Speech: "Mr. President, I rise today (...) in introducing the Significant Property Disposition and Protection Act of 1991"

ing to improve its asset disposition process and reduce its property inventory. In recent weeks, the corporation has announced programs to discount properties by as much as 50 percent over a 24-month period and to give away properties with high holding costs and little promise of return to the taxpayer. Many are pleased to see the RTC move more agressively on these fronts and we should encourage the RTC to improve its procedures for disposing properties of natural significance as well.

The Senate Banking Committee recently held hearings on RTC reform proposals. The RTC's policy with respect to environmentally valuable property was reviewed during the hearing and it is an area that the committee should examine as we consider making changes in the RTC's structure and operations. I look forward to working with Chairman RIEGLE, Senator GARN, and my other colleaues on the committee on the many important issues before us related to the RTC and the administration's S&L Rescue Program.●

● Mr. AKAKA. Mr. President, I rise today to join my colleague, Senator WIRTH, in introducing the Significant Property Disposition and Protection Act of 1991, which would improve the identification and conservation of environmentally important lands held by the Resolution Trust Corporation.

The issues surrounding the structure and practices of the RTC are of great concern to me. I am concerned that taxpayer funds are not being used in the most effective manner and I am pleased that the Banking Committee is presently taking a serious look at reforming the savings and loan resolution process.

The Financial Institutions Reform, Recovery and Enforcement Act [FIRREA] requires the RTC to publish and update semiannually an inventory of all the real estate assets subject to its jurisdiction. As part of the requirement to publish an inventory, the RTC must identify assets which have natural, cultural, recreational or scientific values. This is the only duty imposed on the RTC by FIRREA in the area of natural and cultural resource policy.

But, the RTC has not been doing an adequate job of identifying environmentally important lands in its inventory. On January 31, 1991, the RTC released its updated real estate inventory which lists 41,533 parcels of real property available for sale. Of these properties, approximately 3 percent or 1,290 properties have been identified by the RTC as having special values of natural, cultural, scientific, or recreational significance.

An analysis of RTC's inventory done by the Nature Conservancy reveals that virtually all of the property currently identified by the RTC as having natural significance is either a single family home or a condominium. The analysis also reveals that although the RTC has in excess of 4,800 parcels of real estate listed as agriculture, ranch/pasture, unimproved commercial and residential, oil and gas development, and mining, not one of these properties has been identified as having natural value. Obviously, something is wrong.

Earlier this session, I introduced S. 358, the Resolution Trust Corporation Asset Disposition Act, in order to improve RTC's practices with respect to environmentally important lands in its inventory. I did so because I believe that taxpayers should get something for their money. In bailing out the savings and loans, we should at least promote the established public goals of conserving environmentally important lands.

I am introducing the Significant Property Disposition and Protection Act of 1991 today because it strengthens my previous legislation. Most significantly, this legislation would give the Department of Interior the authority to direct the RTC to transfer certain environmentally important properties to Federal or State agencies for conservation purposes. This would enable the American people to hold, preserve and enjoy land that they have already paid for because of the savings and loan bailout.

I would like to assure my colleagues that this legislation is evolutionary in nature. It builds upon previous conservation laws and clarifies the application of those laws to the RTC. Among other laws, the bill builds upon Executive Order 11990—"Protection of Wetlands"—which directs Federal agencies to place restrictions on federally owned real estate with wetlands to protect those wetlands, before the sale of the real estate to private ownership. This legislation also builds upon the Coastal Barrier Improvement Act of 1990 that specifically restricts the RTC's ability to transfer certain property located within the coastal barrier resources system.

Mr. President, this legislation promotes established policies and will help find the silver lining in the dark cloud of the savings and loan crisis.●

By Mr. PACKWOOD (for himself, Mr. DECONCINI, Mr. SYMMS, Mr. BREAUX, Mr. HEFLIN, Mr. HATCH, Mr. BAUCUS, and Mr. GRAMM):

S. 918. A bill to amend the Internal Revenue Code of 1986 to exempt small manufacturers, producers, and importers from the firearms excise tax; to the Committee on Finance.

RELIEF FROM FIREARMS EXCISE TAX

Mr. PACKWOOD. Mr. President, today I am introducing legislation to exempt custom gunsmiths—those who produce less than 50 firearms a year—from the firearms excise tax in section 4182 of the Internal Revenue Code.

This bill merely incorporates into the Tax Code a policy previously adopted by the Congress. In 1982, the Congress passed a supplemental appropriations bill, Public Law 97-276, which prohibited the Bureau of Alcohol, Tobacco, and Firearms [BATF] from collecting the firearms excise tax from producers of less than 50 firearms a year.

In recent years, the BATF has taken the position that the 1982 custom gunsmith provision expired at the end of fiscal year 1982—September 30, 1983. I believe the intent of the 1982 law was to establish a permanent ban on the collection of the firearms excise tax from a custom gunsmith.

Custom gunsmiths are a special kind of craftsman. They make high quality, typically one-of-a-kind, firearms. They make very few firearms each year—less than 50. Often, many years may have passed before the custom gunsmith becomes aware of the firearms excise tax. The information needed for compliance with the tax is long gone. Moreover, it is an administrative headache for the BATF to locate and collect the firearms excise tax from someone who only makes a few firearms a year.

My bill clears up the controversy over the 1982 law by adding to the Tax Code an explicit exemption for custom gunsmiths, effective for firearms sold after October 1, 1983.

I hope my colleagues will join me and cosponsor this measure to clarify the excise tax rules for America's custom gunsmiths.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 918

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

SECTION 1. SMALL MANUFACTURERS EXEMPT FROM FIREARMS EXCISE TAX.

(a) General.—Section 4182 of the Internal Revenue Code of 1986 (relating to exemptions), is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) SMALL MANUFACTURERS, ETC.—

"(1) IN GENERAL.—The tax imposed by section 4181 shall not apply to any article described in such section if manufactured, produced, or imported by a manufacturer, producer, or importer who manufactures, produces, imports less than 50 of such articles during the calendar year.

"(2) CONTROLLED GROUP.—Persons who are members of the same controlled group of corporations shall be treated as 1 manufacturer, producer, or importer. For purposes of the preceding sentence, the term 'controlled group of corporations' has the meaning given to such term by section 1563(a), except that 'more than 50 percent' shall be substituted for 'at least 80 percent' each place it appears in such section."

(b) EFFECTIVE DATE; REFUNDS.—

(1) EFFECTIVE DATE.—The amendments made by this section shall apply to articles sold by the manufacturer, producer, or importer after September 30, 1983.

(2) WAIVER OF STATUTE OF LIMITATIONS.—In the case of any taxable year ending before the date of the enactment of this Act—