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TITLE: THE CALIFORNIA DESERT PROTECTION ACT

SPEAKER: MR. MCCAIN

TEXT:

[*S4748]

Mr. McCAIN. Mr. President, I wanted to take a moment to explain my reasoning for voting against S. 21, the California Desert Protection Act. While I support efforts to protect the desert ecosystem, I have concerns that the California Desert Protection Act is not the appropriate vehicle to accomplish this goal.

As the sponsor of legislation to designate more than 3.5 million acres of **wilderness** lands in Arizona, I am fully aware of the need to protect the valuable natural resources we have in the west. The fragile desert ecosystem of California is very similar to that in Arizona. They are both resources which must be preserved for future generations.

I realize that this bill has been under consideration by the Senate for several years. The actions, taken by Senator Feinstein to negotiate many of the troublesome provisions are admirable, and I commend her for her work. Nevertheless, I have a number of concerns about this bill. In particular, I am concerned about Governor Wilson's continued opposition to this bill, the status of low-level military overflights of new **wilderness** and park areas and the cost associated with this legislation. Please allow me to further explain these concerns.

The Senate has had a long tradition of allowing Senators from a state to have a predominate say so on public land matters affecting their states. In fact, lack of agreement among the California Senator has been a major impediment to the consideration of this bill. Nevertheless, I have been greatly concerned that Governor Wilson opposes the bill.

Prior to mark-up of this bill in the committee, Governor Wilson stated these objections in a letter to Senator Feinstein. While some of his concerns have been addressed in the markup, he is still opposed to the bill before us today. In contrast, Arizona, **Wilderness** enjoyed the support of the congressional delegation and the State.

Governor Wilson has said that S. 21 fails to address the concerns of the State of California which will affect more than 8 million acres of land in his State. A bill of such magnitude and importance should have the support of the State's top official before congressional approval.

As a member of the Armed Services Committee, I have a particular interest in the protection of military flight training routes. This section of the California desert is used extensively for low-level and other types of training that are invaluable to the proper training of our Nation's military pilots. The Senate bill contains language which should preserve the ability of the military to conduct these flights. However, I am concerned that these provisions may be weakened during conference with the House or that the flights may be challenged through the courts.

Again during consideration of the Arizona **Wilderness** Act, we took similar steps to protect military overflights. The flights were still challenged by interest groups on the basis of ; another law. Even though there is some language to protect these training flights, I have serious concerns that in conference the protection will be weakened by some other means.

Some of my colleagues may believe that these flights are no longer warranted, but one only needs to read the front page of the newspaper to know that the world is still a dangerous place and this training is still vital. Proper training is essential to the protection of the lives of the men and women of our military who place themselves in danger in order to preserve the rights of others. The creation of this much parkland and **wilderness** areas will only serve to complicate issues affecting airspace and the military's ability to train.

My final concern regarding this bill is the cost associated with it. The Congressional Budget Office estimates that land acquisition alone could amount to \$ 100-to-\$ 300 million. The administrative cost could range between \$ 6 and \$ 9 million a year. It should be obvious to everyone that under today's fiscal constraints the already strained Park Service budget is not going to increase accordingly to meet these new costs.

The park system is already in need of increased funding to properly manage the resources it has now. The Interior Department has estimated that it will cost \$ 53 million in the near term to manage these three new parks. The addition of this land to our park system without the proper funding to manage it is irresponsible to say the least. Since funding will not increase, all of my colleagues should be aware that passage of this bill will affect funding at other national parks, including the Grand Canyon.

Mr. President in light of these concerns I cannot support this measure as it is currently written. Again, I understand and am supportive of efforts to protect the desert ecosystems and of the **wilderness** program. I would support a desert bill that had the consensus, ensured the protection of military training routes, and could be paid for responsibly without harming other parks.