

CONGRESSIONAL RECORD -- *Senate*

Tuesday, April 12, 1994 (Legislative day of
Monday, April 11, 1994)

103rd Congress 2nd Session

140 Cong Rec S 4102

REFERENCE: Vol. 140 No. 38

TITLE: CALIFORNIA DESERT PROTECTION ACT OF 1993

TEXT:

[*S4102]

The Senate continued with the consideration of the bill.

The PRESIDENT pro tempore. Who seeks recognition?

Mr. JOHNSTON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Louisiana (Mr. Johnston).

Mr. JOHNSTON. Mr. President, first of all, what is the pending business?

The PRESIDENT pro tempore. S. 21.

AMENDMENTS NOS. 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, AND
1619

Mr. JOHNSTON. Mr. President, S. 21 is the California desert park bill. I can announce to my colleagues that we have made some progress overnight, having worked out a collection of amendments by agreement.

So, therefore, Mr. President, at this time, I send a group of amendments to the desk and ask unanimous consent that they be considered en bloc.

The PRESIDENT pro tempore. The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Louisiana (Mr. Johnston) proposes amendments numbered 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, and 1619, en bloc.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1608

(Purpose: To delete the Great Falls Basin **Wilderness** designation and retain the area in

wilderness study status)

1. On page 101, beginning on line 11, strike all through line 17 and renumber succeeding paragraphs accordingly.

2. On page 121, after line 6, add a new paragraph:

"(6) certain lands which comprise approximately eight thousand eight hundred acres, as generally depicted on a map entitled 'Great Falls Basin **Wilderness**-Proposed', dated February 1986."

AMENDMENT NO. 1609

(Purpose: To amend the boundary of Owens Peak **wilderness** to delete 580 acres)

On page 108, beginning on line 1, strike paragraph (47) in its entirety and insert in lieu thereof the following:

"(47) Certain lands in the California Desert Conservation Area and the Bakersfield District, of the Bureau of Land Management, which comprise approximately seventy-four thousand and sixty acres, as generally depicted on a map entitled 'Owens Peak **Wilderness**-Proposed 1', dated February 1986, a map entitled 'Owens Peak **Wilderness**-Proposed 2', dated March 1994, and a map entitled 'Owens Peak **Wilderness**-Proposed 3', dated May 1991, and which shall be known as the Owens Peak **Wilderness**."

AMENDMENT NO. 1610

(Purpose: To amend the boundary of the Santa Rosa **Wilderness** to allow for the construction of a road to provide access to private property)

On page 112, beginning on line 12, strike paragraph (61) in its entirety and in lieu thereof the following:

"(61) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixty-four thousand three hundred and forty acres, as generally depicted on a map entitled 'Santa Rosa **Wilderness** Additions-Proposed', dated March 1994, and which are hereby incorporated in, and which shall be deemed to be part of, the Santa Rosa **Wilderness** designated by Public Law 98-425."

AMENDMENT NO. 1611

(Purpose: Technical amendment to retain portions of Owlshhead **wilderness** study area as **wilderness** study area)

On page 121, after line 6, insert a new paragraph as follows:

"(5) certain lands which comprise approximately seventeen thousand two hundred and eighty acres, as generally depicted on a map entitled "Death Valley National Park Boundary and **Wilderness** 17-Proposed", dated July 1993."

AMENDMENT NO. 1612

(Purpose: To amend the boundary of the Mojave National Park **Wilderness** to exclude a road to mining claims)

On page 147, beginning on line 11, strike paragraph (3) in its entirety and insert in lieu thereof

the following:

"(3) Mojave National Park **Wilderness**, comprising approximately six hundred ninety-five thousand two hundred acres, as generally depicted on ten maps entitled "Mojave National Park Boundary and **Wilderness-Proposed**", and numbered in the title one through ten, and dated March 1994 or prior, and seven maps entitled "Mojave National Park **Wilderness-Proposed**", numbered in the title one through seven, and dated March 1994 or prior, and which shall be known as the Mojave **Wilderness**."

[*S4103] AMENDMENT NO. 1613

(Purpose: To delete the Cady Mountains **wilderness** designation and retain the area in **wilderness** study status)

1. On page 96, after line 2, delete paragraph (9) in its entirety and renumber the succeeding paragraphs accordingly.

2. On page 121, after line 6, insert the following new paragraph:

"(7) certain lands which comprise approximately eighty-four thousand four hundred acres, as generally depicted on a map entitled 'Cady Mountains **Wilderness-Proposed**', dated July 1993."

AMENDMENT NO. 1614

(Purpose: To permit grazing to continue in the Mojave National Park)

1. On page 138, line 6, strike "may" and insert "shall".

2. On page 138, line 8, strike "regulations," and all that follows through line 15 and insert in lieu thereof, "regulations."

AMENDMENT NO. 1615

(Purpose: To permit grazing to continue in Death Valley National Park)

1. On page 129, line 19, strike "may" and insert "shall".

2. On page 129, line 21, strike "regulations," and all that follows through page 130, line 2, and insert in lieu thereof, "regulations."

AMENDMENT NO. 1616

(Purpose: To establish the Mojave National Park Advisory Commission)

On page 146, after line 7, add a new section as follows:

SEC. 517. ADVISORY COMMISSION.

(a) There is hereby established the Mojave National Park Advisory Commission (hereinafter in this section referred to as the "Advisory Commission").

(b) The Advisory Commission shall be composed of fifteen members appointed by the Secretary for terms of three years each.

(c) Any vacancy in the Advisory Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Advisory Commission shall serve without compensation as such, but the Secretary may pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.

(e) The Secretary, or his designee, shall from time to time, but at least annually, meet and consult with the Advisory Commission on general policies and specific matters related to planning, administration and development affecting the park.

(f) The Advisory Commission shall act and advise by affirmative vote of the majority of the members thereof.

(g) The Advisory Commission shall cease to exist ten years after the enactment of this Act.

AMENDMENT NO. 1617

(Purpose: To clarify that Immigration and Naturalization Service, Drug Enforcement Administration, U.S. Customs Service, and State and local law enforcement activities may continue within the Coyote, Fish Creek Mountains, and Jacumba **wilderness** areas)

Mr. JOHNSON offered amendment No. 1617 for Mrs. Feinstein, for herself and Mr. Wallop.

On page 118, beginning on line 5, revise section 103(g) to read as follows:

(g) Law Enforcement Border Activities. -Nothing in this Act, including the designation as **wilderness** of lands within the Coyote, Fish Creek Mountains, and Jacumba **wilderness** areas designated in section 102 of this Act, the **Wilderness Act**, or other land management laws generally applicable to such areas, shall restrict or preclude continued border operations within such areas, including the use of motor vehicles and aircraft by the Immigration and Naturalization Service, the Drug Enforcement Administration, the United States Customs Service, or State and local law enforcement agencies in such manner and subject to such restrictions as may be determined by the Attorney General of the United States, in consultation with the Secretary.

AMENDMENT NO. 1618

(Purpose: To ensure access to private property)

On page 157, after line 8, insert the following new section:

"SEC. 708. ACCESS TO PRIVATE PROPERTY.

The Secretary shall provide adequate access to nonfederally owned land or interests in land within the boundaries of the conservation units and **wilderness** areas designated by this Act which will provide the owner of such land or interest the reasonable use and enjoyment thereof.

AMENDMENT NO. 1619

(Purpose: To make technical corrections to section 705 to clarify that the section does not affect Federal tax policy)

Mr. JOHNSTON offered amendment No. 1619 for Mr. Akaka.

The amendment is as follows:

On page 152, line 1, strike "shall be" and insert in lieu thereof, "utilizing".

2. On page 152, line 8, strike "income".

3. On page 152, lines 9 and 10, strike the words "that the determination is not appropriate" and insert in lieu thereof, "about the appropriate methodology".

The PRESIDENT pro tempore. Is there objection to the consideration of the amendments en bloc? There is no objection. They will be considered en bloc.

Mr. JOHNSTON. Mr. President, these amendments are as follows:

First of all, there are boundary modifications as follows: We delete the Great Falls **Wilderness** designation and retain that area in **wilderness** study status.

The second amendment modifies the boundaries of the Owens Peak **Wilderness** to delete 580 acres.

The third amendment modifies the boundaries of the Santa Rosa **Wilderness** to delete 320 acres.

The fourth amendment retains the portions of the Owlshead and Avawatz areas in **wilderness** study status.

The fifth amendment modifies the boundaries of the Mojave National Park **Wilderness** to delete 16 acres for an access road.

The sixth amendment deletes the Cady Mountains **Wilderness** designation and retains that area in a **wilderness** study status.

The seventh amendment clarifies that grazing shall be allowed to continue within the Mojave National Park.

The eighth amendment clarifies that grazing shall be allowed to continue within the areas added to the Death Valley National Park.

The ninth amendment establishes the Mojave National Park Advisory Commission.

The 10th amendment provides and clarifies that the Immigration and Naturalization Service, the Drug Enforcement Administration, the U.S. Customs Service, and State and local law enforcement activities may continue within the Coyote, the Fish Creek Mountains, and the Jacumba **Wilderness** areas.

The 11th amendment clarifies that the owners of private property within **wilderness** and park areas designated by S. 21 shall be provided with reasonable access to their properties.

And the 12th amendment, which was suggested by Senator Akaka, is a technical amendment to clarify that a provision in the committee-reported bill does not affect Federal tax policy. I might add that amendment has been cleared also with the Finance Committee, which is in agreement with that amendment.

So, Mr. President, I offer these amendments en bloc.

Mr. WALLOP addressed the Chair.

The PRESIDENT pro tempore. The Senator from Wyoming (Mr. Wallop).

Mr. WALLOP. Mr. President, let me express my thanks to the Senator from California and her staff for accommodating us in conversations last evening on some of the less vexing, but, nonetheless, significant portions of this bill. I appreciate a willingness to listen to these things from a public lands management standpoint.

There are two little statements that I wish to make. One is on the sixth amendment. I just want to say that I am very happy that the Senator from California has agreed to drop the Cady Mountains area from the **wilderness** designation. Doing so will allow the Hidden Valley residual repository to continue to seek regulatory approval. While it does not guarantee-and I stress that I understand that it does not guarantee-that the repository proposal can go forward, it leaves the project in the same situation that it is in today. I thank Senator Feinstein for accommodating this concern.

On the issue of access to non-Federal property, I again want to commend the Senator from California for accommodating a concern regarding access to the private property of Americans. My amendment seeks to give some assurance that private property owners will have adequate access to their property, whether they are awaiting acquisition by appropriate Federal authorities or, should they desire, to remain an inholder.

My amendment assures that not only will access be provided, but it will also be adequate for the reasonable use and enjoyment of that owner's property. We do not intend that access be constrained to unicycles. It is adequate access for the use and enjoyment of the property, and it is my understanding that the amendment is acceptable to the Senator from California and the chairman. I am very grateful to both of them for it.

[*S4104] On the grazing amendment, I again say thank you. I think it was within the Senator's original intent that grazing be allowed. Our experience with the National Park Service has been something different than one might imagine, and they have used authorizations in the past primarily as authorizing them to do what they wish rather than what the sense of the Congress seems to have been. So instead of authorizing the Secretary to allow grazing, this one directs the Secretary to allow grazing, subject to applicable laws and National Park Service regulations.

I do not have a great deal of confidence that the Department of the Interior, even with this, will honor your intention to allow grazing to continue in Death Valley and East Mojave, but I believe that the change to "shall" should give the message that it is our intent on both sides of this issue and within the Congress that grazing does continue in these two areas. I thank you very much for that as well.

With regard to the advisory commission, the Senator from California has proposed this amendment to establish an advisory commission for the next 10 years to advise the Secretary on planning, development and administration of the Mojave National Park.

I had been concerned about the specific composition of the commission.

I wanted to assure that the commission would have representatives of local economic interests-mining, grazing or other user groups, including representatives of the communities surrounding and within the desert. In this way, the proposed advisory commission would be very similar to that in the California Desert plan which was established in 1976. That plan had an advisory commission which was carefully crafted to include local interests.

I wish to ask, if the Senator would indulge me, through the Chair, is it the intention of this language that the commission be a similar composition to that in the California Desert plan to provide public input?

Mrs. FEINSTEIN. Mr. President, the Senator is correct. That is the intention.

Mr. WALLOP. I thank the Senator very much.

With regard to two **wilderness** study areas, Owshead Mountain and Avawatz, bordering the Fort Irwin National Training Center on the north and east, it is so, that after considering several options over the last few years, the U.S. Army has concluded that they have a need to expand the national training center to the north and east.

It is my understanding it is the Senator's intent to allow these two areas to remain in BLM **wilderness** study status with the idea that someday we may have the opportunity to consider legislation to allow the Army to expand in this direction.

Does that understanding comport with the ideas of the Senator from California?

Mrs. FEINSTEIN. I say to the Senator from Wyoming, my understanding of the amendment is that this amendment does not preclude the Department of Defense review of expansion of Fort Irwin or the future expansion or future designation of **wilderness**. It is meant, as I understand it, to be neutral in this regard.

Mr. WALLOP. That is my understanding of this as well.

Last, Mr. President, I very much wish to thank the Senator from California for accepting the law enforcement provisions. I think it is in all of our intent that we do not provide a pipeline in the interstate highway system out of Mexico through which illegal immigrants and drug traffickers could operate, but the law enforcement people could not. I think that was her intention. I think it is now clear that it does not, and I thank her for that.

I wish to insert three letters into the Record at this time, one from Mr. Ray Johnson, executive director of the Office of Criminal Justice Planning in the Office of the Governor in California, one from the U.S. Border Patrol to Congressman Vento, and one from the attorney general of California, Mr. Lungren, to me. I ask unanimous consent to do so.

There being no objection, the letters were ordered to be printed in the Record , as follows:

Office of Criminal Justice Planning, Office of the Director,

Sacramento, CA, July 14, 1993.

Hon. Dianne Feinstein,

U.S. Senate, Hart Senate Office Building, Washington, DC.

Dear Senator Feinstein: I want to take this opportunity to express grave concerns about what I presume would be an unintended side effect of your Desert Protection Act, S. 21. My concerns center around the provisions of the bill which would place certain areas of land in California under the **Wilderness** Protection Act and thereby render those areas inaccessible to immediate motorized access. In its present form, I am afraid that the bill would do severe damage to law enforcement's attempts to wage a successful war against the drug cartels which are funneling illegal drugs across our state's borders, both on the southern border with Mexico and on the eastern border with Nevada and Arizona. As you are aware, at present we are having a difficult enough time dealing with the constant flow of narcotics coming across our borders. Any attempt to restrict law enforcement's capabilities to pursue drug traffickers in these areas would be disastrous.

The nature of the war on drugs is such that we could not effectively operate under the constraints of either having no access to certain areas or of having to first obtain permission from some Park Service official to gain access for purposes of pursuit. We have heard that there

has been some discussion about providing some kind of limited corridor through the intended **wilderness** areas. As a practical matter, that concept will simply not work. The drug smugglers we are dealing with are extremely clever and resourceful; they would understand very quickly the logistical benefits which S. 21 will currently provide for their illicit activities. We have enough to deal with without providing them with what would constitute a "safe haven", a haven of which they would take full advantage.

There would seem to be a very simple solution to this problem. We would appreciate your placing an amendment in the bill which would simply provide an exemption from the provisions of S. 21 for all law enforcement officials at the local, state, and federal levels. This would allow these agencies to continue to be able to effectively fight the war on drugs as well as allow access for emergency search and rescue operations. This amendment would not have any significant effect upon the environmental purposes for which the bill was designed. Failure to enact this amendment would seriously jeopardize anti-drug activities.

Thank you for your consideration of this request. Please feel free to call me at 916-324-9140 if you have any questions or if we can provide any further information.

Sincerely,

Ray Johnson,

Executive Director.

U.S. Border Patrol, Immigration and Naturalization Service,

El Centro, CA, June 15, 1993.

Hon. Bruce Vento,

Chairman, Subcommittee on National Parks, Forests, and Public Lands, Washington, DC.

Dear Congressman Vento: I would like to take this opportunity to provide you with information which sets forth the El Centro Sector's concerns regarding Senate Bill S. 21, especially in the areas of general law enforcement, drug interdiction, and search and rescue.

In the way of a little background, the El Centro Sector of the United States Border Patrol has responsibility for approximately 72 miles of international border between the United States and Mexico, the southern boundary of Imperial County. We have stations in Calexico, El Centro, Indio and Riverside, California and our area of responsibility extends into most of Riverside and some of San Bernardino Counties as well.

In Fiscal Year 1991, we arrested 30,450 deportable aliens and seized a little over 11 million dollars in narcotics (wholesale value). In Fiscal Year 1992, we arrested 29,852 deportable aliens and seized 164.4 million dollars in narcotics. As of May 1993, we have arrested 15,932 deportable aliens and seized an all time record of 519.6 million dollars in narcotics. Again, I stress this is a wholesale value. I can't begin to imagine how many youngsters on the street this amount of drugs would supply. You may have noticed the decrease in arrests between Fiscal Year 1991 and Fiscal Year 1992, this was not because there was a lesser number of people entering the country illegally, but because we had fewer officers with which to do our job, which brings us to the potentially disastrous situation with S. 21.

We are concerned about all the proposed areas in Imperial County, however, we are especially concerned about the proposed Jacumba

Wilderness area and the Fish Creek area. As you know, a **wilderness** designation means no motorized vehicles, only foot traffic or horseback. This would make an already difficult job almost impossible in view of the desolation and summertime temperatures of the areas in question. This, along with a short response time mandated by the close proximity of Highway 98 and Interstate 8 to the proposed Jacumba **Wilderness** area; which is utilized by smugglers to pick up their loads both aliens and narcotics, demands that our officers be allowed to utilize motorized vehicles for operations in these areas. Within the proposed Jacumba **Wilderness** area is an area know as Davies Valley. There is a road through this area which runs [*S4105] from the Mexicali/Tijuana Highway in Mexico, all the way to Highway 98 near Ocotillo, California. This Highway has been a major thoroughfare for smugglers for years and speaking from experience I can safely state that closing this area will not stop a smuggler from utilizing what would be left of the road to make good his entry into the United States. They will simply ignore the fact that motorized vehicles are not allowed. There are also five (5) other well documented smuggling corridors through the proposed Jacumba area. On one of these corridors, an existing road on the east edge of the Jacumba area, we seized 1277 pounds of cocaine valued at \$ 41,000,000.00 during January of this year. A few months prior to that, we seized 427 pounds of marijuana worth \$ 600, 000.00. This seizure was made near Interstate 8, right square in the middle of the proposed Jacumba area. Thus far, in 1993, we have accounted for 197 entries made by people on foot and 19 vehicle entries in our west desert which includes the proposed Jacumba and Fish Creek areas. In 1992, there were 776 human entries and 18 vehicles entering through this same area.

We are in the Jacumba and Fish Creek areas almost daily with either 4 x 4 vehicles or aircraft. The purpose being to detect the illegal entry of aliens and drug smugglers. We do this by looking for tracks of both people and vehicles and by utilizing electronic detection devices which have to be checked and serviced on a regular basis. You can see that if we could not utilize low flying aircraft or had to walk into these areas or even utilize horses, the cost in manpower and response time would be increased to the point that we would probably just have to ignore the activity in these areas and hope that we could make the apprehension after the smuggler reached the highway. This, in turn, puts our operations in a different legal arena, subjecting our arrests to different court decisions and in general making a successful prosecution more difficult. In simple terms the creation of the Jacumba **Wilderness** area will only create a no-mans land between the Mexican border and Interstate 8 and Highway 98 where an illegal alien or smuggler will be free to roam at will or hide on United States soil until conditions are right for them to safely make their way further into the United States.

There is also a safety factor involved for our officers as well as numerous rescue operations of people caught in this desolate terrain

without proper food and water, as is often the case. We did not keep statistics on the number of deaths occurring in the desert prior to 1985. At that time with the cooperation of the Mexican officials we attempted to educate the potential entrant(s) as to the dangers of attempting to cross into the United States through the deserts. We also altered our operations to ensure timely responses to any indicated traffic through the desert. The proposed Jacumba and Fish Creek **wilderness** areas have proven to be the most popular for use by aliens entering and attempting to walk around our Highway 86 traffic check operation. Since 1985 there have been 31 deaths in these desert areas. Our officers have rescued 81 people that would have died had our officers not rescued them when they did. These people were already dehydrated and in bad shape. During this same time frame, we made about 900 other apprehensions, all of which had the same potential for disaster. I might add that a number of these rescues were made by our pilots who located the people and were able to land and administer first aid until a mobile unit arrived.

We understand that someone had proposed to change the language of the bill to give us access to a 60 or 100 foot strip along the border. I, think, you can see from earlier discussions in this letter how in reality this would be of only very limited benefit. For a successful interdiction

program we must have total and unlimited access to these areas. We gave gone on record stating that we will assist any law enforcement agency in enforcing whatever restrictions are finally arrived at for these areas. We feel that our presence will enhance and help to ensure the safety of the public that will be utilizing these areas. We must have motorized access to these areas to perform our duties and ensure the integrity of our borders.

I hope this information will be of help to you. If we can provide anything more we will be pleased to do so.

Sincerely,

Manuel Cazares, Jr.,

Deputy Chief Patrol Agent.

State of California,

Office of the Attorney General,

Sacramento, CA, April 11, 1994.

Hon. Malcolm Wallop,

U.S. Senate,

Washington, DC.

Re: S. 21, California Desert Protection Act.

Dear Senator Wallop: In response to your request, I am writing to voice my support for your proposed amendment to S. 21, the California Desert Protection Act, which provides for unimpeded law enforcement activities by local, state and federal law enforcement agencies within this proposed **wilderness** area.

The current language of S. 21 only allows the Immigration and Naturalization Service, the Drug Enforcement Administration, or the United States Custom Service, all federal law enforcement agencies, to continue to perform "border operations" within the proposed **wilderness** areas, subject to interagency agreements; and then only consistent with the management of the **wilderness** areas for the purpose for which such **wilderness** areas were established. These policies preclude aerial or motor vehicle access within **wilderness** areas. Under this language, state and local law enforcement agencies, including our bureau of Narcotics Enforcement, would be completely excluded from pursuing criminals that enter the proposed **wilderness** area. In fact, the language appears to offer a safe haven for criminal activity.

We have carefully analyzed Senator Feinstein's amendment and preferable is your amendment which specifically allows the use of vehicles traditionally used by both federal, state and local law enforcement agencies during the course and scope of their law enforcement activities within such **wilderness** areas. it is particularly critical given the proximity of the International border, and its well publicized illegal immigration and drug smuggling problem, to these proposed **wilderness** areas. As Attorney General of the State of California, I strongly urge the Senate to adopt you amendment.

Sincerely,

Daniel E. Lungren,
Attorney General.

Mr. WALLOP. Now, Mr. President, I am prepared to embrace these amendments en bloc, again with my thanks to the Senator and her staff.

The PRESIDENT pro tempore. The question is on adoption of the amendments en bloc.

The amendments (Nos. 1608-1619) were agreed to.

Mr. JOHNSTON. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. WALLOP. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSTON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I understand now that we will be ready to take up a Wallop amendment which would redesignate the Mojave National Park as a BLM national monument. I might say to my colleagues that this is really the most important amendment probably to be considered among all of these. It will take some debate. I understand the Senator from Wyoming believes it will take at least until after lunch. I am wondering whether we could set a time certain after lunch for a vote on that amendment.

Mr. WALLOP. Mr. President, I say to the Senator that it would be my intention to arrive at that. I am not quite certain at this moment in time what time certain, but it will not be long after the two parties return from their annual weekly luncheons.

Mr. JOHNSTON. That is fine.

Mr. WALLOP addressed the Chair.

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. WALLOP. For the moment, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. Murray). Without objection, it is so ordered.

Mr. JOHNSTON. Madam President, with the concurrence of the Senator from California, I would be prepared to offer a unanimous consent request that the Wallop amendment redesignating the Mojave National Park as a BLM national monument, when offered, if offered, would be considered for a vote at 2:45 or 2:46, and that the time between 2:30 and 2:46 be equally divided between the Senator from California and the Senator from Wyoming.

If that is suitable, I will be prepared to offer that unanimous consent request.

Mrs. FEINSTEIN. Madam President, the Senator from Louisiana, as I understand it, would ask that there be 16 minutes equally divided, 8 minutes on each side, to discuss this question?

Mr. JOHNSTON. Madam President, I understand that we come back in at 2:15 and not at 2:30. So I would still ask that the vote occur at 2:45 and that the 30 minutes between 2:15 and 2:46 be equally divided between the Senator from California and the Senator from Wyoming.

Mrs. FEINSTEIN. The only reason I ask this question is this is a pivotal amendment. You cannot be for S. 21, in my view, and support this amendment. So I want to make as cogent and passionate a case against the amendment [*S4106] as I possibly can, and it may very well take more than 15 minutes.

Mr. JOHNSTON. Madam President, if we could have between now and 12:30, and then come back--

Mrs. FEINSTEIN. That is excellent; that is fine with me. I did not realize that. So the discussion will take place from now until the recess at noon.

Mr. JOHNSTON. That is right, and then come back with another 30 minutes.

Mrs. FEINSTEIN. That is acceptable. Thank you very much.

Mr. WALLOP. Reserving the right to object, and I shall not, this is in the usual form. That would include the second-degree amendment.

Mr. JOHNSTON. I do not think the usual form would necessarily preclude it. Would the Senator like to preclude them?

All right.

ORDER OF PROCEDURE

Mr. JOHNSTON. Madam President, I would therefore ask unanimous consent that the Wallop amendment redesignating the Mojave National Park as a BLM national monument, when offered, if offered, be voted on without second-degree amendments, unless agreed to by both the Senator from California and the Senator from Wyoming; that that amendment be voted on at 2:45 p.m.; and that the time between 2:15 and 2:45 be equally divided between the Senator from California and the Senator from Wyoming.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WALLOP. Madam President, I would like just for the moment to ask the indulgence of the Senator from California. The sitting Governor of my State has announced yesterday that he would be the Democratic nominee for Senator to replace me.

I have a press conference that is scheduled at 2:15 with the Wyoming press unrelated to the California Desert Protection Act, if the Senator will be kind enough to try to indulge me and take some of her time at least in the beginning of that 2:15 p.m. time.

Mrs. FEINSTEIN. I will be most happy to, I say to the Senator from Wyoming.

Mr. WALLOP. I appreciate that.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 1620

Mr. WALLOP. Madam 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 Wyoming (Mr. Wallop) proposes an amendment numbered 1620.

Mr. WALLOP. Madam 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:

Redesignate Mojave National Park a Mojave National Monument.

Page 134, line 17 delete "

PARK and insert "

MONUMENT "

Page 135, lines 5-6, delete "unit of the National Park System;" and insert in lieu thereof "National Monument;"

Page 135, line 9, delete "Park;" and insert in lieu thereof "Monument;"

Page 135, line 21 delete "

PARK and insert in lieu thereof "

MONUMENT. "

Page 135, line 22 delete "Park," and insert in lieu thereof "Monument,"

Page 135, line 23, delete "park and insert in lieu thereof "monument"

Page 136, line 4, delete "National Park Service" and insert in lieu thereof "Bureau of Land Management"

Page 136, beginning on line 5, delete section 503 and renumber succeeding sections accordingly.

Page 136, line 14 delete "park and insert in lieu thereof "monument"

Page 136, line 22 delete "National Park Service and insert in lieu thereof "Bureau of Land Management"

Page 137, line 5, delete "

PARK. " and insert in lieu thereof "

MONUMENT. "

Page 137, beginning on line 7, delete all after "law" through the end of section 506 and insert in lieu thereof "law otherwise applicable to such lands including, but not limited to, the provisions of the Federal Land Policy and Management Act (90 Stat. 2743) as amended."

Page 137, line 14, delete "park" and insert in lieu thereof "monument"

Page 137, line 22, delete "park" and insert in lieu thereof "monument"

Page 138, beginning on line 5, revise subsection (a) of section 509 to read as follows: "(a) Within the monument, the Secretary shall permit the grazing of domestic livestock to continue, subject to applicable laws, at no more than the current level."

Page 138, line 23, delete "park" and insert in lieu thereof "monument"

Page 138, line 25, delete "park" and insert in lieu thereof "monument"

Page 139, line 12, delete "park" and insert in lieu thereof "monument"

Page 139, line 14, delete "park" and insert in lieu thereof "monument"

Page 140, line 23, delete "park" and insert in lieu thereof "monument"

Page 141, line 3, delete "park" and insert in lieu thereof "monument"

Page 141, line 6, delete "park" and insert in lieu thereof "monument"

Page 141, line 21, delete "park" and insert in lieu thereof "monument"

Page 141, line 24, delete "park" and insert in lieu thereof "monument"

Page 142, line 11, delete "park" and insert in lieu thereof "monument"

Page 142, line 14, delete "park" and insert in lieu thereof "monument"

Page 142, line 23, delete "park" and insert in lieu thereof "monument"

Page 143, line 2, delete "park" and insert in lieu thereof "monument"

Page 143, line 9, delete "park" and insert in lieu thereof "monument"

Page 143, line 12, delete "park" and insert in lieu thereof "monument"

Page 143, line 16, delete "park" and insert in lieu thereof "monument"

Page 144, line 3, delete "park" and insert in lieu thereof "monument"

Page 144, line 15, delete "units of the National Park System" and insert in lieu thereof "such lands"

Page 144, line 24, delete "units of the National Park System" and insert in lieu thereof "such lands".

Page 145, line 3, delete "park" and insert in lieu thereof "monument"

Page 145, line 5, delete "park" and insert in lieu thereof "monument"

Page 145, line 9, delete "park" and insert in lieu thereof "monument"

Page 145, line 11, delete "park" and insert in lieu thereof "monument"

Page 145, line 17, delete "park" and insert in lieu thereof "monument"

Page 145, line 24, delete "park" and insert in lieu thereof "monument"

Page 146, line 5, delete "park" and insert in lieu thereof "monument"

Page 147, line 11, delete "park" and insert in lieu thereof "Monument".

Mr. WALLOP. Madam President, this California Desert Protection Act is not questioned in the Senate, so far as this Senator is concerned, and insofar as other Senators I know are concerned, as to whether or not the desert should be protected. It is rather a question of: Through what means and by what agency?

The Senator from Wyoming is not picking on California by questioning the designation of a piece of territory in that State for national park status. I have been raising this same issue with the Senate with increasing intensity and frequency over the last 12 years.

It is safe to say that the Congress of the United States has an enormous appetite for parks. But it has no stomach at all for paying for them; neither for paying for the operation of them, nor for the acquisition of them, nor the maintenance of them.

The Secretary, while we speak, is on a tour of the National Park System of America. In that tour, he says that he is off to inspect the degradation of the parks.

Why would a nation which has the world's finest National Park System, the envy of the world, allow its parks to lapse into a state of degradation? It is because politically, parks are the sexiest thing going. It is because everybody wants a national park, and nothing will do for the supreme geology of the land but to give it the status of "national park."

But we have done nothing, Madam President, to maintain the National Park System.

I said yesterday that there is a 9-percent increase in the budget of the National Park Service for this coming fiscal year; more generous than some agencies are going to get. But guess what? That increase does not pay for normal salary and retirement benefit increases that are scheduled within the Park Service.

So even just to maintain salary and retirement benefits, the National Park Service is going to have to take money out of the operation and maintenance of the parks. To be sure, the Secretary and the Director have said that the National Park Service could afford these things. But in the same breath, in testifying on other parks costing far less, they said they could not be afforded.

If you look at the 5-year budget plan of the President of the United States, and Mr. Gore's "reinventing Government," there are 3,700 positions scheduled [*S4107] to be taken out of the National Park Service over the next 5 years. But does that slow Congress in its headlong rush to establish new parks and new obligations? Certainly not. This California Desert Protection Act is the "National Park Service Degradation Act" in disguise-not just with this park, but with all of the

other parks that are going on.

It is not as though people in the land management business have not recognized for a long time that the California desert is a special place. Over the years, the Federal Government has spent millions and millions of dollars and thousands and thousands of manhours developing a comprehensive desert management plan. That plan is in place. That plan is working well under the direction of the Bureau of Land Management and its multiple-use program.

Under the provisions of S. 21, along with the acreage set aside for desert tortoise critical habitat, there can only be significantly less multiple use, and in its place a significant number of large areas that are set aside for other restricted uses. But keep in mind that the desert management plan that is in place was concocted by the Federal land managing agencies, and the environmental groups who praised it widely when they endorsed it and embraced it. It has not changed.

You will see, as you have seen yesterday, extraordinarily beautiful pictures of this extraordinarily beautiful piece of land. You cannot claim in the same mouth that on the one side it is being badly managed, and on the other side, that it contains this beauty. It is not a possible thing to do. It defies the logic of the ordinary mind to say that because it is beautiful, it cannot be entrusted to those who have kept it that way.

Why do I argue this? Because it is now and has been within the budget of the Bureau of Land Management. It can have virtually the same status as "national monument" as it has as "national park" but yet stay within the budget of an agency that is already budgeted to maintain it. But there is not a park in the State of Washington, in the State of Louisiana, in the State of Wyoming, or any other State that has one; or any other territory that has one, whose citizens will not pay to have this park come on line. And they will pay by having the parks in their State have shorter hours, curtailed interpretive programs, curtailed park services and, most specifically, curtailed overdue maintenance.

Just to put some perspective on this, Yellowstone National Park in my State of Wyoming, the oldest park in the world, just to bring its roads up to standard condition, not to improve them, not to expand them, but just to put them where they ought to be for the traveling public, is estimated at in excess of \$ 300 million. That gets put off, Madam President, for well into the next century by actions such as this. I will say to my friends that this is not the only park designation I am going to confront that comes before this Congress this year. But I particularly confront this one which falls within the budget of another agency that is doing a darned good job of protecting it, as will be witnessed by the extraordinarily beautiful pictures the Senator from California will bring to the attention of the Senate in a while. Its fragility is not damaged by the color of the uniform of the people managing it. Its fragility is not protected by the color of the uniform of the people managing it.

As you look around America, especially in the great western parks, by and large, the condition of the land within the parks is nothing like as adequate as the condition of the land outside the parks, partly because of the constraints of operation under which the National Park Service operates. You take the rangeland in Yellowstone National Park, and it is in a state of considerable degradation. There are too many elements working around there-buffalo, elk, and other things-and the rangeland is damaged inside that park. They cannot be hunted or controlled, and the land continues to subside in its level of condition.

If anybody wants to look at the condition of fragile desert, have them go to the Grand Canyon and see what uncontrolled feral-not "wild" burros-are doing to that desert environment. So it is not ipso facto that moving it out of the Bureau of Land Management and into the hands of the National Park Service you are going to get this upgraded enlightenment and capability to protect a land that all of us agree needs to be and should be protected.

Under the provisions of S. 21, there is acreage set aside for parks and acreage set aside for **wilderness**. One of the things that we have not paid attention to, because Congress is nifty at navel gazing, is the fact that under the Endangered Species Act, you have another area and level of protection that takes place in the California desert now, and that is called the desert tortoise critical habitat. It is the truth, if you want to look at management of public lands-and most people do not; they just want to hear nice tales about green dreams. But if you want to look at the management of public lands, one of the things you have to look at is what people-Americans, good solid, honest Americans-want to do on that land, and the number of them that want to do it.

The desert is a big place for Americans' recreation. There are approximately 12 million acres in the California desert. There are approximately 8 million acres under this bill that go into park and **wilderness** areas. There are approximately 3 million acres that are for tortoises.

This is S. 21. All the light brown areas are new parks, **wilderness** areas, that are established by this legislation. This is the area down here along the Mexican border where the Senator so kindly allowed us back into the business of law enforcement. But look at this. This is S. 21. The desert is essentially this area here going over to the Nevada-California border, 12 million acres.

These dark brown areas are critical habitat for the desert tortoise. Those, when superimposed upon the areas of S. 21, leave just slightly fewer than a million acres for Americans in their numbers to have multiple use on. And what that means is that 1 million acres will bear the brunt of use that approximately 6 or 7 million acres now are taking. So use will be concentrated heavily and starkly on that 1 million acres. Make no mistake about it, there is going to be an environmental consequence of that.

Mr. JOHNSTON. If the Senator will yield for a question, this issue of the desert tortoise is a very interesting one. It seems to me-and this is sort of unrelated to the park-but I am wondering, in the thousands upon thousands of square miles of desert in the American Southwest, why would there be an endangerment of the desert tortoise?

Mr. WALLOP. Some would argue that it is not. But they have been unable to persuade the Fish and Wildlife Service and they have declared these to be critical habitats and, therefore, have curtailed virtually all uses in those lands.

So what happens now is this is one of the consequences, Madam President, of **wilderness** designation. One of the things that happened is that **wilderness** designation has concentrated the use in forests in America where there are no longer any areas where there are limbs for campfires or other kinds of things.

We do nothing about taking away Americans' desire to enjoy the bounteous gifts of God in the deserts or the forest, or the mountains of this country.

What worries me is that the use of these lands is going to become starkly concentrated. But, in effect, Madam President, this is only one of my areas of concern.

My biggest area of concern is what we are doing to the National Park Service. Can we not get the attention of the Senate, which over the last 6 years has put in 22 new parks and paid for none of them? Can we not get the attention of a Congress that continues to lay down park after park after park without doing anything to establish a new ability of the National Park Service to deal with its obligations?

In the Senator's own State, I made mention yesterday of the Channel Islands which have still to be paid for while being operated as a park. The Park Service has so little money that the ranger in charge of Santa Cruz Island lives in an abandoned refrigerator shipping container.

[*S4108] There are, I am told, serious problems to that habitat with wild goats and pigs.

We saw yesterday a variety of statements as to the economic benefits that come with national park designation. In the Senator's home State, I hope she will take time to see what happened when Redwoods Park was established and what happened to the surrounding communities there. The economic benefit was, in fact, significant economic harm. None of the projections of the Park Service came true in those instances.

Americans rightly care for the natural gifts of the landscape of this great country. Again, I say that this is not a question or an argument as to whether or not this land is worthy of protection. But to select parks solely on the basis that there is a political sophistication in the National Park Service that does not exist within the Bureau of Land Management is a mistake, a big mistake. It has significant "green appeal," I know. But at the same time we have an obligation to concentrate on the consequences to the National Park Service. We do not live in a little set series of glass bottles of formaldehyde on the shelf that we can take each of these votes and actions in isolation and hold no accountability whatsoever for the consequences of those actions.

The consequence of this action is a tax on every park in America, a tax on their maintenance budget, a tax on their operational hours, a tax on their interpretive efforts.

If it were the only way, then we would have an obligation at the same time, I think, to provide for the funding of them. But we all know we cannot do that because of the budget circumstances that exist today.

We all know that we will not do that. Because we have seen we have not done it in the 22 other parks, of which I have spoken, over the last 6 years. And we all know that you get a lot of credit for voting for a park and someone in the administration or the previous administration or somewhere down the road will get a lot of blame because the parks are in bad condition.

I am stating today that the parks are in bad condition not because of a variety of Secretaries of the Interior or Presidents of the United States but because of the actions of Congress which continues to add parks to the system, obligations to the service, without resources in any way.

And again we have in place a management structure that properly drafted-and this amendment properly drafts national monument status-provides the same level of protection without degrading the National Park Service.

The impact of S. 21 on the integrity of the National Park System is substantial. We will have to transfer funds. Clearly we are going to have to transfer personnel.

Is anybody going to explain to me how we are going to continue to provide adequate personnel in the national parks when we take 3,700 personnel out of the system over the next 5 years and add parks to it at the same time? Can anybody explain to me the logic in that? How are we going to get it? Where are the people going to come from? From the sky? Are we going to have forced transfer of personnel out the Bureau of Land Management in order to operate the park? Is there not some way to be more efficient?

The answer is "yes." Leave it under the Bureau of Land Management and leave it under a budget that already accommodates it.

This congressional appetite for new parks is astonishing, even understandable. But what we are doing in this Congress is taking the very best national park system in the world, the model by which all our countries try to run and devise their system of parks, we are trying to kill it with a thousand hugs. We love it so much that we just add little obligations to it and we add little things.

We are at this moment trying very hard to get the administration and others just to provide some money for ranger housing, and the Park Service has testified that the status of ranger housing is unbelievably deplorable, and a service which had taken pride in its longevity of personnel is now beginning to lose young rangers and finding it difficult to attract them because we, Congress, will not fund the Park Service, even ranger housing.

The budget for the parks have increased over the past decade but not in real terms. They are subsidizing underneath the rate of inflation.

At Yellowstone, for example, the budget has increased by less than \$ 10, 000 in real money between 1980 and 1990, according not to some redneck report of the Senator from Wyoming but according to the **Wilderness** Society. The budget of the great first national park of America increased by \$ 10,000. During that same period, the numbers of annual visitors shot up by nearly 1 million. One million people a year more are going into that park which over a decade has had an increase in its budget of \$ 10, 000.

Is that stewardship? Is that sense?

We have deferred maintenance for so long that there is not now a park in America that does not have road repair requirements, sewerage requirements, water requirements, electrical systems that need entirely to be replaced. A lot of them were built back at the turn of the century. They are going down, and all of a sudden we are taking \$ 125 million out of the National Park Service budget over the next 5 years to put it in S. 21.

We have become model slumlords. We have become protectors of the degraded public lands, and the priorities of this Congress and the ones that have preceded it, both sides of the aisle-I make no claim this is a Democratic or Republican thing; I have been arguing this right along-they are in absolute disarray.

Madam President, prior to last summer, each of us had the opportunity to read newspaper reports and editorials and to view television programs which explained that the visitor centers in our parks would be opening later and closing earlier. A lot of us had the opportunity to respond to constituents who found that a travesty.

It is not about having been responsible. It is about having been irresponsible.

Throughout the park system last summer, a number of campgrounds were closed-not their hours curtailed, but closed- and many of the others operated for shorter periods of time. Fewer entrance stations were staffed.

That was another big trick the Congress played on the National Park System. We raised visitor fees so that the parks collecting them could have 50 percent of those fees dedicated to their park operations and the Park Service would get the other 50 percent. But the Appropriations Committee raided that, took it away, and now the parks cannot afford to man the entrance stations because the rangers are needed for the safety of the public elsewhere. So we are losing money in the National Park System by what we do here in our little glass bottle.

There are no consequences to this act except protection of the California Desert.

That is simply not the case. If it were the case that this is the only way in which the desert could be protected, this would probably be worth doing anyway. We would have a responsibility to Americans to figure out a way to pay for it. But we are not going to do either of those.

There is another way to protect it, and that is national monument status. There were fewer patrol rangers protecting visitors from crime and assisting with automobile problems. And crime in the parks went up last year, Madam President.

At beaches, the number of lifeguards was cut. There were fewer ranger-led nature walks, evening programs, and educational activities. Critical trail maintenance continued to be deferred, causing a hazard to the public that wishes to get out of the populated centers in the national parks.

Maintenance of buildings, vehicle fleets, roads and other parts of the infrastructure were cut back and deferred until another day.

To meet basic day-to-day needs, many parks saw no alternative but to divert funds from needed and important cultural and natural resource projects and research. Research in the national parks went down and will go down further.

Mr. President, I ask unanimous consent to have printed in the Record several excerpts regarding just some of the budgetary problems that are encountered from a random selection of [*S4109] parks. These are taken from the 1993 report by the **Wilderness** Society, entitled "Shortchanging the National Parks."

There being no objection, the material was ordered to be printed in the Record, as follows:

Shortchanging the National Parks

ACADIA NATIONAL PARK

(Maine)

Established in 1916 (as Sieur de Monts National Monument), Acadia was the first national park east of the Mississippi and remains the only one of the 51 full-fledged national parks that is located in the Northeast. This 40,000-acre unit, best known for its rugged coastline, includes Cadillac Mountain, the highest point on the Eastern Seaboard, and provides habitat for some 275 bird species. The park also encompasses Isle au Haut. Much of Acadia's land was bequeathed by John D. Rockefeller, Jr.

Visitors. -1992: 2,382,113 (1982 figure not provided here as means of comparison because of a major change in the computing method).

Budget impacts. -The number of seasonal employees has been reduced from 150 to 144 since last summer. Because there will be two fewer patrol officers, response time will be slower. One of the park's museums will be open only five days a week instead of the usual seven. To keep the interpretive programs from being scaled back during the summer months, nothing is being offered in May. During the peak season, all programs will be offered less frequently than in the past.

The park lacks the money to deal with breakdowns of sewage facilities and has brought in portable toilets in some areas as a stop-gap measure. The replacement of the sewage system at Bear Brook Pond picnic area has been deferred. Trail maintenance, however, has improved in recent years and progress is being made on the backlog of work. Help has come from a variety of sources.

Acadia was slated to receive \$ 631,000 from the economic stimulus legislation. The money would have enabled the park to maintain its seasonal ranger staff and its interpretive program at 1992 levels, tackle sewage system problems, step up efforts to help endangered species, and undertake other projects that have been put off in recent years.

Phone: 207-288-5456.

BIG BEND NATIONAL PARK

(Texas)

Named for a big bend in the Rio Grande River, 118 miles of which lie in this 801,000-acre park, Big Bend sits on the Mexican border. In fact, the park manages 13 percent of the border. Big Bend features dramatic canyons, desert, the Chisos Mountains, and some 400 bird species. Established in 1935, Big Bend was designated a Biosphere Reserve in 1976.

Visitors. -1982: 180,144, 1992: 294,535.

Budget impacts.- The interpretation program has been scaled back again. Four years ago, for example, Big Bend offered four or five evening programs a week at each of two amphitheaters. This summer, only one of the facilities will operate, providing six evening programs a week. There used to be two or three nature walks a day, but this summer the park expects to offer only one or two. In contrast, Big Bend has managed to step up its outreach to local schools and communities, including some in Mexico.

While the Panther Junction Visitor Center will operate as it has in the past, three other centers (Rio Grande Village, Persimmon Gap, and Chisos Basin) will close or will be open only intermittently this summer.

Funding for trail maintenance has failed to keep up with the need. Work focuses on the most heavily used trails, which, unfortunately, tends to lead to even more use of them and less use of the trails in more remote areas. A number of the trailheads have become difficult to find.

There will be no fee collection this summer at the park's three campgrounds, and fewer rest rooms at these sites will be open. Grounds maintenance will be reduced, as well.

Larger than Rhode Island, the park faces major law enforcement challenges, including drug interdiction. Big Bend has experienced sniping along the river and a double homicide. With a staff of eight law enforcement rangers, Big Bend can muster only four at a time. Seasonal law enforcement hiring has been "severely reduced."

Superintendent Robert L. Arnberger said that numerous maintenance projects involving roads, buildings, and housing were being deferred in order to meet day-to-day needs. To save money, he has not filled some maintenance positions.

Phone: 915-477-2251.

CAPE HATTERAS NATIONAL SEASHORE

(North Carolina)

Cape Hatteras was the first of the ten national seashores. Located along the Outer Banks, this park is a narrow, 70-mile-long strand that offers first-rate beaches, a variety of wildlife, and historic Cape Hatteras Lighthouse, at 208 feet the tallest in the country. The lighthouse overlooks what sailors have called "the Graveyard of the Atlantic."

Visitors .-1982: 1,698,543, 1992: 2,047,103.

Budget impacts. -The park's managers have had to cut services broadly. Wherever possible, they have tried to maintain their programs at past levels during the busiest periods.

Instead of offering three protected beaches, each with a four-lifeguard staff, Cape Hatteras will have lifeguards at only one of those beaches, Ocracoke Island. Swimming is allowed at the rest

of this national seashore, but strong littoral currents, rip currents, and shifting sand create inherent risks.

One of the five campgrounds, 90-site Salvo, will be closed the entire summer. Three of the other four close on Labor Day, instead of in October or November. Campground fees have risen from \$ 8 to \$ 11.

The interpretive schedule had to be scaled back from 250 guided programs a week to 150. Only because they were able to recruit volunteers will the Park Service be able to provide tours of 123-year-old Cape Hatteras Lighthouse. Two of the main visitor centers, at Bodie and Ocracoke Islands, will be open only five days a week rather than the usual seven.

There will not be a reduction in the number of law enforcement positions, but hours will be cut back. The maintenance staff will shrink from 52 a year ago to 48.

Phone: 919-473-2111.

CUYAHOGA VALLEY NATIONAL RECREATION AREA

(Ohio)

Established in 1975, this park links Cleveland and Akron, protecting the meadows, wooded hillsides, and trails of the river valley. Congress authorized this 20-mile-long narrow NRA to grow to 32,400 acres, and right now about half that is owned by the National Park Service. Features include Cuyahoga Valley Line Railroad, remnants of the Ohio and Erie Canal, and the Hale Farm and Village, representing rural Midwestern life during the 19th century. Cuyahoga Valley attracts a wide variety of birds.

Visitors .-1982: 717,815, 1992: 1,430,382.

Budget impacts. -With costs and visitation growing rapidly, Cuyahoga Valley has had to scale back its operations in a number of areas to stay within budget. The park staff now employs ten fewer people than it used to: "When a permanent position becomes open, in many cases we do not fill it due to a lack of funds," said Superintendent John Debo. Among those left vacant: a wildlife biologist and a GIS specialist.

Trail maintenance is falling behind. "We're down to bare bones on our foot and equestrian paths," Debo said. Upkeep on historic structures is being deferred, too.

Two or three positions have been cut from the interpretive program, so there are fewer rangers at park facilities to talk to visitors.

Nor can the park provide the law enforcement coverage it would like. From 11 p.m. to 8 a.m. there is no one on duty, and arson has been a problem during those hours.

Cuyahoga Valley NRA is slated to absorb the Ohio Toe Path Trail, which will stretch resources and staff even more.

Phone: 216-650-4636.

GLACIER NATIONAL PARK

(Montana)

Covering more than one million acres on the Canadian border, Glacier is the U.S. portion of Waterton-Glacier International Peace Park. The popular park features nearly 50 glaciers, 200

lakes, rugged peaks, forests, waterfalls, and meadows rich in wildflowers. Among the wildlife are grizzlies, bighorn sheep, and moose. Glacier was our eighth national park, established in 1910, and it is one of the world's Biosphere Reserves.

Visitors. -1982: 1,666,114, 1992: 2,199,767.

Budget impacts .-Glacier is a "hot" park. Between 1986 and 1992 visitation increased by nearly 40 percent, and the latest survey by the American Automobile Association indicated that its popularity is continuing to climb rapidly. The result is an even greater strain on limited funds.

Campgrounds are opening a week or two later and will be closed September 7, which is two or three weeks earlier than usual. The park has had to cut maintenance significantly. For example, trail maintenance is only "marginal," according to Superintendent Gil Lusk. That is a special concern at Glacier, home to the Lower 48's most viable grizzly bear population. Bears are most likely to take on humans when they are surprised, and poorly maintained trails generally limit visibility and thus increase the likelihood that a hiker will suddenly encounter a grizzly. Some of the trails have had to be closed off to visitors.

Interpretive programs are being offered less frequently, despite the swelling visitation. At the Canadian border, hikes and tours have been eliminated. Instead, there are brochure racks.

Altogether, Glacier will have 250 to 270 seasonals, about the same number as last summer, but they will work fewer weeks. In the mid-1980s there were 330 to 350. Those figures somewhat overstate the drop off because the growing popularity of the shoulder seasons has forced the park to convert some seasonal positions to permanent status. Even with that conversion, however, the number of permanent rangers has remained roughly the same.

Staffing at entrance stations has been cut considerably. The Glacier station will not be open at all. Those that are open will be staffed only nine hours a day this summer.

Other signs of the budget times are reduced training for employees and deferment of vehicle replacement, which has created a \$ 1 million backlog. The average vehicle is 14 years old. Lusk has tried hard not to let everyday needs completely undermine the science and resource management budgets. [*S4110] "It gets tiring," said Lusk of the cuts he has had to make over the past five or six years. Glacier was to have received \$ 1.7 million under the economic stimulus package.

Phone: 406-888-5441.

GREAT SMOKY MOUNTAINS NATIONAL PARK

(Tennessee, North Carolina)

Encompassing one of the oldest uplands on Earth, this park is extraordinarily diverse. Northern and southern forest types meet here, and the park has 130 tree species, more than can be found in all of northern Europe. The park also sustains the greatest acreage of old-growth forest in the East. Now a World Heritage Site, Great Smoky Mountains provides habitat for bobcats, black bear, and more salamander species than any other place in the world. Seventy miles of the Appalachian Trail run through the park, which was created by Congress in 1926.

Visitors. -1982: 8,177,869, 1992: 8,931,690.

Budget impacts. -The backcountry trail system continues to deteriorate. Ten years ago there were two trail maintenance crews, each with ten to 12 people. Today the two crews are down to four people each. To help compensate, the park has found volunteers to do some of the light maintenance. Volunteers also are being plugged in to the visitor center staff to keep it operating

the usual hours.

Besides reliance on unpaid help, the park has tried to maintain services by skimping on programs that are less visible. "Today you won't see a ranger in the backcountry," said a park spokesman. There are a few out there, but only rarely will visitors encounter them.

Perhaps the largest cutback has been in the campaign to control the wild boars, brought into the area from Germany in the 1920s for sport hunting. These pigs have multiplied and are uprooting wildflowers and rare plants. Spending on hog hunters has been slashed by two-thirds. By this time a year ago, 200 pigs had been eliminated, but this year the tally is just 120. "This will cause big trouble next year if we don't get more money," said the spokesman.

Great Smoky Mountains was hit hard by the March blizzard and is hoping to receive funds to clean up the damage. If the money is not provided, park managers may have to move dollars from the budgets for seasonal rangers and other programs to pay for the cleanup.

Phone: 615-436-1200.

HOT SPRINGS NATIONAL PARK

(Arkansas)

Considered a sacred place by the Indians, and first set aside by the Federal Government as Hot Springs Reservation in 1832, this unique national park covers 4,836 acres in the resort town of Hot Springs. There are 47 thermal springs, with the water at 143 degrees all year. The park also features eight historic bathhouses, undisturbed woods, and 24 miles of trails.

Visitors. -1982: 1,015,580, 1992: 1,504,073.

Budget impacts. -Funds are so limited at Hot Springs that the seasonal staff of 28 has been cut by 50 percent. The 14 who were hired may be let go before the end of the summer. The park is trying to bridge the gap with volunteers, who give thermal tours, work at the information desk, help with repairs, and provide other services.

There are basically only "two and three-quarters" staff positions assigned to building repair. "They simply can't do all the work," said Superintendent Roger Giddings. Six of the famous bathhouses need major rehabilitation, but Hot Springs can afford to do only minimal work on them. Leaking roofs on two of the bathhouses and uncontained basement spring waters have led to significant structural damage. Altogether, the park has more than 100 historic structures. The hot springs water collection and distribution system needs continuing maintenance and repair. "This is an old, old park," said Giddings. "We have many projects to do."

The trails also are suffering from a lack of maintenance. Landslides and erosion resulting from a 1990 rain storm and subsequent heavy rains have caused damage that has yet to be repaired in some areas.

Hot Springs has been able to maintain its law enforcement staffing levels, but Giddings does not consider those levels adequate. "We are dealing with the concerns of a city. We don't have round-the-clock enforcement, and only one person patrols at critical times," he said.

The park had hoped for help from the economic stimulus bill. Giddings planned to hire 70 to 90 seasonals and mount a major rehabilitation effort. "We would have done a ton of work on the trails, buildings, landscaped grounds, utility system, and scenic drives," he said.

Phone: 501-624-3383.

INDIANA DUNES NATIONAL LAKESHORE

(Indiana)

"The Dunes are to the Midwest what the Grand Canyon is to Arizona and Yosemite is to California," Carl Sandburg once wrote. "They constitute a signature of time and eternity." Authorized by Congress in 1966, Indiana Dunes National Lakeshore lies along the southern shore of Lake Michigan between Gary and Michigan City. The unit includes dunes that rise 180 feet above the lake, sandy beaches, marshes, prairie remnants, and historic buildings. The park provides habitat for more than 220 species of birds. A major goal of Indiana Dunes is environmental education, and the park hosts some 70,000 school children a year.

Visitors. -1982: 1,066,573, 1992: 1,973,098.

Budget impacts. -The main cutback has been in law enforcement. Last summer there were ten law enforcement officers, but this year the park will try to make do with seven. To compensate for the loss, they vow to "work harder." Naturally, they will have to concentrate on the high-priority needs, described as "life-and-death situations and cases involving serious property damage." Last summer there were five ranger assistants, who focus on traffic control; this year there will be two. Creating even more of a strain on these employees will be the operation of a 79-unit campground, which opened at the end of last summer.

Indiana Dunes also will save money by reducing the hours of the Paul H. Douglas Center for Environmental Education. Other centers for visitors will not be affected, however.

Park Superintendent Dale Engquist said that Indiana Dunes came very close to having to close one of the beaches this summer so that a lifeguard could be put somewhere else. The park contracts out the lifeguarding and has had to absorb increases in the contract price.

A major budgetary challenge for Indiana Dunes has been the addition of new land and facilities, like the campground. For Fiscal Year 1994, the park has requested an additional \$ 100,000 to cover at least part of the expenses. If that money comes through, along with the 7 percent across-the-board increase requested by the National Park Service, "we hope it will get us back to the point where we were five or six years ago," said Engquist.

Phone: 219-926-7561.

MAMMOTH CAVE NATIONAL PARK

(Kentucky)

This park contains the world's longest recorded cave system. More than 330 miles have been mapped, and underground streams are still at work, extending the network. Discovered by settlers in the late 18th century, the caves became famous as a place for actors and singers to perform. This 52,000-acre park is located roughly halfway between Louisville and Nashville and also contains picturesque river valleys and some of the hilly country north of the Green River. Mammoth Cave National Park was authorized by Congress in 1926, fully established in 1941, and designated a World Heritage Site in 1981 and a Man and the Biosphere Reserve in 1990.

Visitors.- 1982: 1,526,676, 1992: 2,392,858.

Budget impacts. -A year ago the park had 60 seasonal rangers, but this summer there will be only 40 or so. One consequence will be a cutback in the number of above-ground tours. One of the most popular, the Echo Hill River tour, will not be offered at all. These options are considered important in part because the park likes to be able to provide an organized activity for the many visitors who are beyond the carrying capacity (2,800 people a day) of the guided cave tours.

Though there were campground closures during the winter, Mammoth Cave expects to have all campgrounds open as usual during the summer.

The summer seasonal maintenance staff has shrunk from eight to five persons, forcing the park to do routine maintenance at longer intervals.

Phone: 502-758-2251.

NORTH CASCADES NATIONAL PARK

(Washington)

Now celebrating its 25th anniversary, this northwestern Washington park protects what some call "the American Alps." The 505,000-acre park contains three units, including Lake Chelan and Ross Lake National Recreation Areas. North Cascades features not only jagged mountain peaks but hanging glaciers, waterfalls, and lush forests. Wildlife includes the black bear, wolverine, cougar, and moose.

Visitors.- 1982: 395,476. (Because of a change in the tabulation method, there is no comparable figure for 1982.)

Budget impacts. -"All areas have been cut," Superintendent Bill Paleck reported. There will be fewer rangers at Ross Lake. For the first time in many years, no ranger will be stationed at Copper Ridge or Lightning Creek, two backcountry areas.

The interpretive programs are down to bare bones. Last summer there were evening activities five nights a week; this summer there won't be any, unless the rangers volunteer. The daytime programs have been eliminated at Hozomeen campground and reduced at Colonial and Newhalem campgrounds.

Only one of the campgrounds has opened, although others are expected to open soon. The park will have to cut back on bathroom cleanup and trash collection. The pit toilets at Ross Lake may not be cleaned at all this summer.

Trail maintenance has been deferred, with most of the work concentrated on the most heavily used areas. "If we have to continue maintaining trails the way we are now, very soon a decision will have to be made to close some or let them deteriorate," said Paleck. "In the backcountry, if you don't brush a trail, it's lost in a few years."

The park also plans to reduce visitor center staffing and control of invasive plants. Paleck estimates that North Cascades needs an additional \$ 1.4 million "to do what we should be doing."

Phone: 206-856-5700.

OLYMPIC NATIONAL PARK

(Washington)

Olympic National Park contains active glaciers, 50 miles of coastline, mountains, alpine [S4111] meadows, and the finest remnant of Pacific Northwest rain forest. Among the wildlife are Roosevelt elk, cougars, black-tailed deer, and spotted owls. Established in 1938, Olympic has been designated both a Biosphere Reserve and a World Heritage Site.

Visitors.- 1982: 2,478,739, 1992: 3,030,195.

Budget impacts.- Last December, the park's managers found they would have to slice more than \$ 400,000 from the balance of the fiscal year's spending plans to stay within the \$ 6.5 million budget. They spread the cuts as widely as they could. Maintenance funding for the more than 600 miles of trails was reduced \$ 80,000. The remaining amount will allow work on two front-country trails that receive the most use and one trail running across the park. "In the long run, this deferred maintenance will cost us more," said Assistant Superintendent Roger Rudolph.

The interpretation program will be running \$ 22,000 short. As a result, there will be fewer nature walks and campfire programs. For example the program at the Fairholm amphitheater, which averaged 120 people a night, will be conducted on weeknights this summer. There will be fewer rangers stationed at busy spots to field questions. At Hurricane Ridge, for instance, there will not be a uniformed person to guide interaction between visitors and black-tailed deer, whose sudden hoof strikes can hurt.

Currently, seven percent of the park's budget is devoted to interpretation, a sum that Rudolph calls "an absolute embarrassment." About half of the public contact stations are not staffed. Those that are depend mostly on volunteers. There will be 24 seasonal interpretive rangers this summer, compared to 34 just a few years ago. To save money, Olympic will start some of those 24 later and end their employment earlier.

Backcountry rangers number only 12, compared to the 16 that the park believes are needed. Again, volunteers are being used to help compensate. The seasonals will start June 5, instead of May 23, and finish up in late August, instead of September.

During the height of the summer season, the 17 campgrounds should offer the same services they did a year ago. In the shoulder seasons, however, Olympic is now cutting the number of sites and reducing sewer and water service. Olympic will pare its expenses by about \$ 100,000 by slashing fee collection at entrances and campgrounds. Of the four entry stations, only Heart O'the Hills (providing access to Hurricane Ridge) will be in operation. The park staff considers the booths an important way to inform visitors and to deter those who come to Olympic to break into cars.

The number of people working on natural resource management at Olympic is "woefully inadequate," Rudolph said.

Phone: 206-452-4501.

ROCKY MOUNTAIN NATIONAL PARK

(Colorado)

Located on the Front Range of the Rockies and only 65 miles from downtown Denver, this popular park contains 59 peaks at least 12,000 feet high, including Longs Peak. Established in 1915 as the ninth national park, Rocky Mountain provide habitat for bighorn sheep, elk, golden eagles, and other species. Famous Trail Ridge Road takes motorists to the highest point (12,183 feet) that a car can reach in the national parks.

Visitors. -1982: 2,578,902, 1992: 2,942,743.

Budget impacts. -There will be only 60 interpretive programs a week this summer, compared to 100 a year ago. The Lily Lake Visitor Center, operated jointly with the U.S. Forest Service, will not open until June 1, instead of May 1. It will close Labor Day, rather than October 15.

The hours of operation at the entrance stations will be reduced. The east-side hours will be 9 a.m. to 6 p.m., in contrast to 7 a.m. to 8 p.m. last summer. The west-side hours will be 8 a.m.

to 5 p.m., versus 7 a.m. to 11 p.m. in 1992. Not only does this reduce revenue, but it precludes many visitors from getting the information they need upon arrival at Rocky Mountain.

The east side will have two fewer seasonal law enforcement positions, while the west side will have three fewer.

Upkeep of Rocky Mountain's 355 miles of trails has lagged due to lack of staff. There are more than 40,000 horse rides a year on these trails, increasing the need for maintenance.

The park had hoped to hire five seasonal people to rehabilitate the rock walls along Trail Ridge Road, build by the Civilian Conservation Corps. But the money to hire them is not available, so the work will be put off. Other infrastructure projects left unfunded were the widening and upgrading of road shoulders and the reroofing of the Alpine Visitor Center.

Rocky Mountain had hoped to receive enough money from the stimulus package to hire 30 seasonal employees. That would have restored staff levels to the more adequate levels of two or three years ago.

Phone: 303-586-2371.

SHENANDOAH NATIONAL PARK

(Virginia)

This park is located along the Blue Ridge Mountains and offers beautiful views of the Shenandoah Valley and the Piedmont. In 1936, when Franklin D. Roosevelt dedicated Shenandoah (meaning "Daughter of the Stars"), it was the beginning of an experiment to determine whether an overused area be returned to its natural condition. Today 95 percent of the park is forested, and there have been major comebacks by the turkey, black bear, deer, and bobcat. Thirty-five warbler species have been seen in Shenandoah, which contains 105-mile-long Skyline Drive.

Visitors. -1982: 1,751,972, 1992: 1,850,000.

Budget impacts. -Shenandoah made headlines in December with its proposed closing of portions of Skyline Drive. That plan was shelved, but the episode indicates the seriousness of the park's budget squeeze. The staff cutbacks may be the most extreme in the national park system. Forty positions were either eliminated or will be left vacant until the end of this fiscal year. The positions include assistant superintendent, district ranger, two sub-district rangers, interpretive rangers, and a fire management official. This summer there will be only 20 seasonal rangers, compared to 28 a year ago, and they began work in mid-May rather than March. Since 1989, said Chief Ranger Larry Hakel, the ranger staff has been reduced by 50 percent since 1989.

The staff shortage has forced the closure of two campgrounds: Mathews Arm and Dundo (used by groups). Big Meadow family campground has just opened, almost three months later than usual.

There was no interpretive program at all this spring so that the summer program could be retained. The final summer schedule is not yet ready, but even with help from volunteers, it will have to be scaled back. All visitor centers are open fewer hours, and the North End center opened a month late. Entrance stations, where visitors get much of their information, have been open a maximum of five days a week, but the park hopes to have them open every day during the peak season.

Dealing with law enforcement duties and searches has become more of a challenge than ever. "We're having difficulty with the day-to-day stuff, " said Hakel. "We've had some major auto accidents and searches this year."

Two big March storms had a major impact on the trails, many of which remain too covered with debris to be usable. The maintenance crews have concentrated on clearing Skyline Drive and the most heavily used trails. Those storms made an already difficult fiscal situation even worse. Skyline Drive cleanup cost \$ 250,000.

Normally Shenandoah replaces five to ten vehicles a year, but this year only one has been replaced, and the backlog adds up to \$ 2.6 million.

Phone: 703-999-2243.

SLEEPING BEAR DUNES NATIONAL LAKESHORE

(Michigan)

This park protects 31.5 miles of Lake Michigan shoreline, as well as North and South Manitou Islands. The most striking features are enormous sand dunes. Authorized in 1970, Sleeping Bear Dunes also features beaches, rugged bluffs towering as high as 480 feet above Lake Michigan, dense forests, and inland lakes. The park is in the northwest portion of Michigan's lower peninsula, near Traverse City.

Visitors.- 1982: 664,945, 1992: 1,237,181.

Budget impacts.- All maintenance of Sleeping Bear Dunes' 100-mile trail network has been eliminated. "We have no one to maintain them," explained Superintendent Ivan Miller. Having cut six maintenance positions this year, the park also has had to defer maintenance and cleaning of new facilities, including a boat launch, campground, and picnic areas.

Nor can the park clean up hazardous waste on lands that have been added to Sleeping Bear Dunes in recent years. The main concerns stem from underground storage tanks. Other budget casualties were non-mandatory training, purchases of supplies and materials, and backcountry patrols.

Shortchanging these activities enabled Sleeping Bear Dunes to hold the line in other areas.

Phone: 616-326-5134.

YELLOWSTONE NATIONAL PARK

(Wyoming, Montana, Idaho)

The world's first national park, established in 1872, Yellowstone is the largest in the Lower 48 (2.2 million acres). Home to the world's greatest geyser system, which includes Old Faithful, Yellowstone provides habitat for grizzlies, elk, trumpeter swans, bison, and many other species. It has been designated both a Biosphere Reserve and a World Heritage Site.

Visitors.- 1982: 2,368,897, 1992: 3,144,405.

Budget impacts.- Yellowstone has been forced to cut its seasonal staff dramatically in recent years, despite a surge in visitation. In 1988 there were 136 seasonal rangers; this summer there will be just 73. The impact is even greater than those numbers suggest, said Chief Ranger Dan Sholley, because most seasonals are working for a shorter period, generally June 20 to September 7. "The visitor parking lots are already full here," Sholley said on the third Friday in May. Moreover, he explained, because these employees' total earnings will shrink, many of the veterans are not returning.

One of the key responsibilities of Yellowstone's rangers is patrol of 2200 frontcountry campground sites each night to make sure food is stored properly so that grizzlies are not attracted. Because cuts cannot be made in this coverage, reductions must be focused elsewhere.

Though final schedules are not ready, the interpretive staff expects to scale back on a wide range of ranger-led activities, including nature walks, evening campfire talks, workshops, [*S4112] and demonstrations. Visitor centers will tend to shut down an hour or two earlier. Entrance stations will not be staffed until May 29. Only two years ago the north entrance was staffed nearly year-round. Daily hours at these spots will be more limited.

Law enforcement staff will be stretched even more than in the past. Responding to emergencies will leave rangers little time to help visitors who run out of gas, lock their keys in the car, or need jump starts. A spokesman said, "People may have to call someone from outside the park." That is a daunting prospect given Yellowstone's large size. Also cut back is maintenance of trails, roads, and vehicle fleet. "We're running 100,000 miles on our patrol cars," said Sholley. "The wheels are rolling off them, literally."

Phone: 307-344-2013.

YOSEMITE NATIONAL PARK

(California)

"I know of no single wonder of Nature on earth which can claim a superiority over the Yosemite." Horace Greeley said in 1859. El Capitan, Half Dome, Bridalveil Falls, giant sequoias, and Yosemite's other great features led to its 1890 designation as the third national park and attract nearly four million visitors a year. Yosemite is at a pivotal point in its history as debate continues over: (1) which firm should succeed the Curry Company as the concessioner October 1 and (2) how to ease the congestion that is choking Yosemite Valley.

Visitors. -1982: 2,506,241, 1992: 3,957,642.

Budget impacts. -Various steps have been taken, or are planned, to deal with the budget crunch at Yosemite. Campgrounds at Bridalveil Creek and Yosemite Creek will be closed all summer. Combined, they contain 185 of the 1,928 conventional (or "family") campsites available in the park. Bridalveil also has one of Yosemite's horse camps and group campgrounds. Hodgdon Meadow campground, which normally operates year-round, will not open until July 2. It has 105 standard sites and four group sites, giving it a total capacity of 750 people.

Hours at entrance stations will have to be reduced because there are fewer rangers to staff them. For example, at the Big Oak Flat entrance on Route 120 along the park's west side, the number of patrol rangers has dropped from ten a year ago to seven, while the number of fee collectors has declined from 16 to eight.

Nature walks, evening talks, and other parts of the interpretive program are likely to be scaled back, but the schedules are still being drawn up.

The combined impact of too much snow and too little money has slowed the clearing of Tioga Road, an east-west road across the heart of Yosemite and the route to Tuolumne Meadows. There is only one crew working, instead of two, so the park predicts Tioga Road will not open until mid-June. The late opening is forcing even more of the visitors into congested Yosemite Valley, and on both May 22 and 23 the park halted traffic into the park for three hours. This was the first time in the park's history-except during a natural emergency-that such action had to be taken. The staff may have to seal off entrances on other weekends this summer, for up to five hours at a time.

Crime at Yosemite, as at most parks, has risen. The park's 1992 police blotter included five reported rapes. There were 836 arrests, up from 794 the year before, and 742 motor vehicle accidents. But the budget squeeze has forced a reduction in law enforcement staff. A year ago there were 16 permanent rangers and 10 seasonals on the job; this year there will be ten permanent and 9 seasonal rangers. The result will be thinner coverage.

Phone: 209-372-0248.

ZION NATIONAL PARK

(Utah)

Part of the Southwest's famous Canyon Country, Zion National Park protects the geologic wonders of the Mesozoic period, spanning the time between the geology preserved in Grand Canyon and in Bryce Canyon National Parks. Featuring brilliantly colored rocks and hanging gardens in the cliffs, this 147,000-acre park provides habitat for 250 bird species and a variety of mammals, including bobcats and gray fox. Zion was made a national park in 1909.

Visitors. -1982: 1,246,290, 1992: 2,390,626.

Budget impacts. -Despite Zion's rapidly growing popularity, the visitor center did not begin operating 12 hours a day until May 16. There has been enough demand to justify longer hours since March 1. "The visitor center is a basic responsibility," said Denny Davies, Chief of Interpretation and Visitor Services, but the park simply lacked the funds to run longer hours.

Trail maintenance has become a major concern. Three maintenance positions have gone unfilled this year, exacerbating an already serious problem. Rocks, water, and other natural forces degrade the trails, as do people taking short cuts. "Ten years ago you would have seen a lot less litter, a lot less wear and tear on the trails, and less damage to the resources," Davies said.

"Trails are really hammered in the backcountry," said Davies. Even in the frontcountry, maintenance has not kept pace. One mile-long trail was hiked by some 700,000 people last year.

Zion also has been unable to maintain fences needed to prevent livestock from grazing in the park and damaging resources.

The park expects visitation to continue its rapid growth. Last month there were 25 percent more visitors than there were the previous April. Most of the increase is coming during the shoulder seasons.

Phone: 801-772-3256.

Mr. WALLOP. Mr. President, it is not often that the **Wilderness** Society and the Senator from Wyoming are on the same side of an issue. It may be that they would even change their side of the issue if they knew I was going to insert their impacts.

But in the majority leader's park in Maine, Acadia-which I, incidentally, helped the majority leader expand a few years back-it was slated to receive \$ 631,000 from the economic stimulus legislation. The money would have enabled the park to maintain seasonal ranger staff and its interpretive program at 1992 levels, tackle sewage problems, step up efforts to help endangered species, and undertake other projects that have been put off in recent years. It did not happen.

We have Acadia in Maine; Big Bend in Texas; Cape Hatteras National Seashore in North Carolina; Cuyahoga Valley in Ohio; Glacier National Park in Montana; Great Smokey Mountains in Tennessee, the Presiding Officer's State; Hot Springs in Arkansas, the President's home State; Indiana Dunes in Indiana; Mammoth Cave in Kentucky; North Cascades National Park in

Washington State; Olympic National Park in Washington State; Rocky Mountain National Park in Colorado; Shenandoah in Virginia; Sleeping Bear Dunes in Michigan; Yellowstone in Wyoming, Montana, and Idaho; Yosemite in California, and Zion National Park in Utah.

This is a limited number, and that is what I have asked to have printed in the Record .

Mr. President, with or without this park, this summer we will observe additional closures, program curtailment, and maintenance deferral, along with cuts in seasonal and temporary personnel.

This Congress and this administration must be, but are on the way not to be, responsible for protecting the existing park and service programs-we missed being this level of responsible-before we add more unfunded burdens to a system that is clearly at a breaking point.

One of the great issues in America today is unfunded mandates. What we are doing to the local communities is heaping obligations on them that we in Congress are unwilling to fund. Guess what we are doing right here? This is, make no mistake about it, an unfunded mandate on the National Park System-unfunded with personnel, unfunded with resources, except those that have to be taken from other parks in order to make it take place.

Someday, somewhere along the line, somebody will be responsible and take the initiative, and I suggest to you that it should be this Congress. No one else is going to stand up for a system that calls out for help and assistance, in a system that is so bogged down that it cannot even report to the Energy Committee its prioritization of lands authorized nor any ideas as to how much it might cost; their excuse being that how much it might cost depends on how long in the future you defer it, and they cannot tell how much more it would cost in 10 years than they would today because they have no intention of doing it today. Where else but Congress is that going to come from?

And, again, it is not a tradeoff between protecting the desert or failing to. It is a tradeoff between protecting the National Park Service or failing to.

My guess is we certainly cannot count on this administration. I was appalled and nearly became despondent when I heard of the recent comments of the Secretary of the Interior the other day. He already has another park waiting in the wings.

According to an associated news report, after what he described as a spectacular helicopter survey of the coast north of San Francisco, Interior Secretary told a cheering crowd he would lobby Congress to preserve its beauty.

"I surrendered" Babbitt told a group of environmentalists and area residents. "As we move to the end of the 20th century, it is not enough to just set aside a few million acres. We've learned that everything relates to everything," he said.

He has not learned everything relates to everything. Something relates to [*S4113] the health of the National Park Service.

But what this supposedly responsible Cabinet member is talking about is adding another 40,000 acres to Point Reyes National Seashore. It would run from just about Bolinas in Marin County, 20 miles north to Bodega Harbor in Sonoma County. The junior Senator from California has already introduced similar legislation to accomplish the same initiative. Do you have any idea what the taxpayers could end up paying for this property?

We spoke with the tax assessors office in Marin County. Given a point in time when the lands become developable, \$ 100,000 per acre is well within the ball park.

That is \$ 4 billion. If you took the average of funds allocated to the National Park Service from the Land and Water Conservation fund, say \$ 100,000,000 per year, it would take 40 years to purchase this acreage. That is assuming there is zero inflation. If there is 1 percent inflation on these California lands, it will take 110 years; 2 percent inflation will take 1,000 years. At 2 1/2 percent, it will never get funded. And of course in the interim, no other lands could be acquired including the more than half a million acres in the State and private lands within the California Desert. Even if you only purchased easement and development rights the price tag would still be 90 percent of the total cost of acquisition.

The case is not between protecting the deserts and failing to protect them. The case is looking after the National Park System.

This creation of new parks and expanding existing ones just has to stop. It is like a shark feeding frenzy. The problem is there is no fresh meat-so we are literally eating ourselves alive. We are eating alive what Americans have grown to trust us to protect.

Mr. President, funds and personnel have already had to be absorbed from existing areas to finance the 27 new areas that the Congress has added to the System during the last five congressional sessions.

I said before that within the National Park Service, an estimated 3,700 positions will be eliminated over the next 5 years under President Clinton's proposal to reinvent Government.

We face a backlog of deferred but needed rehabilitation projects in the billions of dollars.

The backlog of authorized but unacquired park service lands is in the billions of dollars.

We cannot afford to operate and maintain what we are already responsible for.

We have just said let it go downhill, let Americans, whose property has been condemned to parks, bear the brunt of it. Let all our park system that exists today bear the brunt of it and decline in quality and decline in maintenance and decline in personnel and decline in hours of operations.

My amendment Mr. President, would retain the management of the East Mojave National Scenic Area with the Bureau of Land Management and upgrade the land status from a scenic area to that of a national monument.

There are opponents who say this is only a name change, it does little else. I encourage Members to read the amendment.

My amendment contains the identical findings, directions, and provisions that are currently in S. 21. The only difference is it will be a BLM national monument and not an "NPS" park.

The only other difference is it will fall within an agency whose authorization already contemplates it. It will not be a tax on the National Park System.

The BLM is already in place. Its personnel are in place. It makes very little sense to change management just for the sake of change and to the detriment of other Park Service sites.

Mr. President, at the committee's last business meeting, I had no alternative but to oppose my chairman in his quest for a new park in New Orleans. The rationale for creating that park had more than sufficient significance and merit.

I do not enjoy opposing the chairman, Senator Johnston. We have a good history of friendship, of working together on tough issues and of reaching compromise and consensus on a number of

complex issues. So this is not an argument between myself and the Senator from California. This is an argument between myself and the Congress for the life of the National Park Service. There is no means by which the Senator can suggest we will be able to add additional funds. She knows that. I know that. Congress knows that. The funds will come out of the hide of the existing park structure and system.

I felt compelled to oppose the chairman because the Director of the Park Service testified at a hearing on the matter that he did not oppose it, he just could not afford it.

Mr. President, I submit that if we cannot afford a new park costing a few million dollars, we unfortunately cannot afford a new Mojave Park for \$ 125 million.

The National Park Service System is much too valuable a worldwide resource to have us dismantle existing parks in order to create new areas.

I urge my colleagues to join with me in responsible action and sensible legislation. By voting for this amendment this Mojave will be fully protected by the Bureau of Land Management as a national monument.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I commend the Senator from Wyoming for a very powerful statement on the subject of the starvation, from a budgetary standpoint, of the national parks. He is surely, surely correct on that issue. Mr. President, I hope all of my colleagues, and the people in the executive branch, will listen to his very strong plea on what we have done to the National Park Service, because we are starving the National Park Service. And whatever happens to this bill, the National Park Service on today's budgetary timeline is due to be starved. This bill is not going to, really, add very much to that one way or the other. What the Congress needs to do is respond and more generously fund the National Park Service, because little by little it is in fact being starved.

I submit to my colleagues that at less than one-tenth of 1 percent of the Federal budget, the National Park Service is hardly contributing to the Federal deficit. If you put it to the American people, "do we want to adequately fund the National Park Service," I believe in overwhelming numbers they would say yes, we want to fund the National Park Service. They do not have any doubt about that. That is one reason why I proposed legislation which would grant to the National Park Service additional funds for acquisition of parks way beyond just this individual park-way beyond that.

I hope we will be able to bring to the attention of Senators and of Members of Congress, that the National Park Service is in bad shape.

The reason we have these huge deficits is not this less than one-tenth of 1 percent for the National Park Service. It is-and we all know it-because of entitlements. If the American public wants entitlements increased they need to face up to that. But I can tell you, Mr. President, the American public does not want to starve-from a budgetary standpoint-the National Park Service and see our lands that are the jewels of the Park Service, through mismanagement, through lack of management, through lack of funds, deteriorate and not be properly taken care of.

I favor the bill as reported by the Energy Committee, reported on a bipartisan vote of 13 to 7. I hesitantly oppose my colleague from Wyoming on this particular amendment because, really, this amendment, indeed this bill, does not contribute that much to the question of cost of the National Park Service. If we look at the total number of acres affected by this bill, some 6.3 million acres, it is almost breathtaking in its scope. If you look no further than that you can say, "How can we afford 6.3 million acres to add to the Federal management, **wilderness** and park areas?"

Mr. President, the real question is: How much of that 6.3 million acres is not now owned by the Federal or State government? The answer is that only 6.3 percent of this total area is not presently owned by the Federal or State government.

So the additional burden for the Federal Government is-I will not say slight-but not a huge amount. Most of this is already owned by Government.

[*S4114] I appreciate what my colleague says about the question of whether it ought to be in one Federal budget or another Federal budget. We can fix that, Mr. President. We can just transfer those funds from the Fish and Wildlife Service, from the Department of Interior or BLM, to the National Park Service. They are all Federal dollars. So that argument is one that is easily fixable.

Granted what he says about the National Park Service, we can fix the argument about who gets the money to manage these properties.

The incremental amount will not make that much difference in this Federal budget. I can tell you, Mr. President, it will simply not. There is a longstanding tradition in the Senate and in our committee-very, very seldom breached-which is that if the two Senators from a State are in favor of a bill relating to a national park, we almost always endorse that bill and go along with those two Senators. That is the case in this instance. Both Senators strongly support this bill, and both Senators strongly support the designation of East Mojave as a national park.

I say that is very, very seldom breached. So let us look behind the fact that both Senators are for this.

Is it a good idea? Mr. President, I can tell you we have had over 10 committee hearings, both here and in California, over a period of 8 years. This is the most thoroughly considered bill that we have almost ever had. I guess there have been some others that have had this many hearings, but not many. Everything there is to be known and developed in committee hearings we have developed in this case. The record is very clear.

BLM has recognized the special characteristics of this area by designating it administratively as the East Mojave National Scenic Area. That was not done under this administration. That was done under previous administrations.

In 1979, a BLM staff report to the Park Service concluded that "cultural and natural resource values of the East Mojave study area are so diverse and outstanding that the area readily qualifies for national park or monument status."

In 1987-I guess that was during the Bush administration-after reviewing the Mojave National Park proposal, the professional staff of the Western Regional Office of the National Park Service reported that the area met the required criteria specified in the National Park Service management policies and recommended that the area would be "a worthy and valuable addition to the National Park System."

Our present Director of the National Park Service, Roger Kennedy, stated "that the Mojave National Park unquestionably merits national park status. The resources of the proposed Mojave National Park meet the high standards required for a national park. This remarkable place is of unquestionable significance biologically, culturally, recreationally, scenically, and scientifically."

Secretary Babbitt testified for this park as a "very special addition to the National Park System."

I will not go into the beauty of the park, which is considerable, because, frankly, my colleagues from California do that so well, and they have those wonderful pictures which tell such a

complete story about this area.

Let me simply say that this land, for the most part, is governmentally owned. The whole thing needs to be put together. Some of this land is owned by a company called Catellus, which is the successor in interest to the Santa Fe Railroad.

As my colleagues know, there was a checkerboard pattern of ownership by railroads in the West owing to legislation passed in the 19th century which granted to the railroads sections of land which are interspersed throughout the whole area.

From a management standpoint, we need to acquire some of that 6 percent that is the privately owned land in order, from a management standpoint, not to have the checkerboard-in some instances, to grant access; in other instances to grant wildlife passageways-so that we can string this parkland together and this **wilderness** area together in a way that it can be properly managed for the wildlife, for the cultural and the environmental values, and for the good of those thousands upon thousands, tens of thousands of people, who will be using the park.

It makes sense, Mr. President. It is not a great addition to the Federal budget, and we can fix the question of who ought to have the budgetary drain, whether it ought to be the Park Service or the Department of Interior budget or BLM budget, by simply transferring the money from BLM, which presently has the largest budgetary drain for the management of this area, to the National Park Service.

The park makes sense. The amendment of my friend from Wyoming does not make sense. I hope we will, however, listen to the main thrust of his argument, which is that we are starving the National Park Service from a fiscal standpoint. I hope when we get around to the appropriations process that we will listen in the Senate and do more justice to the National Park Service because, as the Senator so well points out, it does not make any sense to have ill-housed, ill-managed national parks which are underfunded and, therefore, not available to the extent they ought to be to the American public.

So, Mr. President, I reluctantly oppose the amendment of my friend from Wyoming and support the position of the Senators from California.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, may I thank the Senator from Louisiana and the committee chair for his comments. I would like to comment on this amendment. Let me begin by saying that the bill, as introduced, for the 1.2 million acres that are East Mojave, would make it a national park. Not to do so is antithetical toward the intent of this bill.

This national park is the centerpiece of this bill, and to make it a BLM monument is, in fact, a bill killer in the eyes of this author. The people of California do not want this. Both Senators from California do not want this.

This amendment was proposed in the committee. It was defeated in the committee. It was defeated by the votes of Senators Johnston , Ford , Bumpers , Akaka , Bradley , Bingaman , Wellstone , Mathews , Campbell , and Dorgan , and I am hopeful that it will be defeated this afternoon by a vote of this body, as well.

Let me say that the people of California, 70 percent of the people living in the desert counties, support park status for the Mojave. This was a Field Institute poll done in 1992. A full sample of 1,300 people showed 70 percent support for park status for the Mojave.

Then the question of a BLM monument status began to emerge. The reasons it began to emerge were twofold, and let us talk right about basics: One was mining interests wanted it; and, two, hunting interests wanted it. So the Field Institute went back into the field and did another poll in California.

They found that 75 percent of those Californians questioned supported creating the Mojave National Park with no hunting. That clearly was aimed to see if BLM monument status was acceptable to the people of California. The answer clearly is no; 75 percent of the people want no hunting.

Now, let us look a little bit behind the rationale. Only 1.5 percent of Californians hunt in the State. This percentage is lower than all other States except Hawaii and Rhode Island. Virtually every other State has a much higher percentage of its population that hunts. California hunters have access to more than 60 percent of the State's land area-60 percent of a huge State is available for hunting. This includes 20.4 million acres in 21 national forests, 17.1 million acres of BLM land, and nearly 3 million acres of Department of Defense lands.

S. 21 would still allow hunters access to approximately 10 million acres of BLM land in the desert region.

If we could put that other chart up again, all throughout this desert, all through here-here is Los Angeles, San Bernardino, Barstow, the Joshua Tree, Death Valley up here and East Mojave here. All around this area hunting is permitted, and there is 10 million remaining desert acres where hunting is permitted.

Californians as well as people from other States are far more likely to visit the Mojave to hike, to camp, and [*S4115] to enjoy the scenery and wildlife than to hunt. That is one of the reasons for wanting to make this a national park, so people can visit the area without fearing a bullet.

In 1991, only 9,000 out-of-State visitors came to California to hunt anywhere in the State. In contrast, 640,000 people visited California for the primary purpose of wildlife viewing, according to the U.S. Fish and Wildlife Service.

California is one of the top three States in the Nation for out-of-State trips for the purpose of wildlife viewing. That is one of the reasons both Senator Boxer and I feel so strongly about the national park status.

Hunting animals such as bighorn sheep and deer make people wary of humans and thus diminishes viewing opportunities for the public even during a nonhunting season.

The amount of hunting in California also has declined significantly over the past two decades. According to U.S. Fish and Wildlife, 446,000 people hunted in California in 1991. This is nearly a 50 percent decline over the last 20 years. Let us put the hunting aspect of this to rest. The people do not want it, the committee voted against it, the two United States Senators are opposed to it, and it is clear that there is strong support for an East Mojave National Park.

Let me talk for a moment on the arguments of cost that have been raised. The Senator from Wyoming pointed out that the National Park Service had taken a loss of about 3,700 people. I am informed by the Park Service that this is in error; that 3,700 people have been reassigned from central offices to the parks, not out of the agency. In other words, they are being taken out of the central office and put into park areas.

Mr. WALLOP. Will the Senator yield for a correction?

Mrs. FEINSTEIN. Yes, I certainly will.

Mr. WALLOP. I did not say 3,700 people had been taken out. I said if you look at budget projections, it is 3,700 people. Personnel by which the National Park Service will be reduced over the next 5 years. I did not say they had been.

What has taken place in this year is that 401 people have been removed from the National Park Service and put into the Office of the Secretary. But the 3,700 personnel is a projection under the President's Reinvention of Government. I did not claim it had taken place.

Mrs. FEINSTEIN. I thank the Senator very much.

I trust then the Senator would not disagree that 3,700 people are being reassigned from central offices to the parks so the national parks will have 3,700 people added to them.

I also want to say that comments were made about the Redwood National Park and the fact that there was an economic loss when that park came into being. I would like to point out that when that park came into being, there was a legislative taking of about 47,000 acres of land immediately. That threw people out of jobs. There is no legislative taking of land with this bill. No jobs will be lost with this bill.

I also would like to correct the comments on the desert tortoise, at least indicate my understanding.

There may need to be some mitigation, but activities can occur even in land where the desert tortoise is in danger. Let me give you one example. The Viceroy Gold Corp. received approval of a plan to operate to mine and today has an active gold mine in desert tortoise habitat. Mitigation, in fact, was provided. So what is increasingly happening is when there are problems, people are getting together and trying to solve those problems by providing mitigation.

If I might, let me move now to the cost argument. Yesterday, I read into the Record a letter by Secretary Babbitt, which was dated April 11, and indicated how the Secretary and Interior would fund this bill.

The Secretary's letter, I would like to restate, points this out, and let me quote:

These lands-

and we are referring to lands that would require acquisition-

were already targeted for acquisition in BLM's protection lands for the California Desert. The land acquisition envisioned in Senate bill 21 is less than that planned by the BLM. These acquisition costs are not new. In fact, the potential cost to the Federal Treasury will actually be less.

And then he goes on to spell out these lands. He points out that land acquisition costs are discretionary, to the extent they may be spread over a long period of time. He states that in the 1995 budget alone the four land managing agencies of the Federal Government requested \$ 257 million for high priority land acquisition projects. Even at \$ 15 million a year for the California Desert, that is less than 6 percent of the annual Federal budget request. He believes it is realistic to protect this natural resource. In operational costs, it is believed that they will be able to be met because the plan for meeting them is simply to transfer existing BLM people into the area. I have visited places-for example, there is a beautiful Kelso Railway Station in the heart of the desert that could be used for a headquarters with very little cost. It is vacant. It has been remodeled. It is kind of in the middle of nowhere, but it could be utilized. It is in a very major central area of the California Desert.

The other point that is aimed at is to permit mining in some of these areas. As I pointed out yesterday, there are none of the 14 designated strategic minerals within any of these desert

areas. There are other mining aspirations. There are mining claims. All active mines are protected. All mines that have been approved to proceed and mine will be able to do so. ;And so I believe that the heart of this amendment is aimed to permit mining and to permit hunting within what is a beautiful resource. Let me just once again stress--

Mr. WALLOP. Will the Senator yield for a clarification?

Mrs. FEINSTEIN. Yes.

Mr. WALLOP. Is the Senator aware that my amendment adopts all her findings and, therefore, the mining issue, to the extent it exists, exists in yours as well as mine? We do not permit mining, just valid existing rights, which yours does. So mining is really a bogus issue, I say.

Mrs. FEINSTEIN. I appreciate that. But you would permit hunting; is that not correct?

Mr. WALLOP. I would. But there is no reason it has to be. They hunt in the Grand Teton National Park. It does not stop anything from going on there. Hunting can be eliminated under that status, as well. It is not an issue between hunting and mining. Our issues of protection are not all that different.

Mrs. FEINSTEIN. I am happy to hear that. Nonetheless, the people that have worked so hard for this bill for so many years believe that the National Park Service is a much better, well equipped, understanding unit to be able to protect and preserve the beautiful resources of the area.

Let me show you for a moment what some of those resources are. You have here Castle Peak, which is a very unique peak in the Mojave National Park. You have an unusual dune, Kelso Dunes, which is near the town of Kelso, where actually the headquarters could be in the Mojave National Washing. You have a pinyon forest in winter. You have the largest Joshua tree forest anywhere in the Mojave National Park. You also have an unusual soda lake in this national park.

The park will be just an incredible place. There will be mountain ranges, dry lakes, cinder cones, badlands, washes, mesas, buttes, lava beds, caves and, as we said, one of the most complex sand dune systems anywhere. One of the reasons why East Mojave is so significant is because it is at the junction of three of the major desert ecosystems, the Sonoran, the Mojave, and the Great Basin. So its biological resources are extremely varied.

I want to point out that in 1979 the Bureau of Land Management staff report found that there was no finer grouping anywhere of wildlife habitats, and that the East Mojave embodies the finest scenery in the entire California desert.

In 1987 the National Park Service concluded that the East Mojave meets all of the criteria for inclusion in the national park: national significance, suitability, feasibility, management. It was recommended that the East Mojave be added to the national park.

May I indicate that the President supports the East Mojave as a national park. The Secretary of the Interior supports the East Mojave as a national [*S4116] park. Both California Senators support the East Mojave as a national park. And a dominant majority-three quarters of Californians polled 1 year ago-support the East Mojave as a national park.

It would seem to me that if you combine this with the present Director of the National Park Service, Roger Kennedy, who believes that these natural resources can best be protected by national park, and if you believe what the Secretary of the Interior has said in his letter to me dated yesterday, that by transferring BLM resources to the National Park Service and by utilizing the present program of land acquisition already scheduled for this area, we can minimize these costs substantially. I believe you will have a cost-effective national park that will be truly unique.

If this amendment is defeated, it is my intention to also move to put the public lands of Lanfair Valley, one of the most pristine areas of the East Mojave, back into the bill. So I am hopeful that this amendment in fact will be defeated.

In summary, this amendment, for everyone who has worked so long, is a killer amendment for the bill. It strikes at the heart of the bill, which is the creation of a new national park. I recognize that the Senator from Wyoming does not believe new national parks should be created. But let me speak as a Californian. Californians are huge taxpayers to the Federal Government. One of the things that my people believe the Federal Government does well is run national parks, such as Yosemite, the Point Reyes National Seashore, the Golden Gate National Recreation Area. I am a native Californian, and I saw the Golden Gate national recreation area before it became a national park. It is incredibly improved as a product of the National Park Service. It is so widely utilized by people.

California has become a dead State. You have people who do not have personal gardens, and they do not have the ability to partake in an outdoor experience. So, increasingly, trips to national parks are the be-all and end-all. Yosemite is lined up for sometimes years ahead of time to get into campgrounds to be able to camp. These are the treasures that we create and that we protect for the future.

What I have been trying to say here is that in this centerpiece of the bill, there are areas that are so fragile: 90 cinder cones, volcanoes below ground and with peaks above the ground, magnificent flowers, the big-horned sheep, the desert tortoise, wild burros running; and individual volunteers bring water guzzlers and put them out there to be able to water the animals. It is just an incredible place. If you have been there in the morning when the Sun is rising, or in the evening when the Sun is setting and you see the table top mountains in the distance, when you look out at the Joshua trees, the pinyons, when you see the mystique that is the California desert, I really believe and intend to follow that this will be a revenue money maker for the Park Service. I believe people will come, they will sample, they will utilize, they will be discrete, and these incredible resources will be protected for all time.

Mr. President, I urge that this amendment be defeated so that S. 21 can proceed as it was intended; that a great new national park known as the East Mojave be created for our children and our grandchildren to use and to adore.

Mr. CAMPBELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. CAMPBELL. Mr. President, I had not planned on speaking to S. 21 today, but in coming by the floor and listening to the debate, I thought I would enter a couple of comments. I am not an original cosponsor of S. 21, basically because I wanted to give it much study. It has been debated here in the Congress for I guess about 10 years, off and on, before Senator Feinstein provided the leadership to get it this far this year.

But having been born and raised in California and having spent many years there, I still am vitally interested in what happens in that State. I recognize that, in many instances, whatever happens to California sooner or later happens to the rest of this country.

I find myself in very reluctant opposition to the amendment of my friend from Wyoming. He has been a terrific leader in the American West, and we have worked on many issues together. On this particular one I will reluctantly oppose his amendment.

I had a great many questions and reservations and found, through a number of meetings with my colleague, Senator Feinstein from California, that she was very willing to listen to all of my concerns. They basically were in two areas.

One was the concern of what will happen to the many small communities around this massive area that will be put into the park system if there were a decline of tourism and people were locked off from the use of those public lands.

The other concern was that many have used the areas in there for 45 or 50 years, and I was concerned about what the effect would be on mining, offroad recreation, grazing permits, and somewhat on hunting, too.

I found in every instance in working with Senator Feinstein that she was willing to moderate the bill and willing to take considerations into the process.

For example, in the original bill there were no areas that I could find that were going to be grandfathered in for offroad-vehicle use, and many of the small towns, they tell me, that are around this area, around the new park area, are dependent on those offroad-vehicle users for weekend sales in grocery stores and camping goods, and so on.

But Senator Feinstein was good enough to grandfather in a number of areas, 16 different areas comprising about 500,000 acres, to continue to be used for these offroad-vehicle people. One of them, the Algodones Dunes area, was 45,000 acres in itself. She also grandfathered in a number of what are called corridors so people can go from area to area without loading up and going back out on public highways and thereby causing a traffic hazard to go from one to the other.

Surely, if we can find money for other very needy worthwhile things that we have in the mix, we can find money for this. I am just as concerned as my colleague from Wyoming that we are not doing a good enough job with the Park Service, and I understand that people want us to curtail spending. But, my gosh, we not very long ago found \$ 50 million for Russia to help in their economic development. If we can do that, certainly we will be able to find money to enhance our park system to be used by millions of Americans in the future.

I have never really been known as a flaming environmentalist, as my colleagues know, but very frankly I think this bill is good business. Everyone knows the economy of California is suffering. One of the real bright spots in that State is tourism, and I think this could go a long way in helping tourism.

I wanted to stand in support of my friend and colleague from California, and I reluctantly oppose the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, let me take this opportunity to thank my friend from Colorado, Senator Campbell, for his comments. I know that he worked closely with Senator Feinstein. He has been a very positive force in developing a bill that can get through this Senate.

I was very honored to be able to address this issue of the bill last evening following Senator Feinstein's remarks, praising her for the efforts that she has put forth on an 8-year odyssey to make this bill law. Eight years is a very long time to wait, I say to my friends, when we have such a fragile environment to protect.

I know that the good Senator from Wyoming is opposing the national park designation because he believes it is not the right thing to do for the country, and I totally and completely respect his right to disagree with the two Senators from California.

But I really have to say, if you step back and give this issue the long view, I think you would

agree with Senator Feinstein and with me that if we really want to protect the desert for all time, if we really want to make sure it is there for future generations from all over the world to come and see and behold, Senator Feinstein 's approach is [*S4117] the right approach, and I have been most proud to be her teammate in this fight.

I understand that the Senator from Wyoming is offering this amendment because he feels that the Bureau of Land Management can run this area just fine. He asserts that, look, it is so beautiful now; they have been manning it all these years; let us leave well enough alone.

We want to have a national park, I say to my friend, because it makes sense to have a national park for the East Mojave scenic area, for the Death Valley area, for the Joshua tree area. When you upgrade to a national park, I say to my friend, it is a very important act. The land will be preserved better in the long run.

As my colleague has stated, the funding is there now with the BLM, and it will merely be transferred to the National Park Service. It is all within the Interior Department. As a matter of fact, I would assert to my friend that, if you follow his lead in this amendment and not allow the desert to become a park but to remain within the BLM, it will cost more. It will cost more to maintain that area because, under BLM control, hunting would be allowed and, as my friend knows, when you allow hunting, it takes more intensive management in many ways than when you do not.

We know that the Park Service has been set up to provide services that people need in an area as magnificent as the desert. I showed some photos yesterday, and Senator Feinstein showed some magnificent photos today, and as I said yesterday, just on Friday I had the thrill of being in the desert country in the park area, and it is a humbling, ennobling experience to stand in these unbelievable areas. I know the Senator from Wyoming agrees with that. He is, after all, a man from the land. It is an awesome thing, indeed.

So when you have that kind of a gift from God, which I call it, I think you need to do the most you can do to assure that it stays preserved. And when the Park Service has it, they know how to do interpretive services and visitor services, and it is their role to preserve natural resources. And, I say to my friend, the Bureau of Land Management has a function, really, to develop resources. Yes, they do a good job in protecting them, but their ultimate objective is the development of resources, not conservation. That is the Park Service, and the Park Service has a trust to open up these lands to all the people for their enjoyment.

As we look out into future years when we are no longer here-we know that our country is growing and developing-it seems to me it is our very grave responsibility to leave environments behind that are untouched so that our grandchildren and our great grandchildren and their children can say: You know, back then at the end of that 20th century that U.S. Senate and House of Representatives saw fit to preserve this for us.

Mr. President, yesterday there was an editorial in USA Today. I ask unanimous consent to print it in the Record at this time.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Preserve More Public Land-Don't Be Shortsighted, Sensitive Land Should Be Protected for Future Generations

Even in the blast and heat of high summer, the deserts of southern California percolate with beauty and life. Amid the scarps and dunes and cinder cones and lava flows, there are forests of Joshua tree and cacti. Lizards bask and snakes creep. Bighorn sheep and desert tortoise prowl beneath ancient creosote rings and petroglyphs.

So what gives in Congress?

Tuesday, the U.S. Senate will be asked to break a filibuster over the California Desert Protection Act, which would fold millions of acres into three new national parks and **wilderness** areas. Despite the region's fragile beauty and ecological significance, the vote's outcome is uncertain.

This fight has been going on for eight years now-mostly because some lawmakers oppose restricting use of public land that isn't already in the park system. It's an old debate. How much land should be set aside for preservation? How much for economic development?

The argument reaches far beyond the California outback. Scores of pending bills would create or expand **wilderness** areas and wildlife refuges across the country. In each case, there are sticky local issues-grazing rights here, mineral rights there, water rights thither, hunting rights yonder.

Yet these very pressures argue for the new parks in California and expanded protections elsewhere.

One reason is just practical: Attendance in the parks continues to set records.

Another is ecological: In remote public lands outside the parks, the lack of restrictions poses a plain threat. The desert tortoise, for example, is threatened in part by grazing policies and off-road motoring.

Now, you may not think much of a lowly tortoise. But its plight is symptomatic of the gradual erosion of environmental integrity that is taking place in many places around the nation. The desert would be less splendid without the tortoise, just as Yellowstone Park would without the bison.

Moreover, broadening federal protection of the nation's scenic and environmental legacy need not be a budget-buster.

A \$ 10 billion acquisition fund, financed by offshore oil development, sits largely untouched. Many expansions are gradual and rely on swaps rather than purchases.

Beyond that, national parks are good business. They attract tourists and boost economies wherever they are situated. In part, that's why most Californians, including both senators from that state, favor the desert parks.

When public interest comes into conflict with the desires of miners, ranchers, woodcutters and other land-abuse lobbies, there's really no choice. Expand the protections of park and **wilderness**. In California, as elsewhere, that's the smart investment.

Mrs. BOXER. Mr. President, I would like to quote from that USA Today editorial because I think it really, in a very succinct way, sums up this whole argument, and I would agree with my friend and leader on this issue, Senator Feinstein, that this is a killer amendment that we are facing here from the Senator from Wyoming.

I hope that he perhaps can listen to the words of this editorial. It is entitled "Preserve More Public Land-Don't Be Shortsighted. Sensitive Land Should Be Protected for Future Generations."

Even in the blast and heat of high summer, the deserts of southern California percolate with beauty and life. Amid the scarps and dunes and cinder cones and lava flows, there are forests of Joshua tree and cacti. Lizards bask and snakes creep. Bighorn sheep and desert tortoise prowl beneath ancient creosote rings and petroglyphs.

And then they ask the question:

So what gives in Congress?

And they talk about a possible filibuster of this bill.

This fight has been going on for eight years now-mostly because some lawmakers oppose restricting use of public land that isn't already in the park system. It's an old debate. How much land should be set aside for preservation? How much for economic development.

The argument reaches far beyond the California outback. Scores of pending bills would create or expand **wilderness** areas and wildlife refuges across the country. In each case, there are sticky local issues-grazing rights here, mineral rights there, water rights thither, hunting rights yonder.

Yet these very pressures argue for the new parks in California and expanded protections elsewhere.

One reason is just practical: Attendance in the parks continues to set records.

Now, Mr. President, this is an important point. Yes, the parks are under heavy pressure because people love national parks. Does that mean that we stop supporting them and creating them? We do a lot of things with our tax dollars where there is a lot of controversy. There is not much controversy about creating parks. People in this country pride themselves on our parks.

Another is ecological: In remote public lands outside the parks, the lack of restrictions poses a plain threat. The desert tortoise, for example, is threatened in part by grazing policies and off-road monitoring.

Now, you may not think much of a lowly tortoise. But its plight is symptomatic of the gradual erosion of environmental integrity that is taking place in many places around the nation. The desert would be less splendid without the tortoise, just as Yellowstone Park would be without the bison.

And I think this is an important point, Mr. President. When we talk about species such as these, it is about all of life, it is not just about the one species. It is about our obligation to preserve and protect what God created. It is almost a spiritual thing, it seems to me.

Moreover, broadening Federal protection of the Nation's scenic and environmental legacy need not be a budget-buster.

And then USA Today makes a very good point-

A \$ 10 billion acquisition fund, financed by offshore oil development sits largely untouched.

That is a good point. We have a fund meant for park expansion, but because [*S4118] of the deficit it just sits there untouched. That is another debate for another day. But I think that is unfair, Mr. President, because I do want to see more parks created and I do want to see existing parks better taken care of and there is money available which sits in a trust fund because of the deficit.

Beyond that, national parks are good business. They attract tourists and boost economies wherever they are situated. In part, that is why most Californians, including both Senators from that State, favor the desert parks.

I want to make this point, Mr. President. For years, we had Senators in this Chamber who fought each other on this bill. When that happens, it is very difficult to get anything passed.

But I say to my colleagues today that both Senators are behind this bill. When we ran for office-it was an unusual situation; we ran in the same year and were elected on the same day-each of us was asked how we felt about the desert bill and each of us said that when we get to the U.S. Senate, one of us will introduce that bill and the other of us will support that bill, and we will do everything we can as a team to get it through.

So USA Today makes that point. They conclude and say:

Expand the protection of parks and **wilderness**. In California and elsewhere, that's the smart investment.

Mr. President, they call it an investment, and that is what it is. It is an investment in our future. It is an investment in our environment, and it is not only an investment, but it is a responsibility, really a solemn responsibility for us.

Once in awhile an opportunity comes along like this one to preserve something as beautiful as the California desert for all time and for all people, and this is the moment. I urge my colleagues to strongly oppose the Wallop amendment which will destroy this bill, and please make S. 21 the law of the land.

I yield the floor.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER (Mr. Breaux). The Senator from Wyoming.

Mr. WALLOP. Mr. President, I would say to my friend from California that there is not \$ 10 billion in the Land and Water Conservation Fund that is not being spent because of deficit reduction. That is only a trust fund in the congressional sense. All of America does not realize what that is, but that is a fancy name we put on things that are paper transactions. It is a fund, the money for which has always had to be appropriated. It is a bookkeeping thing. But it was never a fund, it is not now a fund, and it will not in the future be a fund. It has always been appropriated. And Congress did not appropriate even in palmier days when we thought nothing of budget deficits.

Mrs. BOXER. Will the Senator yield for me to respond briefly?

Mr. WALLOP. I yield for that purpose without losing my right to the floor.

Mrs. BOXER. I thank the Senator for his generosity.

I would just make the point that this is certainly a matter of controversy, but I have been on the Budget Committee both in the House and now in the U.S. Senate and there is a fund. It is not treated like a fund, and there is an argument about it, that is clear. Some of us think it should be treated as a fund, and others feel it should just stay in and offset the deficit.

Yes, it is an accounting procedure. But when those taxes were laid on, they were laid on for a specific purpose of acquisition.

So the Senator and I have a disagreement on how this fund is viewed. Obviously, USA Today agrees with this Senator in terms of the way they interpret it. It is a debate, however, for another day.

But I read that out of USA Today because they are of the view that there is a fund there and literally can and should be used to expand acquisition.

I know the Senator from Louisiana, from time to time, presses that issue, and I happen to agree

with him that we ought to spend for park acquisition.

I thank the Senator.

Mr. WALLOP. Mr. President, I would just say that USA Today is as confused by the budget process of Congress as are most Americans. They are dead wrong. There is not a little drawer down in Treasury inside of which lies land and conservation funds waiting for us to come and play with them. It does not exist. It has never existed from the first day that that took place.

Mr. President, the Secretary of Interior and I do not get along on a lot of issues, and this one would be different if I did not get along with him either. But he has, for whatever reasons, chosen to ignore the studies of his own department as to how much this would cost; his own study produced in 1993 in the month of October, in which they state that this is going to cost \$ 125 million over 5 years, without including any construction, without including any development, without including any housing, without including any facilities, just for operations.

Mr. President, I ask unanimous consent that I be permitted to have printed certain conclusions from this report in the Record . It is too long to have printed in the Record in its entirety.

There being no objection, the material was ordered to be printed in the Record, as follows:

The California Desert in Transition: The Opportunity for Bioregional Management

EXECUTIVE SUMMARY

Background

The proposed California Desert Protection Act calls for 4 million acres of Bureau of Land Management (BLM) **wilderness**, a new Mojave National Park created from BLM land now designated as the East Mojave National Scenic Area, and the expansion of Joshua Tree and Death Valley National Monuments and their redesignation as national parks. The California Desert Transition Work Group was established by the secretary of the interior to effect a smooth and orderly transition of responsibilities and to identify opportunities for cost efficiencies in the event the legislation is enacted.

Opportunities for cooperation

Passage of the California Desert Protection Act will offer an opportunity for the National Park Service (NPS) and the BLM to completely rethink how they manage resources in the California desert. A bioregional management strategy can be developed to manage resources across agency boundaries. A Transition Management Team, comprised of both agencies, can be established to further refine the recommendations and begin the planning necessary to effect the bioregional management concept. This team can explore options to combine planning efforts for the integration of BLM's California Desert Plan with the park General Management Plans and management options including a single ecosystem manager for all departmental programs. Together, the two agencies' different but complementary management policies and mandates can protect sensitive desert resources and provide opportunities for sustainable economic development in the region.

The work group identified a number of issues that will be important to the two agencies if legislation is enacted. These issues range from how best to manage **wilderness** and similar resource issues, to how to most efficiently transfer public use facilities and inform the public of new changes.

The cost of accomplishing this transition can be reduced if the joint management efficiencies identified in the report are adopted. In the first full fiscal year following enactment, BLM will need

\$ 9 million to adjust to new management objectives on the 71 **wilderness** areas the bill will establish. During that year, Mojave National Park and the additions to Death Valley and Joshua Tree will cost \$ 2 million for operations and \$ 1.3 million for planning. At the fully operational level with full staff, which will be a minimum of several years following establishment, the Mojave National Park operational budget is estimated to be \$ 3.3 million. BLM will continue to need \$ 4.3 million annually for **wilderness** management. The greatest cost will be for land exchanges (estimated by BLM to be \$ 40 million) and for acquisition of private lands in **wilderness** (in excess of \$ 100 million) and Mojave National Park (\$ 30 million), which will be spread over five or more years.

While the work group identified areas in which cooperation can lessen short-term expenses and ease a transition in management from one agency to the other, the real accomplishment has been the recognition that BLM and NPS can reinvent the way desert lands and resources are managed. The potential long-term benefits of fiscal savings and enhancement of the regional economy, coupled with the protection of a fragile desert ecosystem, are inestimable.

RECOMMENDATIONS

The California desert is a magnificent resource worthy of protection. If legislation is enacted we recommend the following to not only ease the transition of resources from one agency to another, but also to act as a catalyst for instituting a broader, interagency management regime.

BLM and NPS should develop a bioregional management strategy without regard to agency boundaries that maximizes protection of sensitive desert resources and minimizes duplication of effort. Further, such a strategy can include other state and federal agencies under existing statewide agreements [*S4119] for bioregional management to which BLM and NPS are already party.

The Department of the Interior should make a monetary commitment to implementation of the legislation at least through the first full fiscal year of operation, and to add the new areas to the department's budget request for operations, management and research. One source for new funds is savings that may result from the recommendations from the National Performance Review.

The NPS Western Region and the BLM California State Office should be directed to establish an interagency transition management team to manage the transition and any further refinement of this plan.

The initial management teams for both agencies should be comprised of individuals knowledgeable of the resources and sensitive to area issues, since first impressions of the public are critical.

Recommendations specific to the National Park Service

Once it appears passage of S. 21 is assured, the Mojave National Park staff should be identified and readied to mobilize on short notice to establish an immediate management presence in the new park.

For continuity, the Mojave National Park staff should be comprised of permanent employees identified or reassignment in advance. We believe using special events or all-risk management terms who would only be available for a few weeks at most is unwise, except for perhaps in initial protection roles until permanent staff arrive.

The initial Mojave National Park headquarters should be located in Baker, California because of its proximity to the primary resource and the presence of existing visitor services and facilities.

Recommendations specific to the Bureau of Land Management

BLM should reevaluate the organization, staffing and funding based on changing management objectives for public lands in the California desert.

BLM should reevaluate existing agreements and relationships with other agencies within the desert to determine their effectiveness based on new landownership patterns.

BLM should take action to become a leader in the management of arid land **wilderness**.

The following report provides significant detail on the above recommendations.

SEE HARDCOPY FOR TABLE DATA

MANAGING THE TRANSITION

The work group made several assumptions in order to insure continuity and make the report useful regardless of the final version of the legislation:

The analysis is based on S. 21 legislation as introduced in the current session.

We assumed there would be no additional funding for the transition year (the fiscal year in which the legislation may be enacted).

We assumed a transfer of the East Mojave National Scenic Area to the National Park Service and the additions to Death Valley and Joshua Tree National Monuments.

Both agencies have a high level of specialized skills available to address the issues.

There are some actions that will require immediate attention, while others can be phased in over time.

There are numerous joint actions that can result in cost efficiencies.

There are opportunities for a short-term transition which, if managed jointly, can establish a foundation for long-term cooperative management of desert resources across unit boundaries.

The transition management strategy identifies in detail the various actions needed to resolve the most important issues. These issues were identified through meetings between the transition work group and the field staffs of both agencies, plus meetings between the two monument staffs and the BLM Desert District and resource area managers. The issues are grouped into the following categories:

Visitor services,

Wilderness management,

Visitor and resource protection (includes special uses),

Rights-of-way (includes roads claimed under RS 2477),

Grazing,

Hunting,

Mining,

Water rights (includes availability),

Fire management,

Wild horses and burros,

Land protection (includes acquisition and exchanges),

Cultural resources,

Facility management,

Natural resources (includes wildlife and endangered species), and

Solid waste management (includes hazardous materials).

The action items needed to ensure a smooth transition regarding these issues are divided into three phases:

A "transition year" in which it is assumed both agencies would work within existing budgets;

A first full fiscal year of operation, noted as "first full year," in which budget adjustments would be needed; and

A "full operation" phase, in which the areas are assumed to be completely staffed and functioning, but will require full funding. This would be a minimum of at least three years (and possibly more) beyond establishment, which would be the earliest that budget increases can be added as a result of each agency's normal budget cycle.

Immediately upon designation the agencies must establish a management presence in the new areas. Law enforcement personnel must be detailed to areas of greatest need. Signs must identify the new status at key entry locations. The public needs to be informed of the changes in the new law. Administrative facilities must be secured and staffing begun. Many of these items can be initiated using this document as a guide in order to minimize costs, transition problems, and public confusion.

A considerable number of skilled individuals in both agencies are available to help ease the transition and carry it out with fiscal and management efficiencies. BLM has for example, indicated some of their maintenance staff in the Mojave might be interested in lateral transfers to the National Park Service.

What follows are the details of the transition in an issue-by-issue format. Where the work group has identified opportunities for management efficiencies and cost savings through joint management or adaptive use of existing resources the items have been listed in bold type.

Mr. WALLOP. Mr. President, so \$ 125 million is a lot more than the Secretary says is needed.

And I have found with the Secretary that times are fluid; that he can say whatever is necessary to be said to achieve whatever result is necessary to achieve without regard to the studies of his own department.

Mr. President, let me lay to rest some issues. I would say to both Senators from California, inasmuch as they are here, that they are dead wrong about my intentions on hunting and

mining. I think they have a point. A ban on hunting is not included in the amendment, as drafted, but that would clearly be easily done. So it is not an issue.

And neither is the mining issue, because my findings are precisely the findings of S. 21. BLM does not operate for the purpose of doing anything except what it is charged with doing. And under the provisions of national monument status, they would have to manage it essentially as the Park Service [*S4120] will manage it but for a couple of things.

Talk about transferring resources from the BLM, the Secretary is not God. The Secretary requires the actions of Congress. He cannot just, willy-nilly, flip the funds around among line items in the Department of the Interior. And he will find some who are on the Appropriations Committee who object to taking money from the BLM and transferring it. He cannot do it unless Congress does it. I would be for doing it, make no mistake about it, but this is not just some dinky little paper transaction of shifting resources around within the Department of Interior. It has to have congressional approval.

One of the Senators from California said trips to the national park are the be-all and end-all. Trips to the national park are important. But not to go and see a sign at the entrance that says "National Park." It is to go and see what is inside it, and that does not change with monument status or park status. It is not a more pleasurable experience to see the desert because the sign when you go in has National Park Service written on it instead of Bureau of Land Management.

If the desert means anything, and surely it does to this Senator, it means what it means because of what it is and not because of some status or symbolism that Congress bestows upon it. If we are serious about protecting this land, we ought to provide the protection through the agency which has the resources to do it.

One of the California Senators was talking about water guzzlers and how that makes it so charming and attractive for the visitors to see wildlife. Under national park status, the water guzzlers go because they are not natural and the management proposals and schemes of the National Park Service are that only things natural are allowed. Guzzlers are not natural. They are enchanting, they are delightful, but they go. So make no mistake about it.

Come back for a minute to the status of a piece of land. When Mount St. Helens blew up, the Senator from Washington established Mount St. Helens National Monument. It is my guess that the people of Washington and the people of America who have visited there are not crushed because it is not a national park. They would not divine some mystical, different kind of management scheme because it is a national monument. The question goes back to accountability. I make the argument once again. It is not an argument between the California Senators and the Senator from Wyoming about protecting the desert. That is a given in either amendment. That is a requirement in either amendment. The difference lies in whether we are going to continue to confound ourselves and say it is so sexy to be a park that we are willing to add to the burdens of an overburdened agency, the National Park Service, which does not have the money for adequate maintenance, for adequate personnel, and for adequate acquisition.

I do not know where this 3,700 figure comes from but I would say to the Senator, I will not argue with her, but it is different information than we have. They are transferring people out of the National Park Service into the Office of the Secretary and not into the field. In this current budget, that is the case-404 people removed from the rolls of the employees of the National Park Service, 301 of whom go into the Office of the Secretary of the Interior.

Mr. President, the Senator from California believes that tourism dollars will flow from the new proposed Mojave Park.

I have reviewed the Park Service estimates and although interesting, I feel they lack any basis in fact or reality.

As an example, the same type of forecast was projected for Redwoods National Park. Park advocates insisted that waves of tourists attracted to the newer, bigger park would more than compensate for the lost jobs in the woods and mills.

In fact, tourists have never arrived in anything like the promised numbers. Far from the projected million and a half, tourist visits last year were estimated at 388,000-in a year when Yosemite, about 700 miles to the south was visited by well over 3 million.

Redwoods National Park, like the proposed Mojave is not a destination park. You drive through it to get somewhere else.

In the Mojave, tourism dollars will never compensate for the economic losses brought about by this desert lock down, if past experience is any judge.

Mr. President, I ask unanimous consent that an October 24, 1993, Sacramento Bee article be printed in the Record at this time.

There being no objection, the article was ordered to be printed in the Record , as follows:

This Time Redwood Trees Won

(By Edwin Kiester, Jr.)

The trees are house-tall now, reaching toward the 350-foot heights they may eventually attain. On once cutover slopes below the Tall Trees Overlook in Redwood National Park on the North Coast, the young redwoods now march downhill, to the bend in Redwood Creek where the world's tallest trees rise out of the mist. Green stripes of grasses and hardwoods mark where old logging roads have been bulldozed and the hill graded back to its natural contours. In the rushing waters below, salmon and steelhead trout can again head upstream to spawn.

Art Eck, deputy superintendent of the park, looks about him approvingly. The overlook's display of before-and-after photographs contrasts the scene with the hillside as it looked a few years ago: an ugly battlefield of stumps, slash and chewed-up earth crisscrossed by the gashes of roads and skid trails. Now thanks to the restoration effort, the forest is returning to its past appearance, before the saws and axes came. "The land is healing," Eck says proudly. "But, of course, some scars still show."

Yes, the scars of Redwood National Park do show, and not only on the greening hillsides above Redwood Creek. Twenty-five years after the establishment of the nation's first billion-dollar national park, 15 years after an expansion more than doubled its size, the trees are coming back, but the painful wounds left by a bitter battle over the park formation remain raw in the lives of the people.

Loggers and former loggers, businessmen selling to loggers, and local officials of California's two northernmost coastal counties insist that establishing the park with 78,000 acres of prime timberland triggered a downward economic spiral that stole good-paying jobs, savaged the timber industry and sentenced the area to chronic hard times and heartbreak: "We are fast becoming the Appalachia of the West," one ex-logger maintains.

Environmentalists and champions who fought for the park maintain that the jobs would have been lost within a few years anyway, whereas the park saved magnificent and irreplaceable trees for generations to come. "The redwoods," says Lucille Vinyard, the Sierra Club's energetic North Coast representative, "are the pride of the nation."

John Dewitt of the Save-the-Redwoods League, which has spent \$ 75 million in 75 years to

preserve ancient trees, is uncharacteristically emphatic about who is at fault in the argument. "Thousands of people are now being laid off in the computer industry in the Western United States because they just happened to have the misfortune of working on defense projects. Timber workers have had a habit of acting as crybabies for the last 100 years, anytime anything interfered with the simple task of cutting down trees. They lost jobs, but the taxpayers compensated them handsomely for it. People are tired of listening to their complaints."

To which Chris Rowney, resource manager for the timber company Louisiana-Pacific, replies, "The park cost 2,500 jobs. I know, the defense industry is laying off 70,000 workers. But for those 2,500 up here, and their families, the jobs were just as important as they are for defense workers. Losing them was just as painful."

At a time when much of the country is suffering lost jobs, layoffs and recession, and the spotted owl showdown has brought timbering in the Pacific Northwest almost to a standstill, it is difficult to picture how much a park dedication in 1968 may have contributed to a moribund local economy in 1993. At first glance, California's beautiful and lonely North Coast, with its thick forests, rich pastureland, hidden valleys and spectacular surf-pounded beaches scarcely looks like a hardship case. Yet both the economic statistics and the mood in Humboldt and Del Norte Counties are grim.

In Del Norte County, between 14 percent and 16 percent of the 9, 600-person work force was unemployed in 1992. At \$ 22,917, Del Norte's average household income stood 56th among 58 California counties. In adjoining Humboldt County, the fastest-growing source of local income comes from transfer payments, such as welfare and Social Security. Inflation-adjusted household income in 1991 was lower than five years before, and 25 percent lower than the California average.

Federal, state and local government payrolls-highlighted by the new Pelican Bay maximum-security prison in Del Norte County and Humboldt State University in Humboldt-have replaced forest products as the major employer. Del Norte, which once resounded to the whine of 52 sawmills, is down to its last mill, the Miller Redwood Company, which last fall reduced operations to a single shift and now employs fewer than 125 people. During the 1992-93 rainy season, one of two remaining pulp mills in Humboldt County shut down, throwing another 262 persons out of work.

[*S4121] Drive along U.S. Highway 101 through the once thriving community of Orick and you see economic distress at its absolute worst. Set in a lush valley and surrounded by parklands, the little logging town was pictured by park proponents as a potential tourist mecca, sure to profit from hordes of visitors who would flock to the nearby park. "They said we were going to have so many people up here in 10 years that this little town wouldn't be able to handle them," recalls Pat Dorsey, a former county supervisor and owner of the town's social center, the Lumberjack Lounge. "Well, the park hasn't brought in a penny of business."

Meanwhile, all but one of the town's sawmills closed. Population dropped from 1,500 to about 600-"and most of them are on welfare," Dorsey says. No tourist facilities were opened. In a final twist of irony, the park's visitor center was constructed on the site of one of the closed mills.

From the Lumberjack Lounge's front door, Dorsey, now a grizzled 83, looks out on sagging, paint-peeling houses and shops peddling redwood sculpture. "People call it 'the chain-saw massacre,' 1A" Dorsey says. Even the Western Ancient Forest Campaign's director Jim Owens acknowledges, "The town was just left to wither and die."

Yet continue a few miles north and you can appreciate all the glory and magnificence of the great trees for which the original battles were waged. Bald Hills Road leads past Orick's last sawmill, then climbs steeply uphill to Lady Bird Johnson Grove. An easy foot trail winds among giants

hundreds of years old, many as tall as a 20-story building and bigger in diameter than an oversize banquet table. Sunlight filters softly through the lattice-work of boughs overhead, dappling the forest floor below. The atmosphere is hushed; evergreen needles muffle every footfall. The grove has all the feeling of a Gothic cathedral, with pillars soaring to a vaulted ceiling. You half expect to hear the Angelus.

Beyond the grove, you reach the park of tomorrow-the National Park Service's proud restoration project. Rehabilitation has removed 180 miles of logging roads and skid trails, planted 684,363 trees and returned 26,330 acres to their natural state. Removal of logging debris and sediment has brought fish back to the streams, and wildlife to the woods and grasslands.

The results to date are impressive. John A. Campbell, CEO of Pacific Lumber and one of the environmentalists' favorite villains, says admiringly, "Eventually, that's going to be a magnificent stand of timber up there." The project attracts foresters and environmentalists from all over the world. The park has been designated a World Heritage Site and an International Biosphere Reserve.

One criticism is undisputed: Redwood National Park is almost invisible to visitors. Highway signs welcome you to "Redwood National and State Parks," but, says John Dewitt, "Redwood National Park is like a ring without the setting." The real "gems"-the finest redwoods that ever existed," Dewitt calls them-are in Prairie Creek Redwoods, Del Norte Redwoods and Jedediah Smith Redwoods state parks.

The state parks are also more easily accessible from Highway 101, so few sightseers venture beyond them, preferring to meander among the giant trees of the state park groves and to admire the herds of Roosevelt elk.

Assembling the national park in two stages 10 years apart prolonged the acrimony. The post-World War II building boom fueled a huge demand for redwood decks, paneling and picnic tables. By the 1960s, even locals became alarmed at the speed with which the ancient forests were disappearing. "Arcata Redwood was clear-cutting right down to Highway 101, near Prairie Creek (State Park)," recalls Lucille Vinyard, who promptly became an environmentalist activist. "It was hideous," she says.

In 1963, a National Geographic Society team discovered what it proclaimed the tallest tree in the world, measuring 367.8 feet, on timber-company land along Redwood Creek. The environmentalist movement, just beginning to gain strength, raised a cry to protect the tall tree and its neighboring giants, as well as additional old-growth redwoods, before it was too late.

Over the next five years, half a dozen proposals were made to carve a new national park out of old-growth redwood forests. Congress compromised on a park of 30,000 acres plus the state land and incorporating Tall Trees Grove. The final price paid to timber companies was \$ 210 million. Some federal land was swapped for private old-growth timber.

Instead of dying, the controversy worsened. As timber companies continued to clearcut the hillsides above Tall Trees, environmentalists protested that erosion, landslides and logging debris were threatening Tall Trees and choking the streams, and lobbied Congress to vastly expand park borders.

The timber people erupted. Expansion, they argued, would remove some of the region's best timberland from production and take it off the tax rolls, with devastating effects on the timber industry, the local economy and local government-not to mention that it would throw large numbers of loggers out of work. In the end, however, a park expansion bill was passed by Congress and signed by President Jimmy Carter, adding another 48,000 acres to the park and establishing a 30,000-acre protection zone upstream from the big trees.

To placate the anguished locals, Congress sprinkled the bill with sweeteners. The U.S. Forest Service was directed to study increasing the timber harvest in nearby national forests to keep loggers at work. A revolving fund was set up to develop new businesses; federal funds underwrote a marina and an improved airport. The two counties were given compensating payments to make up for loss of taxes. A new freeway bypass was to be built around Prairie Creek Redwoods State Park, to divert heavy highway traffic from "Blood Alley" where rubbernecking tourists and speeding logging trucks shared a road through redwood groves, and thus create construction jobs. The Park Service was directed to give priority to displaced timber workers in hiring.

The centerpiece of the bill was the Redwood Employees Protection Program (REPP), set up to ease the financial pain for workers whose jobs were taken away. Under a complicated formula that kept lawyers busy for 10 years, displaced workers could receive severance pay, weekly benefits about equal to their paychecks, a combination of both or a retirement program.

"Short-service" workers who had spent five years or less in the industry received only severance packages.

Undeniably, REPP poured money into the troubled economy-lots of money. At its height in 1980, REPP was paying out \$ 250,000 a week in Humboldt County alone, making it by far the county's largest payroll. But even though young workers received nice nest eggs, and older ones a paycheck as large as if they were still working, many weren't happy about it-and they still aren't.

Charles Rankin, who worked for Arcata Redwood, was one of those immediately affected by the park expansion. Now a sprightly 75, Rankin was 59 then and had worked in the woods since he was 15. He had become a "faller," a chain-saw specialist who could expertly drop 300-foot trees precisely on a given spot with minimal damage to the valuable timber-one of the most skilled, dangerous and therefore highest-paid jobs in the industry. When the park expansion took Arcata's old-growth forests near Redwood Creek, Rankin found himself out of a job.

"Arcata offered to send me to their land up by Klamath," he says, mentioning a town some 60 miles north of his home in Eureka. "That would have meant two hours' drive each way, a lot of it over logging roads and through the tourist traffic in the state parks." Rankin took his benefit check until he was 62, then "severanced out." He has held a few part-time jobs since, but has resigned himself to puttering around the house and playing seven-handicap golf.

Another former logger, who spoke on condition of anonymity, still spits out the word "park" angrily. "I went down to the unemployment office and they suggested I should go into retraining," he says bitterly. "They said, take a two-year course in computers. And then what would I have done? Hell, there probably weren't 10 computers in all of Humboldt County."

After nine years of litigation, the federal government paid out \$ 688 million to three timber companies for land taken in the expansion. Interest and payments to small landowners drove the final purchase price above \$ 1 billion-three times the original estimate. Depending on whose figures you accept, the total bill for Redwood National Park was somewhere upwards of \$ 1.4 billion.

As for benefits to the local economy, only a few displaced loggers joined the Park Service payroll, which today amounts to just over 170 employees. The freeway bypass contract went to a San Diego firm, which imported its own work crews. The increased cut in the national forests never materialized, and in fact quotas have dropped steadily, from 144 million board feet in 1985 to less than 11 million in 1993.

Tourism has been the biggest disappointment, however. In the rosy scenario of the 1970s, the timber industry cutbacks were only to be a period of adjustment ushering in a new flood of tourism prosperity. Park advocates insisted that waves of tourists attracted to the newer, bigger

park would more than compensate for the lost jobs in the woods and mills. Arthur D. Little, a management consulting firm, predicted a gain of 1.6 million visitors by 1983, and a total of 950,000 visitor-days above the numbers recorded by the state parks.

In fact, tourists have never arrived in anything like the promised numbers. Far from the projected million and a half tree lovers a year, tourist visits last year were estimated at 388,000- in a year when Yosemite, about 700 miles to the south, was overrun by well over three million.

The average visitor spends less than 50 minutes in the park. "What they get are park-and-pee visitors," sniffs John Miles of the Natural Resources Management Corporation, and adviser on several early park proposals. "People stop, look up at the trees, go to the bathroom and drive on." Visitation is not helped by the park's lack of facilities. It has no tourist lodging and no drive-in campgrounds. Campsites can be reached only by strenuous backpacking.

Although Humboldt County tourism has gradually inched upward and is now the county's fifth-largest industry, the park is not the primary lure. The big tourist draw is Eureka's restored Old Town and the gingerbread mansions of the timber barons, souvenirs of the conservation-be-damned, cut-and-run logging days of a hundred years ago.

Tourism has created a few jobs, but even Jim Owens acknowledges, "It's hard to convince a man who made \$ 15 or \$ 20 an hour in [*S4122] a sawmill that he'll be better off working at Burger King." The average Humboldt County timber worker last earned \$ 21,300. The average motel employee received \$ 11,500.

As if the downturn in the timber industry weren't enough, the two counties have been hurt by a decline in what was once the second-biggest money earner-fishing. "Commercial salmon is all but dead around here," John Pritchett says. Sport fishing, which used to attract hundreds of vacationing fishermen, has declined precipitously too. Offshore salmon are in dramatically short supply

and severe restrictions have been placed on fishing. Environmentalists and commercial fishermen say the two problems are interrelated: Fish can't get upstream to spawn because the streams are clogged with logging debris, so their numbers are dwindling.

The two counties have been further victimized by the go-go business atmosphere of the 1980s. All three of the major companies in the park expansion-Simpson Timber, Arcata Redwood (now part of Simpson) and Louisiana-Pacific-have gone through mergers, buyouts and privatizations that have resulted in consolidation and closing of mills. Louisiana-Pacific alone closed nine mills in five years (although officials say the closings were partly caused by logging restrictions).

Pacific Lumber, which was not affected either by the original park or the expansion, owns the largest stand of old-growth redwoods still in private hands. It was taken over in a hostile action by the corporate raider Charles Hurwitz and his Maxxam Corporation. The new owners speeded up cutting of old-growth, ostensibly to make up for undercutting in the past. They insisted they were benefiting the troubled economy too by providing more jobs. Environmentalists saw a different reason. They said cutting was increased to raise money to bail out Hurwitz' failed savings and loan institution.

Not much of the \$ 889 million the first three companies received for their redwood holdings found its way into the local economy. A few smaller local mills were bought up, and Louisiana-Pacific opened one new (now closed) automated mill. Instead, investment went to other parts of the country and Mexico. Company spokespersons insist that between the park expansion reducing the redwood supply, and the spotted owl controversy shutting down the national forests, California was not the soundest place to invest. John Cumming, an attorney who handled many of the severance cases, and John Dewitt of the Save-the-Redwoods League, contend, however, that the companies pitted their workers against the environmentalists, then took the

money and left the workers high and dry.

To local residents, their plight can be explained as a simple matter of numbers. The 150,000 people of Humboldt and Del Norte Counties comprise less than one-half of 1 percent of California's 30 million population.

"You have to understand," says John Dewitt "that this area was truly America's last frontier. Until the late '30s, they were almost completely cut off. There wasn't even a decent connecting highway. It was really the last hurrah of Western migration and exploitation of resources. They had to whack down forests to get enough sunshine to settle and survive, and they think anyone from the outside doesn't understand their hardships. There's a real us-versus-them mentality.

The area's isolation has also hampered attempts to revive the economy by attracting new nontimber businesses. By the coastal highway, half of it frenetic two-lane, the nearest big cities of San Francisco and Portland are eight hours away. The route east, through the Coast Range to California's Central Valley, switches back 150 times in 50 miles. The only connecting railroad is subject to frequent washouts, and airline service is limited.

Most of all, locals resent their image as rednecks who want to chop down every last tree and turn it into bookends. Loggers say they love the outdoors, and spend every possible minute among the trees, fishing, hunting and camping;

indeed, they say they know the forests better than anyone.

The \$ 115-million highway bypass, which was finally opened in 1992, was an ecological disaster, locals contend. Sixteen old-growth redwoods-the very trees the highway was built to save-were cleared from the state park's right-of-way. Streams were rechanneled, disturbing fish migration, and winter rains washed out excavation and caused landslides.

Feelings about the park have been unusually intense because redwood-growing land, as opposed to that of Douglas fir and other species, is sharply limited. In the United States redwoods grow only in a very narrow 500-mile-long strip of coastal California and extreme southwestern Oregon, nurtured by heavy winter rains and by drip from the fogs that shroud the coast in summer.

Gary Ryneanson of the Natural Resources Management Corporation adds, "People want to lock up the forests and expect them to stay just as they are. But forests don't stay just as they are. They are always changing. Trees blow down, they are struck by lightning, they topple over from old age. In 1991 the Dyersville Giant, one of the most famous trees up here, fell over. It took several other trees with it. Young shoots will sprout up where those fell, and we will have a forest mosaic-young trees and older trees together. That's the life cycle of the forest."

But others maintain that the area's future lies in preserving trees, not cutting them. Laminated-wood technology makes the monster redwood beams and girders of the past obsolete. Steel, plastics and composite materials are taking the place of wood. According to this point of view, trying to keep the timber industry afloat is like subsidizing the buggy whip industry. The big trees are the North Coast's greatest asset-but as an attraction. If they are cut, the area will have neither timber workers nor tourists.

"Our interest is in protecting the antiquity of these forests and their uniqueness as an object that came down from 160 million years of evolution to the present time," John Dewitt says. "It's an approach quite different from the economic approach. But we think beauty, esthetic value, uniqueness and environmental quality are important."

For all the bitter words, there are a few encouraging signs that the old animosities may be subsiding and the sides coming together. The Save-the-Redwoods League is attempting to serve

as a bridge between the groups. "Of course, the definition of a bridge is something everybody walks on," Dewitt says. "But I think the idea is getting across that the objective is to solve a problem, not win a debate."

Some loggers have also come around. Earl Roberts is a former faller and logging contractor who now works for the Park Service. "A lot of my friends are bitter," Roberts says. "I tell 'em, the world changes and we have to change with it. The timber industry is dying. There aren't enough trees to be cutting at the rate we've been cutting. We've been using our resources must too fast. Anybody who's been around timber knows better."

The park's current superintendent, Bill Ehorn, hopes he can build up Redwood Park's appeal. Recently, Ehorn distributed a solicitation to investors for a 75- to 100-bed lodge and conference center. "One of the problems here is that the park has no center," he says. "People never feel they have arrived." Having a comfortable place within walking distance of the trees would also attract groups and persuade visitors to lengthen their stays.

Ehorn explains: "I tell people here frankly, "Look, the park's been here 25 years, and it isn't going to go away. The timber industry will never be the same again, fishing is hurting, what is there for the future except tourism? The sooner we work together, the more we market together, the better off everyone will be. If we put the past behind us and cooperate, we can make Redwood Park a win-win situation.' 1A"

Driving home past the decaying houses of Orick, and commiserating with the former loggers at the Lumberjack Lounge, however, it is not easy to see a rosy future. One can only conclude that, for the unhappy neighbors of Redwood National Park, a winning situation cannot arrive one moment too soon.

Mr. WALLOP. The article describes some of the good resource work that has been accomplished by the Park Service and it goes into some detail on how and why tourism never materialized.

There is a lot of similarity between Redwoods and the proposed Mojave. I believe that the Senator from California will find that the Mojave projected tourism figures will never materialize.

So as I understand it-I do not know how long the majority leader or others wish to go on; I assume until around 12:30. I will reserve my remaining arguments until that time. But let me conclude with this, again. It is important to understand this is not an argument about preserving the desert. It is very important to understand that. Either status protects it. One status violates the condition of the National Park Service substantially and, notwithstanding the willy-nilly comments of the Secretary, who does not believe in the Congress, he cannot transfer this money. He must have the authorization of Congress to do that. He has, of course, in other instances, made the statement if Congress wants to authorize him to do what he does, well and good; but if they did not, he would just go do it anyway. But in this instance, he cannot.

So make no mistake about it, we are arguing about taxing the rest of America's parks and parkland in order to establish a park that could serve the public as well as a national monument. It is not a question of whether or not it is to be protected.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I ask that I be recognized for the purpose of additional comments on S. 21.

The PRESIDING OFFICER. The Senator is recognized.

[*S4123] Mrs. FEINSTEIN. Mr. President, on the issue of cost, I would like to make these points.

Opponents of the bill argue that designation of a national park will adversely affect the ability of the Park Service to operate and fund other parks in the National Park System. In fact, the 1995 budget, I am told, reflects a shift begun last year to meet increasing operational needs of the National Park Service. The request of \$ 1.45 billion is unchanged from 1994. It includes, however, a \$ 65.5 million increase in operational funding that offsets decreases in National Park Service construction and acquisition budgets.

In addition, the 1995 budget includes an across-the-board 2-percent increase for all park units.

So the point is that within this park budget, there is additional flexibility and additional ability to provide service. As I said earlier, about 3,700 people, according to the National Park Service, are being moved out of central offices into the parks. That also will add to park management and supervision.

The other point I want to make is that the Mojave will be primarily managed for primitive and **wilderness**-related experiences and values so that neither its staffing nor management will be as great as parks where other kinds of activities are permitted.

You cannot compare the East Mojave with Yosemite, and you cannot compare it with the Golden Gate National Recreation Area, which are much more intensively managed because of the types of resources they have, the types of ingress and egress to the facilities, and the numbers of people that go through those facilities.

Also, according to Interior, they have already begun to plan a transition from BLM to National Park Service management. They hope that this transition will serve as a model for future changes in management between bureaus. Budgets, staffing needs and planning for other needs, including office space and patrols have already begun within the confines of existing budgets.

They also, as I said, believe that planning for cooperative management with the State of California will further reduce the need for any new staff; that cooperative agreements with State agencies, including the Department of Natural Resources, will enable optimizing the use of both Federal and State employees.

I wanted to make those clarifying points. I thank you, Mr. President, and yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California (Mrs. Boxer).

Mrs. BOXER. Mr. President, the Senator from Wyoming addressed the issue of the land and water conservation fund. He stood up and said-and I am paraphrasing-there is no fund and there is no surplus, notwithstanding the comments I have made.

I ask unanimous consent to print in the Record a copy of the Land and Water Conservation Fund Act of 1965.

There being no objection, the material was ordered to be printed in the Record, as follows:

Land and Water Conservation Fund Act of 1965 1A1- Part I-Parks and Recreation

An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

Be it

TITLE I-LAND AND WATER CONSERVATION PROVISIONS

Short title and statement of purposes

Section 1. (a) Citation: Effective Date.- This Act may be cited as the "Land and Water Conservation Fund Act of 1965" and shall become effective on January 1, 1965.

(b) Purposes.- The purposes of this Act are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

Certain revenues placed in separate fund

Sec. 2. Separate Funds.- During the period ending September 30, 2015, there shall be covered into the land and water conservation fund in the Treasury of the United States, which fund is hereby established and is hereinafter referred to as the "fund," the following revenues and collections:

(a) Surplus Property Sales.- All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b)(e), 2 title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76 Stat. 725) or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(b) Motorboat Fuels Tax.- The amounts provided for in section 201 of this Act.

(c)(1) Other Revenues.- In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to this section, as amended, there are authorized to be appropriated annually to the fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the fund not less than \$ 300,000,000 for fiscal year 1977, and \$ 900,000,000 for fiscal year 1978 and for each fiscal year thereafter through September 30, 2015.

(2) To the extent that any such sums so appropriated are not sufficient to make the total annual

income of the fund equivalent to the amounts provided in clause (1), an amount sufficient to cover the remainder thereof shall be credited to the fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.) Provided, That notwithstanding the provisions of section 3 of this Act, moneys covered into the fund under this paragraph shall remain in the fund until appropriated by the Congress to carry out the purpose of this Act.

Sec. 3. Appropriations.- Moneys covered into the fund shall be available for expenditure for the purposes of this Act only when appropriated therefor. Such appropriations may be made without fiscal-year limitation. Moneys made available for obligation or expenditure from the fund or from the special account established under section 4(i)(1) may be obligated or expended only as provided in this Act.

Admission and Use Fees; Establishment and Regulations

Sec. 4. (a) Admission Fees. 3-Entrance or admission fees shall be charged only at designated units of the National Park System administered by the Department of the Interior and National Recreation Areas administered by the Department of Agriculture. No admission fees of any kind shall be charged or imposed for entrance into any other federally owned areas which are operated and maintained by a Federal agency and used for outdoor recreation purposes.

(1)(A) For admission into any such designated area, an annual admission permit (to be known as the Golden Eagle Passport) shall be available, for a fee of not more than \$ 25. The permittee and any person accompanying him in a single, private noncommercial vehicle or alternatively, the permittee and his spouse, children, and parents accompanying him where entry to the area is by any means other than private, noncommercial vehicle, shall be entitled to general admission into any area designated pursuant to this subsection. The annual permit shall be valid during the calendar year for which the annual fee is paid. The annual permit shall not authorize any uses for which additional fees are charged pursuant to subsections (b) and (c) of this section. The annual permit shall be nontransferable and the unlawful use thereof shall be punishable in accordance with regulations established pursuant to subsection (e). The annual permit shall be available for purchase at any such designated area.

(B) For admission into a specific designated unit of the National Park System, or into several specific units located in a particular geographic area, the Secretary is authorized to make available an annual admission permit for a reasonable fee. The fee shall not exceed \$ 15 regardless of how many units of the park system are covered. The permit shall convey the privileges of, and shall be subject to the same terms and conditions as, the Golden Eagle Passport, except that it shall be valid only for admission into the specific unit or units of the National Park System indicated at the time of purchase.

(2) Reasonable admission fees for a single visit at any designated area shall be established by the administering Secretary for persons who choose not to purchase the annual permit. A "single visit" means more or less continuous stay within a designated area. Payment of a single visit admission fee [*S4124] shall authorize exits from and reentries to a single designated area for a period of from one to fifteen days, such period to be defined for each designated area by the administering Secretary based upon a determination of the period of time reasonably and ordinarily necessary for such a single visit.

FOOTNOTES

1 The Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460 I -4-460 I -11), as set forth herein, consists of Public Law 88-578 (Sept. 3, 1964) and amendments thereto.

2 The reference in the text is set forth as it appears in the original public law. The reference was probably intended to refer to subsections (b) through (e) of section 485.

3 Section 402 of the Act of October 12, 1979 (16 U.S.C. 4601-4665) provided as follows:

" Sec. 402. Notwithstanding any other provision of law, the Secretary shall not charge any entrance or admission fee in excess of the amounts which were in effect as of January 1, 1979, or charge said fees at any unit of the National Park System where such fees were not in effect as of such date, nor shall the Secretary charge after the date of enactment of this section, user fees for transportation services and facilities in Mount McKinley National Park, Alaska."

Public Law 99-591 contained the following: Provided further, That to advance the mission of the National Park Service, for a period of time not to extend beyond fiscal year 1987, the Secretary of the Interior is authorized to charge park entrance fees for all units of the National Park System, except as provided herein, of an amount not to exceed \$ 3 for a single visit permit as defined in 36 CFR 71.7(b)(2) and of an amount not to exceed \$ 5 for a single visit permit as defined in 36 CFR 71.7(b)(1): Provided further, That the cost of a Golden Eagle Passport as defined in 36 CFR 71.5 is increased to a reasonable fee but not to exceed \$ 25 until September 30, 1987: Provided further, That for units of the National Park System where entrance fees are charged the Secretary shall establish an annual admission permit for each individual park unit for a reasonable fee but not to exceed \$ 15, and that purchase of such annual admission permit for a unit of the National Park System shall relieve the requirement for payment of single visit permits as defined in 36 CFR 71.7(b): Provided further, That all funds derived from National Park Service entrance fees during fiscal year 1987 and all funds collected during fiscal year 1987 under subsections (a), (b), and (c) of section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a), shall be transferred to the General Fund of the Treasury of the United States: Provided further, That notwithstanding any other provision of this Act, no admission fee may be charged at any unit of the National Park System which provides significant outdoor recreation opportunities in an urban environment and to which access is publicly available at multiple locations, nor shall an admission fee be charged at any unit of the National Park System which has a current, specific statutory exemption: Provided further, That where entrance fees are established on a per person basis, children 12 and under shall be exempt from the fees: Provided further, That if permanent statutory language is enacted during fiscal year 1987 establishing National Park System entrance fees, the provisions of that language shall supersede the fee provisions contained in this Act: Provided further, That of the funds provided under this head, \$ 15,000,000 shall be distributed to units of the National Park System, to be available for resource protection, research, interpretation, and maintenance activities related to resource protection, to be distributed in the following manner: 50 percent shall be provided to all units of the System based on each unit's proportion of park operating expenses, and 50 percent shall be provided to units with entrance fees based on each collecting unit's proportion of total entrance fee collections.

Mrs. BOXER. Mr. President, I would like to read in part section 1:

This act may be cited as the "Land and Water Conservation Fund Act of 1965" and shall become effective on January 1, 1965.

Mr. President, this act is still the law of the land.

The purposes of this act are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

Now it talks about certain revenues placed in a separate fund.

Section 2, entitled "Separate Fund":

During the period ending September 30, 2015, there shall be covered into the land and water conservation fund in the Treasury of the United States, which fund is hereby established and is hereinafter referred to as the "fund", the following revenues * * *

Mr. President, it places inside that fund revenues from surplus property sales, from motorboat fuels tax and other revenues, including Outer Continental Shelf lands revenues.

Then in section 3 it says:

Appropriations.-Moneys covered into the fund shall be available for expenditure for the purposes of this act only when appropriated therefor.

We understand that. I understand that the funds have to be appropriated, but the truth of the matter is, there are billions of dollars that have not been spent for this purpose. People can stand up here and say it is just a matter of bookkeeping all they want. But the fact is, there is a law of this land setting up this fund. If we wanted to, Mr. President, we could appropriate those funds.

I would like to say for the record that I support higher appropriations for this fund because we do a lot of things around here that do not last as long and do not make as positive a contribution as when we maintain and operate our parks in the right way. I agree with the Senator from Wyoming, we certainly have to do that; and, yes, when we expand our parks.

I have been going back into the Record, and I found a very interesting part of the Congressional Record from the year 1940 in which a Senator from Nevada at that time objected to the creation of Kings Canyon National Park, a park that is near Yosemite, very similar arguments to the Senator from Wyoming.

His argument was, the Forest Service does a better job than the Park Service. Let us leave this park with the Forest Service. This is Senator Pittman in 1940:

So far as I have observed, the Forest Service is as great a conservation organization as we have in this Government. It has done more to preserve the forest, the watersheds than any other agency. It has done more toward scientific reforestation than the Park Service could ever do, because the Park Service does not contain a scientific organization capable of handling the problem.

And he bemoans the fact that we keep creating these parks. This is 1940. If there had been a majority of Senator Pittmans, there are a lot of parks we would not have today and a lot of people would not have the joyous experiences that they have in our Nation's parks.

If there are a majority of Senator Wallop s today, and there may be-and I pray not-we are not going to have a national park at the East Mojave, which would be a very sad day, indeed, because as surely as it seems a long time ago, 1940, there will be someone on this floor in a few years, and a few years after that saying, "Gee, look what Senator Wallop said about how we could have kept this in BLM hands, and look what those Senators from California said, that it should be in the National Park Service," because that is a statement for all times. ; That is a status for all times. It elevates the beauty of this area that the Senator from Wyoming agrees with us exists and wants to preserve.

So I say to my friend, I hope he would withdraw this amendment. Of course, he is going to press

it. But I think we need to have some vision. And when we look back in history, here it is 1940, we see Senators in the past who said we have too many national parks; why do we need all these parks? We do not need any more parks. No one wants any more parks. And yet because of the vision of this Senate and the House and Presidents of both political parties, we have created national parks for all times, so that our children can enjoy them, our grandchildren, and after that.

That is what it really is all about. When we are here in the moment, we get caught up in the debates of the moment. But what an opportunity we have today to stand up for the beauty of this incomparable area, to place it into the hands of those who are the right ones to protect it for all time. The National Park Service is going to run this park for the people, the people who want to preserve it, the people who want to use it, the people who will visit it. And that is what we should be doing.

So, again, I urge all of my colleagues to please support the two Senators from California. Please do that and show the vision that we are asking you to show so we have a national park for all times.

I yield the floor.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. WALLOP. Mr. President, I would urge the Senator from California to go as well and get the copies of the airport trust fund and the highway trust fund and the Social Security trust fund and all the other trust funds that are around. These are not-and her own language says precisely that-these are not what the public thinks of when it thinks of "trust fund."

I believe I quote correctly when the Senator says, "that we must appropriate more to it. That is the only time in which money exists in the funds." It does not. And we fool ourselves and Americans by telling them that this is anything more than an accounting [*S4125] gimmick which is designed to do just precisely that, to persuade Americans that there is a little door somewhere down in Treasury and we can go in it and we can build airports, and we can go in it and we can build highways, and we can go in it and we can build parks.

It does not work that way. Many of us wish that it would, but it has not and it will not. And the Appropriations Committee will not allow it to, for starters, because that is an infringement on their authority.

So when we say these things, it sounds as lovely as the title, but I would say to my friend from California as well that a national monument is just as permanent as a national park. There is no distinction except the sign on the door when you walk in. If the land on the inside is worthy of protection, the land on the inside is and whoever has it will be bound by the requirements of the act. We do not differ one from the other.

It is, again, a question of whether there can be willy-nilly, sort of flipping around of personnel by the Secretary. He cannot.

The announced statement of the senior Senator from California was that there is a 2 percent increase, which is what the figure of \$ 65 million amounts to. I would point out to Americans that the cost of living last year was somewhere around 4 percent, so we are in decline notwithstanding the increase. That is the point the Senator from Wyoming has been trying to make from the very beginning: Where do we go to be responsible in this?

One, we go to the protection of the desert, no question, no argument, no difference. Then the

thing is what do you do about the National Park Service? Do we add to its burdens in order to sustain the political reputations of folks or do we operate responsibly within the structure that we know exists and give it to the people who now responsibly manage it and give them new management instructions, the one side of which does not differ from the other.

My belief is that the responsible way to go is to leave it in the hands of an agency, the funding of which is already authorized and whose personnel are already in place and on the ground. But I would say again that the Secretary's own figures show that this is a \$ 125 million additional cost just in operations over the next 5 years. That is his own study. I would say to the Senator, I entered in the Record the study of October 1993 conducted by the Department of the Interior, Mr. Babbitt, and the National Park Service. He can deny that that is how much it is going to cost, but that is what his study tells him it is going to cost.

Mr. President, I yield the floor.