any type of commercial transaction to generate the returns that meet or exceed market value. Because timber sales are designed to generate market value prices, we therefore must conclude that there is no subsidy.

Furthermore, the forest products industry has consistently demonstrated that the benefits gained by the public through the Federal timber sale program far outweigh the costs to the Federal treasury. I therefore urge my colleagues to oppose Senator BRYAN's amendment and to support our National Forest and rural communities.

AMENDMENT NO. 3884

Mr. NICKLES. Mr. President, I ask unanimous consent to set aside the pending amendment, and I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES] proposes an amendment numbered 3884.

Mr. NICKLES. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To defend the Constitutional system of checks and balances between the Legislative and Executive branches)

At the appropriate place, add the following:

SEC. . FUNDING FOR NATIONAL MONUMENTS.

Notwithstanding any other provision of law, no funds shall be used to establish or expand a national monument under the Act of June 8, 1906 (16 U.S.C. 431 et seq.) after July 17, 2000, except by Act of Congress.

Mr. NICKLES. Mr. President, this amendment basically says: Notwithstanding any other provision of law, no funds shall be used to establish or expand a national monument under the act of June 8, 1906, the Antiquities Act, after July 17, 2000, except by an Act of Congress.

What I am trying to do is to make sure we don't have additional national monuments declared by this administration without some congressional input.

I will insert a copy of the Antiquities Act for the RECORD. It was passed in 1906. The Antiquities Act states:

The President of the United States is authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

That is the Antiquities Act.

This administration, particularly this year, has added millions of acres under the designation of national monuments without congressional authorization or approval, without consent of Governors, without consent of local entities. I am saying there is another process. I happen to serve on the Energy Committee with Chairman MURKOWSKI and others. We pass land bills all the time. I urge the President, if he wants to pass or declare something a national monument, send it to Congress. We are happy to look at it. We are happy to pass it. This is a committee that works in a bipartisan fashion. We pass land bills all the time. This week we are supposed to mark up 17. We do that in a bipartisan fashion.

I also will include for the RECORD a comparison of lands that have been added as national monuments during all the Presidents.

This Antiquities Act passed under Theodore Roosevelt in 1906. It is interesting to note, Theodore Roosevelt, who was quite the conservationist, made some very significant additions to the national monuments, the total acreage of which was 1.5 million acres. President Clinton has done more than that this year alone. As a matter of fact, President Clinton has already designated 3.7 million acres. He has done more than any other President of the United States, with the exception of President Carter, who added a lot of land in the State of Alaska.

It is also interesting to note that the State of Alaska Senators had amended the Antiquities Act to say no lands should be made into a national monument that exceeds 5,000 acres unless there is an act of Congress. That doesn't apply to the rest of the country.

This administration, while they had designated 1.7 million acres in the first

7 years, in this year, since January, has already declared 2 million acres a national monument. There is some talk that there are additional monuments in the works. If there are, great. If this amendment passes—I hope and expect that it will—I am sure Congress will be happy to receive the request from the President. We will review it. We will consider it. We will have hearings. We will go through the legislative process. We will hear from the Governors. We will hear from local entities. We will make a decision, as the process should be.

I believe the President's actions, particularly this year, have greatly exceeded what is called for in the Antiquities Act. Again, in the Antiquities Act, it says, that the area:

> . . . in all cases should be confined to the smallest area compatible with the proper care and management of the objects to be protected.

We should abide by this law. When the President has added 2 million acres this year alone, I don't believe he is in compliance with it. I think Congress has a legitimate role. If not, are we going to allow the President to declare wilderness areas, millions of acres?

My point is, I may well agree with the President on every single designation he has made, but the process needs congressional authorization. It needs congressional input; it needs congressional hearings. It needs input from local officials and people who are directly impacted.

I hope our colleagues will support this amendment. I appreciate the leadership of my friend and colleague, Senator GORTON of Washington, and also Senator BYRD. I used to chair the subcommittee. It is a challenging subcommittee, one which the Senator from Washington and the Senator from West Virginia have handled with a great deal of professionalism and expertise. I compliment them on their efforts. I urge our colleagues to supports this amendment.

I ask unanimous consent to print in the RECORD a list of Presidents and what they have added to the national monuments under the Antiquities Act.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PRESIDENTS AND THE ANTIQUITIES ACT

The following lists units and approximate acreage affected by each President. Where acreage figures are not given they are not available.

	Acreage
Theodore Roosevelt (1906 (Antiquities Act enacted)-1909)	
Chaco Canyon National Monument	10,643.13
Cinder Cone National Monument	5,120
Devil's Tower National Monument	1,152.91
El Morro National Monument	160
Gila Cliff Dwellings National Monuments	160
Grand Canyon I National Monuments	808,120
Lassen Peak National Monument	1,280
Lewis & Clark National Monument	160
Montezuma Castle National Monument	161.39
Mount Olympus National Monument	639,000
Muir Woods National Monument	295
Natural Bridges National Monument	120
Petrified Forest National Monument	60,776.02
Pinnacles National Monument	1,320
Tonto National Monument	640
Tumacacori National Monument	10
Wheeler National Monument	300
Total	1,529,418.45
William H. Taft (1909–1913)	
Big Hole National Monument	655.61
Colorado National Monument	13,466.21
Devils Postpile National Monument	798.46
Gran Quivara National Monument	183.77
Lewis & Clark National Monument	160
Mount Olympus National Monument	
Mukuntuweap (Zion) National Monument	16,000
Natural Bridges National Monument	120
Navajo National Monument	360
Oregon Caves National Monument	465.80
Petrified Forest National Monument	
Rainbow Bridges National Monument	160
Shoshone Cavern National Monument	210
Sitka National Monument	51.25
Total	32,631.10
Woodrow Wilson (1913–1921)	
Bandelier National Monument	23,352
Cabrillo National Monument	.50
Capulin Mountain National Monument	640.42
Casa Grande National Monument	480
Dinosaur National Monument	80
Gran Quivira National Monument	
Katmai National Monument	1,088,000
Mount Olympus National Monument	
Mukuntuweap (Zion) National Monument	76,800
Natural Bridges National Monument	2,740
Old Kasaan National Monument	43
Papago Saguaro National Monument	2,050.43
Scotts Bluff National Monument	2,503.83
Sieur de Monts National Monument	5,000
Walnut Canyon National Monument	960
Verendrye National Monument	253.04
Yucca House National Monument	10
Total	1,202,913.22
W.G. Harding (1921–1923)	
Bryce Canyon National Monument	7,440
Carlsbad Cave National Monument	719.22
Fossil Cycad National Monument	320
Hovenweep National Monument	285.80
Lehman Caves National Monument	593.03
Mound City Group National Monument	57
Papago Saguaro	−110
Pinnacles National Monument	
Pipe Spring National Monument	0
Timpanogos Cave National Monument	250
Total	9,555.05
Calvin Coolidge (1923–1929)	
Castale Pinckney National Monument	3.50
Chaco Canyon National Monument	
Chiricahua National Monument	3,655.12
Craters of the Moon National Monument	22,651.80
Dinosaur National Monument	
Father Millet Cross National Monument	.0074
Fort Marion (Castillo de San Marcos) National Monument	18.51
Fort Matanzas National Monument	1
Fort Pulaski National Monument	20
Glacier Bay National Monument	2,560,000
Lava Beds National Monument	45,589.92
Meriwether Lewis National Monument	50
Pinnacles National Monument	
Statue of Liberty National Monument	2.50
Wupatki National Monument	2,234.10
Total	2,634,226.4574
Herbert Hoover (1929–1933)	
Arched National Monument	4,520
Bandelier National Monument	
Black Canyon of the Gunnison National Monument	10,287.95
Colorado National Monument	
Crater of the Moon National Monument	
Death Valley National Monument	1,601,800
Grand Canyon II National Monument	273,145
Geat Sand Dunes National Monument	35,528.36
Holy Cross National Monument	1,392

	Acreage
Katmai National Monument	
Mount Olympus National Monument	
Petrified Forest National Monument	11,010
Pinnacles National Monument	
Saguaro National Monument	53,510.08
Scotts Bluff National Monument	
Sunset Crater National Monument	3,040
White Sands National Monument	131,486.84
Total	2,125,720.23

Franklin Delano Roosevelt (1933–1945)	
Arches National Monument	29,160
Big Hole Battlefield National Monument	195
Black Canyon of the Gunnison National Monument	2,860
Capitol Reef National Monument	37,060
Ceder Breaks National Monument	5,701.39
Channel Island National Monument	1,119.98
Crater of the Moon (Deletion of unknown size)	
Death Valley National Monument	305,920
Fort Jefferson National Monument	47,125
Fort Laramie National Monument	214.41
Fort Matanzas National Monument	
Glacier Bay National Monument	904,960
Grand Canyon II	−71,854
Jackson Hole National Monument	210,950
Joshua Tree National Monument	825,340
Katmai National Monument	
Meriwether Lewis National Monument	33,631.20
Montezuma Castle National Monument	
Mukuntuweap (Zion) National Monument	49,150
Organ Pipe Cactus National Monument	330,690
Pinnacles National Monument	4,589.26
Scotts Bluff National Monument	46.17
Santa Rosa Island National Monument	5,500.00
Statute of Liberty National Monument	
Tonto National Monument	
Tuzigoot National Monument	42.67
Walnut Canyon National Monument	
White Sands National Monument	158.91
Total	2,626,559.7

Harry S. Truman (1953–1961)	
Aztec Ruins National Monument	1
Channel Island National Monument	25,600
Death Valley National Monument	40
Effigy Mounds National Monument	1,204
Fort Matanzas National Monument	179
Great Sand Dunes National Monument	
Hovenweep National Monument	80
Hovenweep National Monument	81
Lava Beds National Monument	211
Muir Woods National Monument	504
Sitka National Monument	54,30
Total	27,954.30

Dwight D. Eisenhower (1953–1961)	
Arches National Monument	−240
Bandelier National Monument	3,600
Black Canyon of the Gunnison National Monument	−470
Cabrillo National Monument	80
Capitol Reef National Monument	3,040
Chesapeake and Ohio Canal National Monument	4,800
Colorado National Monument	−91
Edison Laboratory National Monument	1
Fort Pulaski National Monument	
Glacier Bay National Monument	−24,925
Great Sand Dunes National Monument	−8,805
Hovenweep National Monument	
White Sands National Monument	478
Total	−22,530

John F. Kennedy (1961–1963)	
Bandelier National Monument	−1,043
Buck Island Reef National Monument	850
Crater of the Moon National Monument	5,360
Gila Cliff Dwelling National Monument	375
Natural Bridges National Monument	4,916
Russell Cave National Monument	310
Saguaro National Monument	5,360
Timpanogos Cave National Monument	
Total	26,128

Lyndon B. Johnson (1963–1969	
Arches National Monument	48,943
Capitol Reef National Monument	215,056
Katmai National Monument	54,547
Marble Canyon National Monument	26,080
Statue of Liberty National Monument	48
Total	344,674

Richard M. Nixon (1969–1973)	0

Gerald R. Ford (1973–1977)	
Buck Island National Monument	30
Cabrillo National Monument	56
Total	86

Jimmy Carter (1977–1981)	
Admiralty Island National Monument	1,100,000
Aniakchak National Monument	350,000
Becharof National Monument	1,200,000
Bering Land Bridge National Monument	2,590,000
Cape Krusenstern National Monument	560,000
Denali National Monument	3,890,000
Gates of the Arctic National Monument	8,220,000
Glacier Bay National Monument	550,000
Katmai National Monument	1,370,000
Kenai Fjords National Monument	570,000
Kobuk Valley National Monument	1,710,000
Lake Clark National Monument	2,500,000
Misty Fiords National Monument	2,285,000
Noatak National Monument	5,800,000
Wrangell-St. Elias National Mlonument	10,950,000
Yukon-Charley National Monument	1,730,000
Yukon Flats National Monument	10,600,000
Total	55,975,000

Ronald W. Reagan (1981–1989)	0

George Herbert Walker Bush (1989–1993)	0

William Jefferson Clinton (1993–Present)	
Aquafria National Monument—established January 11, 2000	71,100
California Coastal National Monument (acreage unspecified) established January 11, 2000	
Canyon of the Ancients—established June 9, 2000	164,000
Cascade-Siskiyou National Monument—established June 9, 2000	52,000
Grand Canyon-Parashant National Monument—established January 11, 2000	1,014,000
Giant Sequoia National Monument—established April 15, 2000	327,769
Grand Staircase-Escalante National Monument—established September 18, 1996	1,700,000

	Acreage
Hanford Reach National Monument—established June 9, 2000	195,000
Ironwood Forest National Monument—established June 9, 2000	129,000
Pinnacles National Monument—established January 11, 2000	7,900
Total	3,789,669

Mr. NICKLES. I mentioned all of the Presidents. President Clinton has greatly exceeded the amount of new additions compared to any President, with the one exception of President Carter. To give a comparison, President Ford added 86 acres in national monuments in his tenure as President. President Reagan and President Bush added zero. Teddy Roosevelt added 1.5 million acres; William Taft, 32,000 acres. I could go on down the list. My point is, the amount President Clinton has added this year alone exceeds what almost any other President has done.

I ask unanimous consent to print in the RECORD a copy of the Antiquities Act.

There being no objection, the act was ordered to be printed in the RECORD, as follows:

ANTIQUITIES ACT

TITLE 16—CONSERVATION

CHAPTER 1—NATIONAL PARKS, MILITARY PARKS, MONUMENTS, AND SEASHORES

Subchapter LXI—National and International Monuments and Memorials

SEC. 431. NATIONAL MONUMENTS; RESERVATION OF LANDS; RELINQUISHMENT OF PRIVATE CLAIMS.

The President of the United States is authorized, in his discretion, to declare by public proclamation historic landmark, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected. When such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

(June 8, 1906, ch. 3060, Sec. 2, 34 Stat. 225.)

Mr. CRAIG. Mr. President, will the Senator yield?

Mr. NICKLES. I am happy to yield.

Mr. CRAIG. I thank the Senator for the leadership he has taken in this area. It is so critically important.

About a month and a half ago, I got a call from the Secretary of the Interior, Bruce Babbitt, who said: I am headed to Idaho. I am going to look at the Craters of the Moon National Monument. I might want to expand it.

''I might want to expand it,'' was what he said. It is currently 54,000 acres. He has recommended that it be expanded to 754,000 acres. He doesn't take into consideration grazing. He wants to overlay Park Service and BLM management into a confusing new kind of configuration.

Most importantly—this is the point the Senator from Oklahoma has just made—there have been no public hearings, no local input. He went around and held some meetings with some affected or potentially affected parties.

If the Congress were handling this, we would have the full NEPA process. We would have an EIS. We would incorporate our county governments. We would look at the kind of impact this designation would have. The Senator is right, he and I might ultimately agree with it, but what about the county roads that go through it and some of the private roads that go through it and the elimination or the blockage of those roads. Those are the kinds of issues this President and this Secretary have totally ignored in the name of the Clinton legacy.

I hope this amendment will pass. It is time we halt this action and bring this through the Congress to an appropriate public process to sort out all these difficulties. That is what the committee on which the Senator from Oklahoma and I serve has the responsibility of doing: refining and crafting public policy.

I thank the Senator.

Mr. NICKLES. I thank my colleague, Mr. President.

I know the chairman of the subcommittee wants to address this and perhaps other issues.

One other comment: The President did this first in September of 1996 prior to the election. I know my colleague from Nevada might remember this because he did it with a press conference overlooking the Grand Canyon, talking about the addition of a new national monument, except the monument he was talking about was not in Arizona, not in the Grand Canyon; it was actually in Utah. It was the Grand Staircase National Monument, 1.7 million acres. It happened to have billions of dollars of raw materials.

Interestingly enough, the Utah Governor was not consulted. The Utah congressional delegation was not consulted. People in the community were not consulted. We had a massive land grab, power mineral grab—you name it—by the President of the United States for a photo op for election purposes that, in my opinion, may have been granted but needed congressional input and authorization. That is the purpose of the amendment, to make sure this type of thing does not continue without at least some input from other local officials.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, we have about 5 minutes remaining. The Senator from Nevada is going to introduce two additional amendments, quite appropriately, before that.

In connection with this amendment, however, I need to say that this amendment causes a conflict on my part more than any other here. I agree with the amendment. I think the power has been misused. I am not sure it can be reversed by another President. The Senator from Idaho seems to feel that it can be. But I believe we have had a number of actions that have raised far more questions than they have actually settled.

By the same token, I know perfectly well if this amendment is in the bill that goes to the President, the President will veto the bill. I simply say, since I know my friend from Nevada will be on the conference committee, I don't intend to send a bill to the President that we don't believe he ought to sign, at the very least. I just have to leave that notice at this point.

We have 4 more minutes. I will say one other thing. At least in theory, amendments can be brought up and discussed to this bill—the amendments that are listed in the unanimous consent agreement—and they could be further discussed after the end of the many votes that we have tonight.

I yield the floor to the Senator from Nevada so he can introduce the remaining amendments.

The PRESIDING OFFICER. Without objection, the pending amendment will be temporarily set aside.

AMENDMENT NO. 3885

Mr. REID. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. BOXER, proposes an amendment numbered 3885.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

None of the funds appropriated under this Act may be used for the preventive application of a pesticide containing a known or probable carcinogen, a category I or II acute nerve toxin or a pesticide of the organophosphate, carbamate, or organochlorine class as identified by the Environmental Protection Agency in National Parks in any area where children may be present.

AMENDMENT NO. 3886 TO AMENDMENT NO. 3885

Mr. GORTON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for Mr. BOND, proposes an amendment numbered 3886 to amendment No. 3885.

Mr. GORTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit use of funds for application of unapproved pesticides in certain areas that may be used by children)

In lieu of the matter proposed to be inserted, insert the following:

SEC. . PROHIBITION ON USE OF FUNDS FOR APPLICATION OF UNAPPROVED PESTICIDES IN CERTAIN AREAS THAT MAY BE USED BY CHILDREN.

(a) DEFINITION OF PESTICIDE.—In this section, the term ''pesticide'' has the meaning given the term in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

(b) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated under this Act may be used for the application of a pesticide that is not approved for use by the Environmental Protection Agency in any area owned or managed by the Department of the Interior that may be used by children, including any national park.

(c) COORDINATION.—The Secretary of the Interior shall coordinate with the Administrator of the Environmental Protection Agency to ensure that the methods of pest control used by the Department of the Interior do not lead to unacceptable exposure of children to pesticides.

Mr. BOND. Mr. President, my bipartisan amendment, cosponsored by Senators LINCOLN, KERREY of Nebraska, and ROBERTS, prevents funds from being used for the application of any pesticide that is not approved for use by the Environmental Protection Agency in any area managed by the U.S. Park Service that may be used by children. Further, it directs the Secretary of the Interior to coordinate with EPA to ensure that pest control methods do not lead to unacceptable exposure of children to pesticides.

Let there be no mistake that every member of this Senate supports the protection of children. It is the mandate of the EPA to do so. They are already required by law to do so.

The strict standard that mandates EPA on product approval is: ''reasonable certainty of no harm.'' That is a tall hurdle.

The shocking thing about this underlying amendment by the Senator from California is that its premise holds that the EPA, is not, I repeat, not, doing its job protecting children. Let me repeat, this is a referendum on whether EPA is protecting children. Now, I think, that if the EPA were paying attention, it would be news to the EPA Administrator that her agency is not protecting children. As Chairman of the Appropriations Subcommittee on VA/HUD, I have listened to countless hours of testimony about the Administrator's devotion to protecting children. I would think, that if we had a Sense of the Senate that Administrator Browner is not doing her job protecting children, we would defeat that.

I asked the nominee (James V. Aidala) to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency if the EPA already protects children on military bases from harmful pesticides and we got the following response:

The protection of children is one of our highest priorities. When we register, re-register, or reassess tolerances for existing pesticides we try to ensure that our actions are protective of all consumers, especially children.

He continued on to say that,

FQPA requires special protections for infants and children including: an explicit determination that tolerances are safe for children; an additional safety factor, if necessary, to account for uncertainty in data relative to children; and consideration of children's special sensitivity and exposure to pesticide chemicals.

Let the record also show that the reason that many pesticides are used is to protect children from bacteria and disease including asthma, encephalitis, malaria, lyme disease, Legionnaires' disease, and other diseases all of which that occur here in the U.S.

Mr. President, what is a pesticide? According to EPA,

. . . all of these common products are considered pesticides. Cockroach sprays and baits; insect repellents for personal use; rat and other rodent poisons; flea and tick sprays, powders, and pet collars; kitchen, laundry, and bath disinfectants and sanitizer; products that kill mold and mildew; some lawn and garden products, such as week killers; and, some swimming pool chemicals.

Pesticides eradicate a wide variety of pests, including cockroaches, biting insects, algae, bacteria, poisonous Brown Recluse Spiders—as found in the U.S. Capitol buildings—and infectious microbes which result in unsanitary and unhealthy conditions at food and medical care facilities.

Many common cleaners, disinfectants and sanitizer are used to eradicate infectious microbes, bacteria, and algae in bathroom and kitchens and nursing homes, hospitals and other health care facilities. Cooling systems and water supplies are treated. Chlorine, which is registered as a pesticide by EPA could be affected by the underlying amendment. Products that sterilize medical equipment are carcinogenic and would thus also be affected.

Used according to EPA—label instructions, pesticides not only prevent property damage from termites, but also protect our children. West Nile virus and encephalitis, which have been detected throughout the mid-Atlantic, are carried by mosquitoes. Deer ticks carry lyme disease, and cockroaches have been linked to the worsening of asthma symptoms.

According to the New York Times, asthma is now the most common cause of hospitalization among American children affecting a total of five million. Deaths among children with the condition rose 78 percent from 1980 to 1993.

Again, these pesticides are approved by the EPA following a rigorous and science-based process to determine what is safe and what is not safe. With our concern for the safety of our children in mind, this body passed the Food Quality Protection Act (FQPA) unanimously in 1996. FQPA was designed to update the safety standards of pesticides especially with respect to children and other vulnerable sub-populations. The Environmental Protection Agency has been implementing this law for the past four years. In the regulatory review process EPA reviews data from up to 120 tests conducted on pesticides prior to registration.

When registration decisions are made, the EPA includes additional safety factors for children. According to EPA, ''. . . these specific requirements in the statute will help EPA in its efforts to implement the NAS report and ensure that risks to infants and children are always considered. . . .'' And, under FIFRA, EPA has the authority to immediately cancel the use of any pest control product that it believes poses an imminent risk to public health.

Obviously, EPA has the authority to protect children. Obviously, EPA believes that the law protects children. Obviously, EPA believes they are protecting children.

Since the new law in 1996, EPA has re-reviewed thousands of products. We are spending about $50 million in taxpayer money to pay full-time experts at the EPA to Administer the FQPA and to re-review the products. They tell us what is safe and what is not safe.

Contrary to what was mistakenly represented in previous debate, EPA does NOT support this amendment. According to EPA in answers in response to questions I submitted for the RECORD on June 30, 2000, ''. . . the amendment has not been subject to a full review by the Administration, nor has the Administration taken a position on the amendment.''

With this extensive regulatory process in place and recently updated, I cannot support the Senator's proposal to regulate further pesticides by completely ignoring and circumventing EPA's aggressive implementation of FQPA, as well as the Clinton Administration's entire regulatory process. The Senator from California's proposal will effectively regulate pesticides from the Senate floor on an appropriations bill, which is not only bad science, but bad public policy as well, and a process we all should want to avoid. I think if we are going to have a referendum on whether the EPA protect's children, we should have some cursory review of the subject first.

I am also not an expert on asthma or encephalitis or lyme's disease or salmonella, or e. Coli or Legionnaires' disease or the West Nile virus.

If the Senator from California has some information that says that the EPA is not doing their job, then I think the information should be reviewed and the EPA should have the opportunity to respond and comment and defend itself. If there is an emergency that the Senator from California is aware of, EPA has the regulatory authority to deal with it and they should. If EPA is not appropriately dealing with an emergency, perhaps we should ask the Administrator to tell us why that is

the case. Absent that, it is not a very good idea for us to be substituting our scientific judgment for the judgment of Administrator Browner's scientists as to what is and is not safe.

We also know that according to industry and EPA, there is no legal or regulatory or industry ''term of art'' for a ''category I or category II acute nerve toxin.'' If we are going to tell EPA to prohibit something, EPA should understand what we want them to prohibit. If we are going to tell industry that they cannot use a product, they should know what product they are forbidden to use.

One organophosphate, for example, is Raid. Organochlorides, I am told, are products that contain carbon and chlorine which wipes out all hard surface disinfectants. One such hard surface disinfectant which is used daily to clean our bathrooms is Lysol disinfectant. Some of the same products are used to clean our cafeteria. Some carcinogens are used to sterilize medical equipment.

The chairman of the House Committee on Appropriations has just received a bipartisan letter from the Chairmen and Ranking Members of the House committee of jurisdiction stating that this is an issue under their jurisdiction which should be dealt with solely through the authorization process. The bipartisan letter was signed by Congressmen COMBEST, STENHOLM, GOODLATTE and CLAYTON.

Mr. President, I am continuously amazed at the knowledge and dedication of my Senate colleagues but I will admit that I am not an expert on organophosphates or nerve toxins. I fear that this issue about nerve toxins and organophosphates and ''probable carcinogens'' may be a mystery to a good number of my colleagues and it is a horrible precedent for regulation, which will impact not only the urban uses of pest control products, but also the agricultural uses for our Nation's farmers.

We know that the EPA does not support this amendment. It has not reviewed it and I don't expect them to review it during an election year.

My amendment protects children by allowing Carol Browner and her cops on the beat to do their job.

We have a dreadful picture of a bite from a Brown recluse spider. This spider is bad news as the picture indicates. This poisonous spider was found in the Capitol on more than one occasion and it is called a recluse spider because it is hard to discover. In the last three weeks, a Senate appropriations staffer was bitten by this spider.

Used according to EPA-label instructions, pesticides protect our children by controlling harmful pests like disease carrying insects, infectious bacteria, poison ivy, and other noxious weeds.

This underlying Boxer amendment would prohibit the use of products that have been scientifically tested and approved for use by the EPA to help prevent disease and improve the quality of life for all Americans, especially children. The EPA has a sound regulatory process in place that protects children and provides safe, effective pest control tools for use in the farmer's field, the cafeteria, hospitals, playgrounds, and the home. To undermine the process of the strictest pesticide regulations in the world would not only set a misguided precedent, but would indeed threaten the health of our children. It would also send a shocking message that our EPA is not following its legal mandate and its perpetually-articulated mission of protecting children.

In summary, the underlying amendment it is unnecessary, it is overly-broad, it is a horrible precedent and it is encumbered with far-reaching unintended negative consequences that are harmful to children.

I just do not believe the U.S. Senate should take an action which makes the visitor's centers of our national parks the largest cockroach hotels on the planet.

My amendment prohibits the use of any pesticide not approved by Administrator Browner's team and ensures consultation to ensure that pest control methods do not lead to unacceptable exposure of children to pesticides. I urge my colleagues to support my amendment and preserve the effectiveness and the integrity of the science-based regulatory system.

I ask unanimous consent to print in the RECORD a letter from the Farm Bureau opposing the underlying amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, July 17, 2000.

Hon. CHRISTOPHER S. BOND,
U.S. Senate, Washington, DC.

DEAR SENATOR BOND: On behalf of the American Farm Bureau Federation, I am writing to express our deep concern and opposition to the Boxer amendment to the Interior Appropriations bill. The amendment as proposed would stop the use of pesticides on public lands, pesticides use to prevent and control noxious weeds, invasive species and other pests that threaten the health and long-term sustainability of those lands. The amendment is without merit or scientific basis and should be defeated.

This amendment is misguided and would be harmful to the public interest. The current federal laws governing pesticide use, specifically the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the Food Quality Protection Act (FQPA) require scores of tests and large amounts of scientific data to be submitted to the Environmental Protection Agency (EPA) before a pesticide is approved for public use. Products used in accordance with the label are safe. It is essential for public confidence that pesticide decisions be based on sound science and objective regulatory review. This amendment arbitrarily circumvents the regulatory process and creates confusion in the public mind.

Agricultural producers who farm and ranch on or adjacent to public land face increased threats to their economic viability. The spread of pests, noxious weeds and invasive species represents a real economic burden to farming and ranching operations in many areas, particularly where they are near public lands. Additionally, they pose a substantial environmental and public health risk if left uncontrolled. For example, efforts to control mosquitoes carrying the deadly West Nile encephalitis virus could be threatened by this amendment, as could efforts to control pests such as the Gypsy Moth Caterpillar and Asian Longhorned Beetle that have devastated hardwoods in both our urban and rural areas.

Please oppose the Boxer amendment to the Interior Appropriations bill.

Sincerely,

BOB STALLMAN,
President.

Mr. REID. Mr. President, the amendment I offered on behalf of Senator BOXER would limit the use of dangerous pesticides in our national parks. In particular, it prohibits the routine use of highly toxic pesticides—those containing known or probable carcinogens, acute nerve toxins, organophosphates, carbamates, or organochlorines—in our national parks, where children may be present.

Such pesticides could be used in the case of an emergency. This is already the policy of the National Park Service. This amendment would codify this important policy.

Mr. GORTON. Mr. President, the Bond second-degree amendment prevents funds from being used for the application of any pesticide that is not approved for use by the Environmental Protection Agency in any area managed by the Park Service that may be used by children, and directs the Secretary of Interior to coordinate with EPA to assure pest control methods do not lead to unacceptable exposure of children to pesticides.

Mr. REID. Mr. President, I ask unanimous consent that the pending amendments be temporarily set aside.

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

AMENDMENT NO. 3887

Mr. REID. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. BINGAMAN, proposes an amendment numbered 3887.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding the protection of Indian program monies from judgment fund claims)

On page 163, after line 23, add the following:

SEC. . (a) FINDINGS.—The Senate makes the following findings:

(1) in 1990, pursuant to the Indian Self Determination and Education Assistance Act (ISDEA), 25 U.S.C. et seq., a class action lawsuit was filed by Indian tribal contractors and tribal consortia against the United States, the Secretary of Interior and others seeking redress for failure to fully pay for indirect contract support costs (Ramah Navajo

Chapter v. Babbitt, 112 F.3d 1455 (10th Cir. 1997));

(2) the parties negotiated a partial settlement of the claim totaling $76,200,000 which was approved by the court on May 14, 1999;

(3) the partial settlement was paid by the United States on September 14, 1999, in the amount of $82,000,000;

(4) the Judgment Fund, 31 U.S.C. 1304, was established to pay for legal judgments awarded to plaintiffs who have filed suit against the United States;

(5) the Contract Disputes Act of 1978 requires that the Judgment Fund be reimbursed by the responsible agency following the payment of an award from the Fund;

(6) because the potential exists that Indian program funds in the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) would be used in Fiscal Year 2001 to reimburse the Judgment Fund, resulting in significant financial and administrative disruptions in the BIA, the IHS, and the Indian tribes who rely on such funds;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Secretary of the Interior and the Secretary of the Department of Health and Human Services should declare Indian program funds unavailable for purposes of reimbursing the judgment fund; and

(2) if the Secretary of the Interior and the Secretary of the Department of Health and Human Services determines that there are no other available funds, the agencies through the Administration should seek an appropriation of funds from Congress to provide for reimbursement of the judgment fund.

KYOTO PROTOCOL RESTRICTIONS

Mr. LEAHY. Mr. President, as the Senate debates the FY 2001 Interior and Related Appropriations Act, I would like to take a moment to ask the distinguished subcommittee Chairman and Ranking Member a clarifying question concerning Section 329 of the bill. That section, as my colleagues know, contains language concerning the implementation of the Kyoto Protocol.

Mr. President, the Senate has clearly expressed its views regarding the Kyoto Protocol in S. Res. 98, the Byrd-Hagel resolution adopted unanimously by the Senate on July 25, 1997. That resolution calls on the Administration to support an approach to climate change that protects the economic interests of the United States and seeks commitments from developing countries to reduce greenhouse gas emissions. The Administration is aggressively engaging developing countries to reduce greenhouse gas emissions through international projects and activities emphasizing market-based mechanisms and environmental technology. Furthermore, the U.S. is currently engaged in climate change negotiations to ensure meaningful participation of developing countries and to ensure that greenhouse gas emissions reductions are achieved in the most cost-effective manner.

Mr. President, I ask my friend from West Virginia if my understanding is correct that Section 329 of the FY 2001 Interior bill is not intended to restrict the Administration from engaging in these international negotiations related to both the Framework Convention on Climate Change, which was ratified by the Senate in 1992, and the Kyoto Protocol to that Convention? Am I also correct in my understanding that Section 329 is not intended to restrict international programs or activities to encourage commitments by developing countries to reduce greenhouse gas emissions?

Mr. BYRD. Mr. President, I appreciate the question from my distinguished colleague from Vermont, whose background in international affairs is well known and impressive, indeed. In response, I say to my friend that his understanding is correct, Section 329 is not intended to restrict U.S. negotiations or the other activities such as he has described. On the contrary, the section is intended to prevent the Administration from implementing the Kyoto Protocol prior to itss ratification by the Senate.

Mr. GORTON. Mr. President, I concur with the statement just provided by the Senator from West Virginia.

SEA TURTLE CONSERVATION

Mr. BREAUX. Mr. President, will the distinguished Chairman of the Interior Appropriations Subcommittee yield for a question?

Mr. GORTON. Mr. President, I will gladly yield to a question from my good friend from Louisiana.

Mr. BREAUX. Mr. President, I thank the distinguished Chairman. I want to commend the gentleman from Washington and the distinguished ranking member for the great leadership they have demonstrated in crafting the FY2001 Interior Appropriations bill. Gentlemen, last year you were both instrumental in securing funds for a project of great personal interest to Senator LOTT and myself, the Kemp's ridley sea turtle project. The project, funded in part through the U.S. Fish and Wildlife Service is a twenty-year-old on-going success story in the recovery of a highly endangered species. Since 1978, the United States Fish and Wildlife Service has spearheaded the sea turtle conservation work at Rancho Nuevo, Mexico. This collaborative conservation project with the Mexican government and the U.S. shrimp industry, through the National Fisheries Institute, protects Kemp's ridley sea turtle nests and females from predation and other hazards, and ensures that young turtles make it into the sea. I am pleased to report that this Spring, the project has reached an all time success level with some 750 turtles laying eggs in over 5,000 nests, a record in the past 40 years. However, this year, despite the demonstrable success of the project, the Fish and Wildlife Service did not request funds for the Kemp's ridley sea turtle project. I am extremely concerned and want to express my strong support for continued funding for this valuable conservation effort.

Mr. GORTON. It is clear from my friend's statement that he knows much about the sea turtle conservation protect, and I share his enthusiasm for these important efforts to project the Kemp's ridley sea turtle. While I am keenly aware of the fiscal constraints on the Fish and Wildlife Service, I once again encourage the Service to consider providing whatever support it can within these existing budget constraints.

Mr. BYRD. I agree with my colleagues from Washington and Louisiana. The Fish and Wildlife Service should make every effort to support this project in order to uphold a scientifically justified success in endangered species management.

REGARDING THE NEED FOR EMERGENCY FUNDING FOR THE WASHAKIE DAM IN WYOMING'S WIND RIVER RESERVATION

Mr. ENZI. Mr. President, I would like to thank my colleague, Senator GORTON, for helping me address the need for emergency funding for the Shoshone and Arapaho Tribes of Central Wyoming. On June 1, 2000, Gary Collins, Director of Tribal Water Engineers Office for the Shoshone and Arapaho Tribes on the Wind River Indian Reservation in central Wyoming announced the need to evacuate homes down river from the Washakie Dam. The evacuation was the result of a ''first fill'' test being conducted by the tribe for the newly refurbished Washakie Dam. In accordance with first fill protocol and criteria, the dam was filled to the first of two target levels and then held at that first level for a specified number of days to allow inspection of the dam's operation. Because of unusually high seepage at a key structural point—50 gallons per minute at the toe of the dam, however, the tribe implemented its Emergency Action Plan, ordered the down stream evacuation and conducted temporary repairs to stop the flow. The repairs were successful and the immediate danger temporarily abated.

While the seep is now under control, the first fill protocol is still to be completed. Under normal conditions, the tribe would have restarted the first fill protocol and would have refilled the dam to test it again for additional seepage or any other problems. There is not enough water, however, to complete the first fill on the Washakie Dam. Wyoming, along with the rest of the west is suffering from a serious drought situation. The first fill test will not be completed until next spring when, hopefully, we will have enough snowfall to generate the water needed to fill the reservoir.

As with the first fill of any dam, there is always a concern that some unanticipated event will occur which requires immediate action to protect life and property. The reconstruction project was finished ahead of time, and under budget, but the remaining funds will be inadequate to respond to any catastrophic incident. It makes much more sense to set aside funds up front to mitigate a possible catastrophe, than to spend millions of additional dollars, and possibly lose human life, for a disaster that could have been averted.

The decision by Congress to provide emergency funding for incidents before they occur is not without precedent. For example, in 1997 the U.S. Congress provided funds to prevent flooding in and around Devil's Lake in North Dakota. No actual disaster had occurred, but impending weather conditions threatened surrounding communities and we provided the means to avert disaster.

I am therefore asking my colleague for his thoughts on what we can do to help out the Eastern Shoshone and Northern Arapaho Tribes and ensure the safety of the residents living around the Washakie Dam.

Mr. GORTON. Mr. President, I appreciate the comments of my colleague and recognize the potential severity of the situation at the Washakie Dam.

I would like to assure my colleague that I will work with him to ensure that adequate funding is available to make any necessary repairs to the dam or to conduct other activities necessary to ensure the safety of people living in the vicinity of the dam.

HAZARDOUS FUEL REMOVAL

Mr. KYL. Mr. President, I'm pleased to sponsor Senator DOMENICI's amendment, number 3782, to the fiscal year 2001 Interior and Related Agencies Appropriations bill which adds critical funding to the budgets of the Bureau of Land Management and the Forest Service for hazardous fuel removal. These funds are necessary to address the immediate threats to wildland/urban interface areas across the country which are surrounded by public lands choking with natural fuels buildup from a half-century of fire suppression. The Los Alamos fire was a tragic reminder of the threat that exists today around many communities. In my own state of Arizona, which has the largest ponderosa pine forest in the world, the communities of Flagstaff, Tucson, Summer Haven, Pinetop-Lakeside, Showlow, and countless others are virtually surrounded by the national forest.

The work being done by the Ecological Restoration Institute at Northern Arizona University to address forest ecosystem restoration is world-class. I believe my colleagues are aware of the forest treatment and public education programs there. I understand that an agreement was reached to provide $8.8 million directly to the Ecological Restoration Institute for its ongoing efforts from within the funds made available to the Bureau of Land Management. Is this correct?

Mr. DOMENICI. I'm glad to have the Senator from Arizona as a sponsor of my amendment, which does provide additional necessary funding to the BLM and the Forest Service for fuels reduction. And I am aware of the work being done by the Ecological Restoration Institute. My staff met with the director of the program. It is my understanding that, from within funds provided for the Bureau of Land Management in this amendment, $8.8 million is provided for the Ecological Restoration Institute.

Mr. GORTON. That is what we have agreed to, with the concurrence of Senator BYRD.

Mr. BYRD. I am in agreement with that understanding.

HISTORICAL SITES IN NEW JERSEY

Mr. TORRICELLI. Mr. President, I rise to ask the distinguished managers of the bill if they would consider a request I have concerning the conference.

Mr. GORTON; I would be happy to consider a request from my colleague from New Jersey.

Mr. TORRICELLI. I rise to talk about two sites in New Jersey which are worthy of federal funding for their protection. I would hope that should additional funding become available, the Senate would consider providing federal funding to contribute to the acquisition of these sites.

The first is The Historic New Bridge Landing, located in Bergen County, New Jersey. I am concerned that this site will be lost unless federal protection is afforded to it. In November 1776, reeling from a series of devastating defeats in Brooklyn and Manhattan, the Continental Army fled across the Hudson River to New Jersey. The Red Coats, in hot pursuit, continually forced Washington to retreat.

After crossing New Bridge, Washington instructed a contingent of troops to dismantle the bridge and protect the army's rear. Though unable to destroy the bridge, Washington's troops held off the British long enough to allow the Army to escape.

This bridge called ''The Bridge that Saved a Nation,'' was strategically situated at the narrows of the Hackensack River. The bridge and surrounding area were a hotly contested battleground, encampment ground, military intelligence post and headquarters. In 1780, when the Continental army regained control of the area surrounding the New Bridge, Washington used the Steuben house as a headquarters and stayed in a second floor bedroom.

This property has been the object of attention for historians and preservationists for many years. The historical significance of this has been confirmed; the site is listed on both the New Jersey and National Registers of Historic Places. In addition, in 1999, the site was named among the 10 Most Endangered Historic Sites in New Jersey by Preservation New Jersey, a private state-wide historic preservation organization. Finally, this site is included in the National Park Service's Revolutionary War and War of 1812 Battlefield study, which aims to catalog important sites in need of protection.

New Bridge Landing encompasses 18 acres on both sides of the Hackensack River in Central Bergen County, New Jersey. Commercial development, neglect and time, have combined to erode and threaten to destroy this historically significant site. Since 1995, the Historic New Bridge Landing Commission has been working toward the establishment of a major new historic and cultural park at Historic New Bridge Landing, in Central Bergen County, NJ. The Commission has established a General Management Plan which outlines the objectives of the proposed park.

Today, this site remains a hotly contested battleground, and while the nature of the battle is different, the importance of prevailing is no less important. New Jersey has undergone a revolution from ''Garden State'' to ''Suburban State,'' More than 40 percent of New Jersey is developed. New Jersey is by far the most built-over state in the nation and it is number 1 in the rate at which it is losing its open space. Since 1961, New Jersey has lost over half a million acres to sprawl. The area adjacent to New Bridge Landing have not been spared. Virtually all of the land adjacent to the site has been developed. This development is visible from the site, altering its character and diminishing the visitor's experience of the park's historic landscape.

Mr. President, I would like to introduce this letter from the National Park Service testifying to the importance of Historic New Bridge Landing, and the need for federal efforts to preserve and protect it. Historic New Bridge Landing is worthy of our protection, and I would hope that the Senate would consider providing funding for the protection of this important site.

The second site which I rise today to speak in support of, is the Glen Gray Boy Scout Camp, located in the heart of the Ramapo Mountains, in New Jersey.

Much like the rest of my state, this 850 acre tract is threatened with development. Sprawl threatens to eat away at this pristine site, and the remainder of the Highlands. New Jersey knows all too well the peril of sprawl and has paid a terrible price at the hands of developers of shopping malls and subdivisions.

An average of 10,000 acres of rural/agricultural land is being developed piecemeal every year in New Jersey. The NY–NJ Highlands has seen a 60 percent increase in urbanization in the last 25 years, and is expected to absorb a 14 percent increase in population by 2010. Years ago, we made an important step in the preservation of the Highlands with the effort to protect Sterling Forest. This effort was aided by a study of the New York-New Jersey Highlands Region, conducted by the Forest Service.

That study also found the Highlands to be of national significance due to the diversity and quality of its natural resources and landscape. In addition, the study confirmed threats from development to water quality, critical open space, and recreational resources.

The Highlands regional study has shown us that this region is deserving of federal funding to allow for its protection. I am hopeful that the Committee will share my concern for this region, and commit funding for its protection.

I realize that the Committee faces many demands when putting this bill together. While these requests were not included in the bill, I would ask the Committee to consider funding for these worthy projects in the Conference.

Mr. GORTON. I thank the Senator from New Jersey and assure him that the Committee recognizes the importance of protecting threatened lands throughout the country.

IDAHO PROGRAMS

Mr. CRAIG. Mr. President, would the distinguished Chairman of the Subcommittee yield for a colloquy regarding several important, proposed projects under the jurisdiction of the Interior Subcommittee?

Mr. GORTON. I would be pleased to yield to the Senator from Idaho to discuss this important issue.

Mr. CRAIG. First, allow me to thank the Chairman and the Ranking Member for their hard work on the Fiscal year 2001 Interior and Related Agencies Appropriations bill. Despite scarce resources and tough choices, they came up with a fiscally responsible bill that meets important priorities, which I support.

There are some important projects to be funded in this bill that I would like to work with the Chairman on.

We are proud to be the home of Lake Coeur d'Alene in North Idaho. It has become a world-class destination for all sorts of outdoor activities—from golf to water sports to mountain biking. This tourism is important to the local economy and the ability to partake in these activities is vital to the local residents' quality of life. I know the Chairman is very familiar with the area, since it is a short distance from Spokane, Washington and is a popular recreation destination for many of his constituents.

The problem we have encountered is a lack of public boat launching facilities. Most of the lake front land around the lake is privately owned, so land for public launch facilities is scarce. However, the Bureau of Land Management has purchased land for a boat launch facility and has completed all of the appropriate studies and planning; they are simply lacking the funds to build the facility. The local community, including many residents of Washington State, tenaciously support the project and are willing to provide about $700,000 toward the project.

In the same part of the great State of Idaho, mining has been and, hopefully, will continue to be a substantial part of the local economy—providng the minerals we all need. The University of Idaho and Washington State University want to work with the U.S. Geological Survey to develop new high-tech methods of modeling geology, to be tested in North Idaho, but eventually applied world-wide, to provide better exploration and modeling techniques to find groundwater, minerals, etc.

In the Southern part of Idaho, we are very concerned about the proposed listing of the Sage Grouse as an endangered species. The U.S. Fish and Wildlife Service has been petitioned to list the species, which would have a dramatic impact on the lives of the people of Southern Idaho, as well as future BLM and Forest Service operations. It becomes readily apparent when you visit Southern Idaho that the entire region is habitat for Sage Grouse.

Local working groups have been formed across Southern Idaho to find local, collaborative projects to restore Sage Grouse habitat and the species which would make a listing under the Endangered Species Act unnecessary. To be successful, this effort appropriately requires some federal support.

Finally, also in Southern Idaho, there is an urgent need to re-open the BLM's air tanker resupply base at the Twin Falls airport. This base was closed in 1998, after an internal inspection indicated unsafe conditions. This is the only such base within 100 miles of most of the Idaho-Nevada border, which uniquely suits it to provide the fastest possible response and turnaround times in this area during the fire season. In this vast expanse of vulnerable landscape, in the dry season, a small accident rapidly could become a major fire disaster. We've seen that happen in other parts of the country and we should take steps here to prevent it. The community has worked diligently with the local BLM office to re-open the base as soon as possible. However, in the national office, this project has been slipped back from year to year and down the priority list. Everyone agrees this base must be replaced. Our concern is simply that it should be done now, rather than be subject to further postponement.

I hope the chairman will work with me when this bill goes to conference to find funds for all of these important and fiscally responsible projects.

Mr. GORTON. I appreciate the Senator from Idaho's interest in these projects. I am familiar with them and recognize their value.

I would be happy to work with the Senator to make sure appropriate consideration is given to these projects in the Conference Committee.

Mr. CRAIG. I thank the Chairman.

CLEAN COAL TECHNOLOGY

Mr. BYRD. Mr. President, as the Senate considers the Fiscal Year 2001 Interior and Related Agencies appropriations bills, I wish to take a moment to address the Department of Energy's Clean Coal Technology Demonstration program, one of the most successful public-private research ventures ever undertaken, and one of the more important projects funded in this legislation.

Fundamentally, the goal of the Clean Coal program is simple: Encourage the private sector to design and demonstrate advanced technologies which will use coal, our most abundant fossil energy resource, more cleanly and efficiently. To achieve that goal, I initiated the Clean Coal Technology Demonstration program in 1984 with an initial appropriation of $750 million. In subsequent years, I was able to add to those funds for a total amount in excess of $2.0 billion. I am pleased to recall that then-President Ronald Reagan joined with me in endorsing the Clean Coal Technology Demonstration program.

As established, the program calls for the cost of clean coal demonstration projects to be shared equally between the Federal government and the private sector. Forty clean coal projects have been selected through a series of competitive solicitations issued by the Department of Energy. And while Congress required industry to contribute 50 percent of the cost of selected projects, I am proud to say that, in toto, industry has in fact contributed more than 66 percent of the total cost. Moreover, project sponsors are required to repay the Federal government's share of the project cost if and when the technologies are commercialized.

Beyond the successes that have come from the Clean Coal program, though, a few simple facts will also underscore the real necessity of the program as well. Our nation has approximately 274 billion tons of recoverable coal reserves. At current rates of consumption those reserves amount to more than a 200-year supply. Furthermore, more than one half—54 percent to be exact—of the electricity generated in this country last year came from coal. Mr. President, those are staggering statistics which prove that American coal is, and will remain, an abundant and critically important energy source. But those statistics also suggest that our reliance on coal must be carried out in a manner which utilizes the cleanest and most efficient technologies possible. And that is what the Clean Coal program is intended to accomplish.

In furtherance of that objective, the Committee on Appropriations, through its report accompanying this bill, has directed the Department of Energy to issue a report to Congress by March 1, 2001, depicting the nature and content of a potential new round of Clean Coal Technology projects. This information is vital if we in the Congress are to direct the Department to utilize funds already available in the Clean Coal program for the purpose of funding additional demonstration projects.

Indeed, Mr. President, I have heard from a number of companies interested in coal and the development of technologies that will allow this nation to make the best use of this abundant energy resource. These companies, some of which are in my own state of West Virginia, have recommended that any new clean coal solicitation be focused principally upon technologies that will reduce the environmental impacts from existing, as well as new, coal-fired facilities. In addition, I believe that we ought to be encouraging newer technologies that are even more advanced than the clean coal technologies that

have been demonstrated thus far. A new solicitation should therefore encourage technologies capable of reducing emissions of sulfur dioxide (SO_2), nitrogen oxide (NOx), or mercury, as well as increasing the operating efficiency of coal-fired power plants thereby reducing—and through technologies, working to eliminate—carbon dioxide emissions.

Mr. DORGAN. Mr. President, I, too, would like to join my distinguished colleague from West Virginia in addressing the Clean Coal Technology program. I would also like to commend the Chairman of the Interior Subcommittee, Senator GORTON, and of course the Ranking Member, Senator BYRD for their work relating to the Clean Coal Technology Demonstration program.

Mr. President, I share the optimism of the leaders of the Interior Appropriations Subcommittee with respects to the innovations that could be made with further clean coal technology projects. I specifically want to draw attention to one area in which I think that there is great potential—lignite energy development. In my state of North Dakota, the lignite industry provides a low-cost, reliable energy source for more than 2 million people in the upper Midwest. This industry directly employs 3,000 people in North Dakota and has great potential to increase the efficiency of coal-fired power plants while reducing the emissions with the application of new coal technologies.

Mr. President, because of the importance of lignite coal, I would urge the Department of Energy to specifically explore the development of low-rank coals, coals containing high-sodium, and mine-mouth applications and concepts in any new round of Clean Coal Technology projects. I also believe, and I would hope the Department would agree, too, that preference should be given to those states that have lignite research and development programs requiring public and private collaboration. This kind of work should be aspects of the study that the Committee report requires of the Department.

Mr. BYRD. Mr. President, I appreciate the comments of the distinguished Senator from North Dakota and I agree that the lignite energy industry has the potential to develop more environmentally sound and economically efficient technologies. I certainly welcome efforts to ensure that the lignite energy industry is given due consideration by the Energy Department as it develops its criteria for further Clean Coal Technology projects.

Mr. President, does the Chairman of the Interior Subcommittee agree with us about the need to consider the potential of lignite energy technologies in any new round of Clean Coal Technology projects?

Mr. GORTON. Mr. President, I recognize that the Clean Coal Technology program is an important priority for Senator BYRD and Senator DORGAN and I urge the Department of Energy to consider the viability of concepts not fully developed on low-rank coals and coals containing high sodium as it works on the study we have requested.

Mr. BYRD. Mr. President, I thank the Senator for his consideration, and wonder if he would answer a question or two to help clarify the Committee's directive regarding the Clean Coal Technology Demonstration program?

Mr. GORTON. Mr. President, I would be happy to answer the Senator's questions. I know he is a champion of coal and the Clean Coal Technology program, and I am also aware of his abiding interest in the environmentally sound use of coal as a source of power for this nation.

Mr. BYRD. Mr. President, would it be the Senator's thought that the Department should support technologies which control emissions from coal use or increase the operating efficiency of coal-based power plants?

Mr. GORTON. In response, let me say, Mr. President, that those are certainly the types of technologies that the Department should address.

Mr. BYRD. Would the distinguished Senator also agree with me that further demonstrations projects should be at a size that would permit immediate scale up to commercial capacity? And also, in that instance where the technology is to be applied to an existing plant, that the technology should be widely applicable to a very significant number of existing coal-fired generating facilities?

Mr. GORTON. Mr. President, again, I agree with the Senator. Given pending environmental requirements applicable to these coal-fired units, it would be my hope that the Department of Energy would consider larger scale projects able to be commercialized immediately. Also, any program should be aimed at developing technologies that could be applied to the greatest number of existing units possible.

Mr. BYRD. Mr. President, I thank the Senator from Washington for his courtesy in answering my inquiries.

Mr. BENNETT. I would like to ask the Chairman a question about the language concerning the 1994 Desert Tortoise Recovery Plan on page 18 of the report accompanying this legislation. It is the Chairman's understanding that the language refers specifically to certain tasks which the Fish and Wildlife Service committed in the Recovery Plan to complete by 1999 and, to my knowledge, have not even begun?

Mr. GORTON. The Senator is correct.

Mr. BENNETT. As the Chairman knows, I am deeply troubled that the United States Fish and Wildlife Service, Bureau of Land Management, and other federal agencies have moved very quickly to impose the land use controls recommended in the Recovery Plan, but have failed to undertake the basic tasks called for in that document to determine whether those land use controls are truly appropriate and are proving to be effective. I am speaking of three tasks: the desert tortoise monitoring that the Plan called ''crucial to determining if desert tortoise populations are stationary, declining, or increasing''; the desert tortoise population estimations that the Plan stated would be made every three to five years; and the Plan's reassessment that also was to be conducted every three to five years.

Mr. GORTON. The Senator is correct. The Committee fully expects the USFWS to fulfill its commitments in the Recovery Plan to carry out the desert tortoise monitoring, population estimation, and Recovery Plan reassessment. Additionally, the Committee expected the plan called for in the report language will focus solely on those three tasks.

Mr. BENNETT. One last point. To ensure that appropriated funds are spent wisely, I want to voice my concern that any methodology to be employed in conducting the monitoring be designed to permit correlation of the new data with the data gathered between 1980 and 2000. This will ensure that population trends, and the efficacy of programs and mitigation undertaken since 1980, can be determined.

Mr. GORTON. The Senator makes an excellent point. The Committee agrees that the desert tortoise monitoring methodology should be designed as you suggest.

Mr. BENNETT. I thank the Senator.

LAND AND WATER CONSERVATION FUNDS FOR IDAHO

Mr. CRAPO. Mr. President, would the distinguished Chairman of the Subcommittee yield for a colloquy regarding Land and Water Conservation Funds for Idaho?

Mr. GORTON. I would be pleased to yield to the Senator to discuss this important issue.

Mr. CRAPO. First, allow me to commend the Chairman for his leadership and hard work on this bill. He and the Subcommittee have had to make difficult decisions with scarce resources and have worked hard to do so in a fair manner. I appreciate the Chairman's efforts and diligence.

Idaho is a state of spectacular natural beauty and wildlife habitat. As the Chairman knows, an opportunity exists to use Land and Water Conservation Funds (LWCF) to acquire easements in the state to protect these valuable habitats and scenic values.

While I am concerned regarding the level of funding appropriated, I appreciate the Subcommittee's recognition of the importance of funding easements in the Sawtooth National Recreation Area, near the Snake River Birds of Prey National Conservation Area, and on the Lower Salmon River. However, many other LWCF projects in the state were not funded. Protecting deer habitat in the Soda Springs Hills, acquiring inholdings to protect elk range and address historic mining activities in the Silver Spar Land Acquisition, securing easements along the Upper Snake River and South Fork of the Snake River, and acquiring private land, the

Sulfur Creek Ranch, within the Frank Church River of No Return Wilderness area are all important projects. These projects are all locally-driven, with wide-spread support, and anxious willing-sellers.

I recognize that the Subcommittee is operating under significant financial restraints and that, unfortunately, not all worthy projects can be funded. It is my hope that if additional LWCF money becomes available, the Chairman can revisit these important Idaho projects. I would ask the Chairman if he would work with us in conference to evaluate these requests, with an eye toward inclusion in the conference report.

Mr. GORTON. I appreciate Senator CRAPO's interest in these projects. I am familiar with these projects and recognize the value in protecting these lands.

I would be happy to work with the Senator to reevaluate these projects in the conference committee. If additional LWCF funding becomes available, we will consider what can be done to address these needs.

Mr. CRAPO. I thank the Chairman.

Mrs. MURRAY. Mr. President, our Nation is blessed with many natural treasures that hold unique scientific or cultural value.

That's why in 1906 the Congress passed and the President signed the Antiquities Act to give us a way to protect these unique lands.

Since 1906, presidents of all parties have used the act to designate over 100 national monuments—including several which Congress later designated as National Parks including the Grand Canyon, Grand Teton and Olympic National Parks.

Each year, more than 50 million visitors enjoy our country's national monuments. Today, there are other unique areas throughout our country that hold similar value. Unfortunately, some of these remarkable areas are threatened by growth, development, and harvesting.

I believe we have a responsibility to protect these natural treasures. I believe we have a responsibility to be a good steward of these lands and to pass them on—untarnished—to future generations

I'm proud that Washington state is home to the Hanford Reach—which is the last-free flowing stretch of the Columbia River. During World War II and the Cold War, the people of the Tri-Cities made sacrifices that helped our nation end World War II and win the Cold War. Because of the high security around the nuclear facility, for decades this part of the Columbia River and the surrounding land was protected from development. Unfortunately, its future was not certain.

The Hanford Reach is a key salmon spawning ground and as many of my colleagues know we are working in the Pacific Northwest to help recover our once-abundant salmon stocks. I was pleased that the President used his authority—under the Antiquities Act—to designate the Hanford Reach as a National Monument.

Mr. President, it was the right thing to do.

That designation will help us recover salmon stocks, will ensure families can continue to enjoy the Reach, and will share the history of the Tri-Cities with the American public. And of course, the designation will preserve a unique habitat for future generations.

I hope that in the future, the Hanford Reach National Monument receives the attention and recognition that it deserves. The Olympic National Park began as a National Monument—one of the first—designated by President Roosevelt in 1909. Many generations of Americans have enjoyed the natural splendor that the Olympics and the surrounding area offer. I hope that the Hanford Reach will also become a destination for Americans eager to learn more about our past.

Unfortunately, the Nickles' amendment would deny the possibility of such protection to other deserving areas around the country. It is clear that supporters of this amendment are unhappy with the President's use of the Antiquities Act. But in the end, the President has legally exercised the authority vested in him by the Act.

If this Congress is really unhappy with the Antiquities Act, it could amend the Act itself or override particular designations. But we all know that won't happen. The reason it won't happen is because the majority of Americans believe that the lands protected under the Antiquities Act are deserving of such protection.

The Grand Canyon, Devils Tower, Mt. Olympus, Jackson Hole, Death Valley, Joshua Tree—have all been named as national monuments. Few would argue these areas are not worthy of such recognition and protection. The fact is many of these designations have been so popular that Congress later designated them as national parks, often expanding them at the same time. Again, Olympic National Park in my home state is an example of such Congressional action.

In 1906, Congress had the wisdom to grant the President the power to protect important natural and historic areas of our country. The need for such power is not at an end. Threats of development and impacts from other activities will continue and in some cases will lead to the recognition that greater protection for certain federal lands is warranted. At that time, the President, who ever she or he may be, should have the ability to act as every President has since 1906. Indeed, since the Antiquities Act was passed 14 of the 17 Presidents have used its powers.

If it is indeed the will of Congress to limit this historic power of the Presidency, then let us do so after a full and public legislative process. This amendment is simply a back-door attempt to accomplish what the sponsor and supporters know they cannot do through a stand alone bill.

Despite some controversy, the President's designations have had the support of members of Congress and the public. In fact, I—along with many members of my state's delegation in the House—supported the President's recent designation of the Hanford Reach as a national monument. This designation was also supported by many people in the Tri-Cities and across the state.

Before I close I remind my colleagues that a similar amendment was included in the House Interior bill as it was reported by the Committee. Fortunately, thanks to the leadership of Congressman DICKS and Congressman BOEHLERT, that amendment was removed from the House bill. However, before the amendment's removal, the House bill received a veto threat because of this provision. We can certainly expect a similar veto threat from the Administration if this amendment is adopted.

For the first time in years, we have the opportunity to pass a free standing Interior Appropriations bill into law. This amendment would seriously compromise that possibility.

We should stand up for the people and communities who are eager to share in the benefits of these national monuments.

Mr. President, I urge my colleagues to reject this amendment.

Mr. TORRICELLI. Mr. President, I rise in support of the Bryan amendment, which would ensure protection of our nations forests. This amendment would cut $30 million from the National Forest System's forest products program and would redirect $15 million to the Wildland Fire Management's fire preparedness program. The amendment would return the remaining funds to the Treasury to reduce the national debt. There are many reasons why I support this amendment, but let me discuss just two.

First, is the need to end corporate welfare. It is estimated that within the federal budget corporate welfare makes up anywhere from $86 billion (CATO Institute) to $265 billion (Progressive Policy Institute). A recent report by the Green Scissors Coalition estimates that over a five year period the Federal government will spend $36 billion on wasteful and environmentally harmful projects such as the forest products program.

Second, simply, is that by passing this amendment, we enact good environmental policy. The continual construction of new roads required to access our nation's forests removes ground cover and creates a channel for water to run down, accelerates soil erosion, weakens hillsides and fouls steams, destroying the foundation of our recreational and commercial fisheries. Logging roads are a major source of non-point source water pollution. According to the National Forest Service, 922 communities receive their drinking water from streams within the national forests-streams that are polluted from contaminated run-off associated with construction.

The protection of our roadless areas is important because they represent an important legacy for future generations. Areas without roads are becoming scarce in this country and in our national forests. Roadless areas provide significant benefits including: opportunities for dispersed recreation, clean, clear sources of public drinking water; large undisturbed landscapes that provide privacy and seclusion; bulwarks against the spread of invasive species; habitat for fish and game and other rare plant and animal species.

While I would prefer to see this program eliminated completely, at the minimum timber companies should not be subsidized by the taxpayers. The timber industry, like any other business, should bear its own costs. At a time when we are asking all Americans to do more with less, we should have the courage to ask the special interests to at least pay their own way. I support the Bryan amendment, and ask my colleagues to join me by voting for this important initiative.

While I have the floor, I will take a moment to comment on legislation that the Senate will soon consider. The Conservation and Reinvestment Act would guarantee full funding for the Land and Water Conservation Fund, and afford permanent protection to our nation's threatened natural, cultural, and historical treasures.

In 1964, Congress made the decision to reinvest revenue from the development of non-renewable resources into acquisition and permanent protection of key land, water, and open space. In the 30 years since its creation, the Land and Water Conservation Fund (LWCF) has been responsible for the acquisition of nearly seven million acres of parkland-contributing to the creation of the Appalachian Trail, Everglades and Rocky Mountain National Parks. In New Jersey, it helped fund the acquisition of Sterling Forest, and the Cape May and Walkill National Wildlife Refuges.

However, the LWCF is not a true trust fund in the way ''trust fund'' is generally understood by the public. Despite the fact that by law, the revenues are supposed to go to the LWCF, Congress must appropriate the money before it can be spent; if appropriations are not made, the revenues instead go to the General Treasury, to be spent on defense, or roads, or whatever Congress decides. The practical effect is that historically, only a small portion of the funds in the LWCF has actually been used for land preservation.

At no time has full funding of the LWCF been more needed than today, as the demands of development and suburbanization jeopardize land preservation efforts. The United States loses 50 acres an hour to development. In New Jersey, we know all too well the effects of suburban sprawl. Since 1961, New Jersey has lost half a million acres to sprawl. This is not surprising when you consider that New Jersey ranks 9th in terms of population. The reality is that sprawl is settling in over our open space.

In a very exciting development, the House of Representatives recently passed LWCF legislation, and this bill now stands in the Senate. I am hopeful that the Senate will mark up its legislation this week, and I urge the Leadership to schedule floor time for this landmark initiative as soon as possible.

Inscribed in one of the hallways of our nation's Capitol are the words of Theodore Roosevelt. He said: ''The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired in value.'' Let us act on this vision and pass this extraordinary initiative during the 106th Congress.

Mr. GRAMS. Mr. President, every year at this time it seems we're here on the Senate floor debating another attack on the Forest Service's Timber Management Program. Every year those who wish to eliminate logging in our National Forests come up with another angle which they claim helps protect the environment by eliminating ''wasteful'' spending on logging practices. Every year people throughout northern Minnesota and forested regions across the country see their jobs and their livelihoods threatened in the name of preservation or conservation. And every year, those of us who represent the good people of the timber and paper industry in our states have to fight, scratch, and claw our way to a narrow victory that saves those jobs and those families from economic ruin.

I come from a state in which the forest and paper industry is vital to our economy. The reduction in the timber program on National Forests has had a dramatic impact over the past ten years on the number of jobs and the economic vitality of northern Minnesota. According to Minnesota Forest Industries (MFI), jobs provided by the timber program in Minnesota dropped from over 1,900 in 1987 to less than 1,100 last year, and they continue to decline.

The reduction in timber harvests on federal lands has had an equally dramatic effect on unrealized economic impacts. MFI estimates that unrealized economic benefits include over $10 million from timber sales, $25 million in federal taxes, $2.5 million in payments to states, and $116 million in community economic impact in Minnesota alone.

It's important to point out that the timber program in National Forests have a very positive impact on the amount of federal money that goes to rural counties and schools. Nationally, the program contribute $225 million to counties and schools each year through receipts from timber sales in national forests. In Minnesota, the timber program provided roughly $1.7 million to counties and schools in 1998 alone. If the timber program would have met its allowable sale quantity in 1998, that number would have risen to nearly $2.5 million.

I'm fascinated by the claims of some of my colleagues that the timber program is a subsidy to wealthy timber and paper companies and the claims that the timber program loses money because we're giving timber away to these companies. If you truly believe that, I challenge you to visit forested regions and speak with the families who have lost their mills and the loggers who have lost their jobs. Talk to the counties and the private landowners who cannot access to their own property because the Forest Service doesn't have enough money to do the environmental reviews. Or talk directly to the Forest Service personnel and let them tell you how lengthy and costly environmental reviews and the overwhelming number of court challenges to those reviews are making the timber program so costly.

Then go speak with state or county land managers and ask them why their timber programs are so successful. Ask them why their lands are so much more healthy than the federal lands and why they're able to make money with their timber programs. In Minnesota, St. Louis County only has to spend 26 cents in order to generate one dollars of revenue in their timber program and the State of Minnesota spend 75 cents to generate one dollar of revenue. The Superior National Forest, on the other hand, spend one dollar and three cents to get the same results.

I cannot see how my colleagues can stand here on the Senate floor and tell me that the forest and paper industry in our country, and its employees, are the bad guys. The forest and paper industry in America employs over 1.5 million people and ranks among the top ten manufacturing employers in 46 states. These are good, traditional jobs that help a family make a living, allow children to pursue higher education, help keep rural families in rural areas, and provide a legitimate a base from which rural counties can fund basic services. These are jobs that we in Congress should be working diligently not only to protect, but to grow.

Unfortunately, many Members of Congress who advocate these ideas have never taken the time to understand the positive economic and environmental benefits of science-based timber harvests. They've never sat down with a county commissioner who doesn't know where he is going to get the money for some of the most basic services the county provides to its citizens. They've never considered that for every 1 million board feet in timber harvest reductions in Minnesota, 10 people lose their jobs and over $570,000 in economic activity is lost. And they've never taken the time to go into a health forest where prudent logging practices have been essential to ensuring the vitality and diversity of species.

If Members of this body want to make the timber program profitable across the country, then we should have an honest debate about what

works and does not work in the program. We should discuss frankly the ridiculous number of hoops public land managers have to jump through in order to process a timber sale. I think we need to discuss the fact that under the Alaska National Interest Lands Conservation Act the federal government must provide access across federal lands for state, county, and private landowners to access their land. Yet in Minnesota, those landowners either have to wait a number of years or pay for the environmental reviews themselves because the Forest Service claims it doesn't have enough money. We should also discuss openly the dramatic impact court challenges are having on the ability of the Forest Service to do its job and to carry out the timber program in a cost-effective manner. On top of that, it's clear that under this Administration the Forest Service doesn't want a timber program that shows a profit and they've done an effective job of using the powers of the Executive Branch to vilify both the timber program and the men and women of my state who rely upon that program in order to meet their most basic needs.

Virtually everyone in this body, including this Senator, is committed to the protection of our environment and to the conservation of our wildlife species and wildlife habitat. I believe we can expand upon our commitment to wildlife and provide additional resources for habitat protection. But I do not believe we must do so on the backs of timber and paper workers throughout the nation. I am willing to work with anybody in this chamber towards those conservation efforts, but let's not do it by pitting timber and paper workers against conservationists.

We cannot simply stand here and claim that the Bryan amendment is an easy way to throw some money towards planning for the threat of forest fires. Rather, this amendment is going to take jobs from my constituents and hurt the economy of the northern part of my state. The Bryan amendment is just one more step down the road toward eliminating logging on federal land. This amendment is going to reduce the ability of a number of rural counties in my state to make ends meet and to provide necessary services to residents. These are just a few of the realities of the Bryan amendment and just a few of the reasons why I cannot and will not support its passage.

ARCHIE CARR NATIONAL WILDLIFE REFUGE FUNDING

Mr. GRAHAM. Mr. President, I would like to first thank my colleagues, Senators GORTON and BYRD for their support in obtaining $2 million in the Fiscal Year 2001 Interior Appropriations bill for the Archie Carr National Wildlife Refuge.

Archie Carr National Wildlife Refuge was established in 1991. It is 900 acres in Brevard County Florida which makes up the twenty mile section of coastline from Melbourne Beach to Wabasso Beach in Florida. It is the most important nesting area for loggerhead sea turtles in the western hemisphere and the second most important nesting beach in the world.

Mr. MACK. I would like to join my colleague in thanking Senators GORTON and BYRD and the Interior Appropriations Subcommittee for their support for the Archie Carr National Wildlife Refuge. Twenty percent of all loggerhead sea turtle and 35% of all green sea turtle nests in the United States occur in this twenty mile zone. Nesting densities of 1,000 nests per mile have been recorded. Approximately half of this area is available for acquisition. The funds in this legislation will be critical in our ability to move forward on these acquisitions.

Mr. GRAHAM. Despite the importance of this refuge to the loggerhead sea turtle, there is no refuge station at Archie Carr. The result is both a lack of educational opportunities for visitors and a lack of security at the refuge. I join my colleague, Senator MACK, in proposing that $200,000 of the funds provided by the Fiscal Year 2001 Interior Appropriations bill for the Archie Carr National Wildlife Refuge be available for use by the U.S. Fish and Wildlife Service for the purpose of site evaluation for a visitor center/research and education center.

Mr. GORTON. Thank you, Senators MACK and GRAHAM. I share your desire to support the need of our National Wildlife Refuges, in particular the needs of Archie Carr National Wildlife Refuge, and will work with Senators MACK and GRAHAM to see if funds can be identified to support site evaluation for a visitor center/research and education center.

Mr. BYRD. Thank you, Senator GORTON. I, too, share the goal of ensuring that our National Wildlife Refuge System receives the funds it requires to preserve the critical habitat it was designed to protect. I concur with your position on the proposal made by Senators GRAHAM and MACK.

NORTH CAROLINA'S STREAM GAUGES AND MONITORING EQUIPMENT

Mr. EDWARDS. I thank you for including my amendment to provide $1,800,000 in emergency funds for the United States Geological Survey to repair and replace stream monitoring equipment damaged by natural disasters. As you know, your Committee recommended a significant increase in the USGS's Real Time Hazards Initiative, including $3,100,000 for new or upgraded stream gauging stations.

1999 was a devastating year for North Carolina. Hurricanes Floyd, Dennis and Irene did extensive damage across eastern North Carolina. And early indications are that this hurricane season will be just as active for North Carolina as last year. North Carolina's stream gauges and monitoring equipment are in desperate need of upgrade and enhancement. I respectfully request that the Committee recommend that the United States Geological Survey give special consideration to North Carolina's needs and address the need for upgrades and enhancements through this appropriation.

Mr. GORTON. I understand that the USGS is willing to address North Carolina's specific needs for stream gauges and monitoring equipment through the Real Time Hazards Initiative. The Committee recognizes the unique danger in North Carolina and, therefore, strongly encourages the USGS to ensure that North Carolina's stream gauges and monitoring devices are enhanced or upgraded to the degree possible within appropriations provided for these types of activities.

ELECTRO-CATALYTIC OXIDATION (ECO)

Mr. DEWINE. Mr. President, I would like to ask my colleagues, Senator GORTON, Chairman of the Interior Appropriations Subcommittee; and Senator BYRD, the Ranking Member of the Subcommittee, about a new and innovative technology. Mr. Chairman, are you aware of an emerging technology known as electro-catalytic oxidation (ECO), which has the potential to reduce emissions, as well as unusable byproducts at coal-fired power plants?

Mr. GORTON. Mr. President, I would inform the Senator from Ohio that I have been made aware of ECO.

Mr. DEWINE. I ask if he concurs that the Secretary of Energy should participate in a full-scale demonstration of this technology that is planned for the near future.

Mr. GORTON. I would certainly encourage the Department to take a close look at this technology within the context of its coal research programs, and consider carefully any related research or demonstration proposal that may be submitted.

Mr. DEWINE. As the senior Senator from West Virginia is aware, the early tests of this technology show a significant reduction of nitrogen oxide (Nox), sulfur dioxide (SO2), mercury, and fine particulate matter. Would the Senator agree that a cost-effective reduction of these emissions is in the best interest of coal-fired power consumers as well as the coal industry?

Mr. BYRD. I would agree with the Senator from Ohio.

Mr. DEWINE. I thank the very distinguished senior Senator from West Virginia and would note that the Senator from New Hampshire, the state were ECO was developed, is optimistic about the potential of the technology. Would the Senator agree?

Mr. SMITH (of New Hampshire). I would agree with my colleague from Ohio and add that I applaud the innovative efforts that have led to the development of this emerging emissions control technology. As many of you know, the Senate Environment and Public Works Committee is currently working to develop a bill that will address the significant problem of the hodge-podge of overlapping Clean Air Act regulation on utilities. Our goal is to draft a comprehensive, multi-pollutant bill to provide a more sensible

emission control regime on utilities while at the same time achieving greater reductions of pollutants than is currently possible under the Clean Air Act. New technologies, much as electro-catalytic oxidation will be critically important to our ability to successfully revise our approach to utility emission control. I would support any efforts to expedite the development of this technology.

Mr. DEWINE. Mr. President, I thank the Chairman of the Environment and Public Works Committee for his support of this important technology, and I would welcome the opportunity to more closely examine his proposals related to Clean Air reauthorization, and comment on them at a future time. I also thank the Chairman of the Interior Subcommittee and the senior Senator from West Virginia and would encourage them to consider the benefits of ECO to consumers of coal-fired power as well as coal producing states when this bill moves to conference with the other body.

FY 2001 INTERIOR APPROPRIATIONS FOR MAINE PROJECTS

Ms. SNOWE. Mr. President, Maine and the nation have an opportunity to accomplish an enormously meaningful level of forest protection in Maine's 10 million acre Northern Forest if significant funding for Forest Service accounts is allocated for Maine projects in fiscal year 2001. In the last two years, an astounding 20 percent of Maine's total forestland acreage has changed ownership, an occurrence that represents a significant shift in the pattern of stable long-term ownership and use that has characterized the Maine woods for at least the last hundred years.

Ms. COLLINS. The Senior Senator for Maine is correct, Mr. Chairman. This tremendous turnover calls into question whether the traditional use of these lands for forestry and for outdoor recreational activities will continue. We are fortunate that the present owners of these valuable lands are offering an opportunity to secure their lasting protection and productivity. I, along with Senator SNOWE, support these efforts through funding from the Forest Legacy Program and the Forest Service's land acquisition program and hope we can work together during this appropriations process to take advantage of the opportunity afforded us at this time.

Ms. SNOWE. Mr. President, I want to thank you for your strong support for Forest Legacy funding in FY 2000 in approving $3 million Title 6 funding for Maine for Phase I of the 656,000 acre West Branch project. This funding, along with the $2 million already allocated from the state grant portion of LWCF, will complement the $4 million being secured through non-federal sources for the conservation and protection of 70,000 acres of undeveloped forestland, including more than 100 miles of undeveloped shoreline along Moosehead Lake, Seboomook Lake, and several smaller lakes.

Ms. COLLINS. Phase II of the West Branch project consists of the remaining acreage of approximately 580,000 acres of what is one of the largest contiguous blocks of forest under single management in the eastern United States and has sustained a flow of timber products for more than 100 years.

Mr. GORTON. I appreciate the Senators' interest in this worthy project and I would be happy to work with the Senators to ensure appropriate consideration is given to these projects in Conference.

Ms. SNOWE. The second Forest Legacy project, Mr. Chairman, known as Mt. Blue/Tumbledown Mountain, is a two-phase project totaling approximately 33,400 acres and will protect some of Maine's most scenic areas—including Tumbledown Mountain, Jackson Mountain, Blueberry Mountain and trailheads leading to these peaks.

Ms. COLLINS. An amount of $1.2 million in Forest Legacy funding will allow the acquisition in fee of 3,600 acres immediately adjacent to Maine's Mt. Blue State Park, and will bring needed protections to Maine's scenic and popular Western Mountain region. I want to express my strong support for the project.

Mr. GORTON. Once again, I appreciate the Senators' interest in this worthy project and I would be pleased to work with the Senators to see that this project is considered fully in Conference.

Ms. SNOWE. I also want to thank you for your appropriations support for funds for the Pingree Forest, which is an excellent example of private sector cooperation and conservation, while at the same time preserving the working forests of our State. The Pingree Family of Maine has been exemplary in the way it has managed its lands for seven generations—160 years. As you are aware, the Pingree Family has entered into the Pingree Forest Partnership with the New England Forestry Foundation, which has committed to raise $30 million for a conservation easement on 754,673 acres of land in Northern and Western Maine.

Ms. COLLINS. The New England Forestry Foundation is within $11.5 million of its goal, which, under the terms of the partnership agreement with the Pingree family, must be met by December 31 of this year. I would note that the Pingree Family has agreed to sell this easement on their land at only $37.10 an acre.

Mr. GORTON. I am very much in support of what the parties are trying to preserve—a way of life through forestry in Maine and the conservation of the magnificent Northeast forests of this nation—and I will carry that support into conference. Funding of this project is certainly a wise use of federal funds for the conservation of outstanding undeveloped lands, and also keeping the Maine woods in sustainable forestry.

Ms. SNOWE. I thank you for your close scrutiny of the merits of this project and your support for what is currently the largest single land conservation project in the world. I would like to point out that, for any appropriation to work under the agreement, I urge you to allocate the funds through the National Fish and Wildlife Foundation to the New England Forestry Foundation, which will hold the easement for the Pingree land.

Ms. COLLINS. I would like to add that, in the past, all of NFWF's federal grants have been appropriated through a designation to the U.S. Fish and Wildlife Service's Land and Water Conservation Fund, and NFWF has received funds from the Forest Service for grants over the past ten years. NFWF's excellent track record gives me confidence that it is the right steward of this important project.

Mr. GORTON. I agree that this clarification is necessary and agree that the funds should be allocated through NFWF.

Ms. SNOWE. Once again, I thank my distinguished colleague from Washington State and praise his continuing efforts for the conservation of our nation's private lands, especially those of great importance to the people of Maine.

Ms. COLLINS. I also thank you for your support, Mr. Chairman, for supporting these appropriations that will enable Pingree land to continue to supply area mills and support the local economy while allowing the public continued recreational access.

Mr. SANTORUM. Mr. President, I would like to engage in a brief colloquy with the distinguished Chairman of the Interior Appropriations Subcommittee, Senator GORTON, concerning future demonstration projects under the Clean Coal Technology program. Mr. President, clarifying the intent of the program will be helpful in my efforts to ensure that a very worthwhile initiative in Pennsylvania received full consideration by the Department of Energy.

The lack of a coherent and consistent energy policy has contributed to the high fuel prices that have hit the working families in Pennsylvania and across the nation very hard. It is the lack of a national energy policy that has led to our nation's reliance on foreign oil. Today, we import 56 percent of our fuel. This is the highest level in the history of our country. For a historical perspective, we only imported 36 percent of our oil during the energy crisis of the 1970s.

Mr. President, we must reduce our reliance on imported oil. We must conserve energy resources, improve energy efficiencies, and increase domestic energy supplies. We also need to aggressively expand our research and development efforts to encourage the use of domestic renewable energy sources.

The Pennsylvania initiative that I referred to would do just that by developing a facility that would convert Anthracite culm to a clean diesel fuel. The project would produce 1.4 million

barrels a year of zero-sulfur, high-energy diesel fuel, at the same time reclaiming land now rendered unusable and environmentally damaging. Additionally, it would create 1,000 construction and 150 permanent jobs.

Would the Senator agree that the establishment of such a facility, whose principal focus is to develop domestic renewable energy sources by transforming coal and coal waste into high quality diesel fuel, is the type of activity that the Clean Coal Technology program should encourage?

Mr. GORTON. I agree with my friend that the Clean Coal Technology program is meant to encourage projects that develop environmentally-friendly technologies, such as coal conversion. I believe that the Department of Energy should use its limited funding resources to expand its efforts to encourage the development of domestic renewable energy sources.

Mr. SANTORUM. As this bill moves forward into conference, is it the Senator's intention to seek adequate funding for the Clean Coal Technology program so that the Department of Energy can begin a new round of demonstration projects, including a project such as the Pennsylvania initiative I have described here today?

Mr. GORTON. As my colleague is aware, the Senate report accompanying the FY 2001 Interior bill directs the Department to report on options for a new solicitation in the Clean Coal program. In the context of preparing this report, and in conducting any future solicitation, I would expect the Department to give full consideration to such worthwhile projects as the one described by my friend from Pennsylvania.

Mr. President, with 1 minute to spare, that concludes the introduction of all amendments pursuant to the unanimous consent agreement of last week.

I repeat, if Members wish to speak to these amendments, they may do so after the conclusion of all of the votes on H.R. 4810, which will begin almost immediately. These amendments, to the extent that they require rollcall votes, will be voted on tomorrow, with the exception of the Bingaman amendment. It has 15 minutes for debate tomorrow.

Mr. REID. If the Senator will yield, I think we agree that we have heard adequate explanation previous times about these amendments. The Senator is not soliciting more comments, is he?

Mr. GORTON. The Senator from Nevada states my position perfectly.

MARRIAGE TAX PENALTY RELIEF RECONCILIATION ACT OF 2000

The PRESIDING OFFICER. Under the previous order, the hour of 6:15 p.m. having arrived, the Senate will resume consideration of H.R. 4810.

The assistant legislative clerk read as follows:

A bill (H.R. 4810) to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001.

AMENDMENT NO. 3876, WITHDRAWN

Mr. REID. Mr. President, I ask unanimous consent, on behalf of Senator DODD, that his amendment No. 3876 be withdrawn from consideration with respect to H.R. 4810.

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

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. President, what is the regular order?

The PRESIDING OFFICER. The question is on the motion to waive by the Senator from Delaware.

AMENDMENTS NOS. 3868 THROUGH 3873, WITHDRAWN

Mr. STEVENS. Mr. President, I ask unanimous consent to withdraw all six of my pending amendments.

The PRESIDING OFFICER. Is there objection?

Mr. MOYNIHAN. I second the motion.

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

There are 2 minutes of debate equally divided on the motion of the Senator from Delaware to waive.

Mr. REID. I couldn't hear the Chair. What did the Chair say?

The PRESIDING OFFICER. There are 2 minutes of debate equally divided.

Mr. REID. But the amendments of the Senator from Alaska were withdrawn. Is that right?

The PRESIDING OFFICER. Yes.

MODIFICATION OF MOTION

Mr. ROTH. Mr. President, it was my intention when I moved to raise this point of order, the waiver for the Lott wraparound amendment, that it be a comprehensive waiver to this point of order for the different permutations of the earned-income tax proposals contained in both the majority and minority proposals. However, the majority leader subsequently offered an amendment that will be considered later.

I ask unanimous consent that the Lott amendment be included in the original waiver that I raised.

Specifically, the new motion is to waive all points of order under the budget process arising from the earned-income credit component in this pending tax—the amendment by Senator MOYNIHAN, the amendment offered by Senator LOTT, the House companion bill, any amendment between the Houses, and any conference reports thereon.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. REID. Reserving the right to object, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Does he yield for a quorum call?

Mr. REID. Isn't his minute up?

Mr. MOYNIHAN. Mr. President, there is no quorum call.

I urge the adoption of the chairman's proposal.

The PRESIDING OFFICER. The chairman has requested a modification of the motion.

Is there objection?

Mr. MOYNIHAN. As modified, sir.

The PRESIDING OFFICER. Without objection, the motion is so modified.

Mr. ROTH. Mr. President, I ask that we vitiate the yeas and nays on the motion.

The PRESIDING OFFICER. Is there objection to the substance of the motion, which is now a unanimous consent request?

Without objection, it is so ordered.

The revisions are so adopted.

Mr. MOYNIHAN. That is the spirit. Let's get on with it.

Mr. ROTH. All right.

MOTION TO COMMIT

The PRESIDING OFFICER. The question is now on the motion of the Senator from Wisconsin to commit the bill to the Finance Committee.

Who yields time?

Mr. WARNER. Mr. President, the Senate is again considering legislation that will provide, at long last, relief from the marriage tax penalty.

The marriage tax penalty unfairly affects middle class married working couples. For example, a manufacturing plant worker makes $30,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home $30,500 a year in salary. If they both file their taxes as singles they would pay 15 percent in income tax. But if they choose to live their lives in holy matrimony and file jointly, their combined income of $61,000 pushes them into a higher tax bracket of 28%. The result is a tax penalty of approximately $1,400.

The Republican marriage penalty relief bill eliminates this unfairness without shifting of the tax burden and without increasing taxes on any individual. Middle and low income families would benefit as much as earners with higher incomes.

According to the Congressional Budget Office, almost half of all married couples—21 million—are affected by the marriage penalty. Over 640,000 couples in Virginia are affected, according to one study.

Most of the tax relief under our plan goes to the middle class. The Congressional Joint Committee on Taxation's distribution analysis estimates that couples making under $75,000 annually will be the biggest winners. Additionally, the Joint Tax Committee estimates that couples earning between $20,000 and $30,000 will receive the biggest percentage reduction in their federal taxes out of any income level, with couples making between $30,000–$40,000 fairing almost as well.