

THE OMNIBUS PARKS BILL

Mr. MURKOWSKI. Mr. President, I rise to address again the status of one of the major environmental pieces of legislation before this body, and that is the omnibus Presidio parks package which is currently before this body.

There is still time to pass that package in this Congress while the House is still in session. But once the House sends the CR over, it will be simply too late. Where that matter is currently, Mr. President, is there is a hold on it here in the U.S. Senate, and that hold is by the Clinton administration.

The justification for that hold is very difficult to reflect because this Senator, as chairman of the Energy and Natural Resources Committee, has continued to try to work with the administration to address its objections.

The first group of objections and veto threats covered Utah wilderness, which was stricken from the package; grazing, which was stricken from the package; the 15-year Tongass extension, which was stricken from the package; and, finally, the Minnesota wilderness boundaries, which was stricken from the package.

We felt we had met the administration's objections responsibly. Then, the day before yesterday, they presented approximately 42 other sections that they wanted removed. We met with representatives from the White House and tried to get an explanation as to the justification for these. Last night, I sent a letter to Mr. John L. Hilley, Assistant to the President, giving them information, a justification, for the approximately 42 items they wanted stricken.

I ask unanimous consent that a letter of September 27 and the accompanying explanation be printed in the RECORD.

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

UNITED STATES SENATE,
COMMITTEE ON ENERGY
AND NATURAL RESOURCES,
Washington, DC, September 27, 1996.

Mr. JOHN L. HILLEY,
Assistant to the President and Director for Legislative Affairs, The White House.

DEAR MR. HILLEY: After our discussion earlier today, I thought it would be constructive if as Chairman of the Conference on H.R. 1296, I provided you with comments on the items to which the Administration appears to object by virtue of the fact they were not included on the list of acceptable items you provided to me late last night.

As you will see many of the legislative provisions previously passed the House under suspension with no Administration objections. Still other provisions passed the Senate or the House after the Administration testified in support. Others had passed the House or Senate after bi-partisan negotiations had attempted to address specific Administration concerns. Yet other provisions, while important to individual members, relate to such minor matter as the study of a four foot radio tower at the site of an existing tower on a national forest. It is difficult to comprehend an objection to such a provision in the context of this conference report. Finally, some provisions to which you appar-

ently object have the broad bi-partisan support of House and Senate delegations, often including the Governor of the relevant state.

I hope this information is helpful to the Administration in re-considering its position. Tomorrow I will again attempt to re-commit H.R. 1296 to conference for the purpose of allowing the conferees to meet and consider changes to the conference report. If the Administration would care to present information concerning its objections to specific provisions at such a meeting of the conferees I would be pleased to arrange this meeting and give the information presented due consideration. Obviously such a meeting will not be possible unless H.R. 1296 is re-committed to conference. I believe that in the short time remaining in the 104th Congress this is a reasonable path to take to a successful conference report. It is my sincere hope that for the benefit of the many intensely interested members both Democrat and Republican, some retiring at the end of this Congress, this important parks and public lands legislation will pass the Congress.

Sincerely,

FRANK H. MURKOWSKI,
Chairman.

PROVISIONS IN PRESIDIO CONFERENCE REPORT
WHICH WOULD INVOKE A "VETO"

216—*Conveyance to City of Sumpter Oregon*: Authorizes Secretary of Agriculture to convey 1.5 acres to City of Sumpter, Oregon for public purposes. Administration raised no objections when bill passed under suspension in the House.

218—*Shenandoah National Park*: Adjusts 1923 Park boundary authorization to match today's existing park boundary. Similar bill passed House 377-33 under suspension. Provision has support of bi-partisan VA Delegation.

219—*Tulare conveyance*: Clears title of 14 acres owned by a railroad to citizens of Tulare, California. Attempt by City of Tulare to clean-up blighted downtown area. Hearings held and provision was reported by Resources Committee. DOI reportedly has no objection.

220—*Alpine School District*: Conveys 30 acres of land to the Alpine school district for a public school facility. Passed House by suspension and Administration never raised objection.

223—*Coastal Barrier Resource System*: Removes 40 acres of developed property out of a 1.2 million acre Coastal Barrier Resource System. Reported by the Resources Committee. Supported by bi-partisan Florida Delegation and the Governor.

224—*Conveyance to Del Norte County Unified School District*: Transfers small acreage to the School district in California for educational purposes. Passed House under suspension. Provision includes Forest Service requested amendments.

303—*Alaska Peninsula Subsurface Consolidation*: Authorizes Secretary to exchange subsurface holdings of Koniag Corporation on an equal value basis for lands and interest owned by the federal gov't. Passed House and Senate. Included in the original Presidio package, the Administration indicated it would sign.

304—*Snow-Basin Land Exchange*: Would allow expedited land exchange to facilitate the 2002 Winter Olympics. Passed both House and Senate. Included in the original Presidio package, the Administration indicated it would sign.

309—*Sand Hollow Exchange*: Equal value exchange in Zion National Park to transfer water development rights in order to protect Zion National Park. Passed the House. The Administration has indicated support.

311—*Land Exchange City of Greely, Colorado*: Equal value exchange to secure property

needed by the city to secure protection of the city's water supply.

312—*Gates of the Arctic National Park and Preserve Land Exchange, and Boundary Adjustment*: This would add more than 2 million acres of native owned lands to Gates of the Arctic National Park and Preserve in AK—in exchange for lands in the NPR-A.

313—*Kenai Natives Association Land Exchange*: This would facilitate exchange between KNA and the FWS to allow an Alaska Native Corp. to gain economic use of their land—this would be an acre-for-acre exchange. An Administration supported two-for-one acre exchange passed the House.

401—*Cache La Poudre Corridor*: Establishes a corridor to interpret and protect a unique and historical waterway. Included in the original Presidio package, the Administration indicated it would sign.

405—*RS2477*: Places a moratorium on final regulations without Congressional approval. Language agreed to by Senate Republicans and Democrats and the Administration. Reported by Energy Committee.

406—*Handford Reach Preservation*: Extends a moratorium on construction of any new dams or impoundments in this area. Passed House under suspension without Administration objections.

502—*Vancouver National Historic Reserve*: Establishes a new historic reserve. Administration testified in support. Passed the Senate. Hearings held in both bodies.

602—*Corinth, Mississippi Battlefield Act*: Establishes a visitors center at Shiloh National Military Park in Mississippi. Included in the original Presidio package the Administration indicated it would sign. Passed the Senate.

603—*Richmond National Battlefield Park*: Establishes boundary in accordance with new NPS management plan dated 8/96. Passed the House 337-33 under suspension. Administration opposed House-passed bill, however it has been modified to address their concerns. Supported by the bi-partisan Va. Delegation.

604—*Revolutionary War*: A study to determine if these sites warrant further protection. Senate Energy reported bill—Administration testified in support. Hearings in both bodies.

607—*Shenandoah Valley Battlefield*: Establishes Historical Area. Does not create a new park. Administration opposed House-passed bill, however it has been modified to address their concerns. Supported by the bi-partisan Va. Delegation.

701—*Ski area permits*: Simplifies ski area fee collection. Passed House and Senate. Included in the original Presidio package the Administration indicated it would sign. Administration testified in support.

703—*Visitor services*: Would raise \$150 million for parks to help with badly needed repairs of existing park structures. 100% of new fees go back to the parks. Provision was modified to address Administration concerns.

704—*Glacier Bay National Park*: Raises fees to support research and natural resource protection through a per-person charge on vessels entering Glacier Bay.

803—*Ozark wild horses*: Would protect and prevent the removal of a existing wild horse herds at Ozark National Scenic Riverway. Passed the House under suspension without Administration objection. Passed Senate Energy Committee.

806—*Katmai National Park agreements*: Authorizes research in National Parks, including the ability of the USGS to conduct volcanological research in Katmai National Park. Administration has supported research cooperative agreements for the last three Congressional sessions.

811—*Expenditures of funds outside boundary of Rocky Mountain National Park*: Allows NPS

to build a visitor center outside the park with private funds. Administration and the National Park Service requested this provision. Passed the House under suspension. Passed Senate Energy Committee.

815—*NPS administrative reform*: Provides authorities NPS has requested for years—aid parks in protection of resources and provide facilities for employees. Provides Senate confirmation of NPS Director. Administration testified in support at House hearings. Portions incorporated in President Clinton's Earth Day address on National Parks. Passed House under suspension with no Administration opposition.

816—*Mineral King*: Authorize the continuation of summer cabin leases. Totally discretionary for the Secretary. Supported by bipartisan members of House and Senate California Delegation. House hearings held. Reported by Resources Committee. Provision has been modified to address Administration's concerns.

818—*Calumet Ecological Park*: A study of the Calumet Lake area to determine alternatives for preservation.

819—*Acquisition of certain property in Santa Cruz*: Provides for the acquisition of property on Santa Cruz Island to prevent the further destruction of the resource due to overpopulation of feral goats.

1021—*Black Canyon of the Gunnison National Park*: Formally designates a recreation area. Changes monument status to park and creates a BLM Conservation area. Designates 22,000 acres of wilderness. Energy Committee hearings held.

1022—*National Park Foundation*: Provides the opportunity for the private sector to sponsor the NPS, similar to the sponsorship of the Olympic games. Administration has testified in support. Administration testified in support. Part of President Clinton's Earth Day proclamation on Parks. Provision has been modified to address last minute Administration concerns.

1028—*Mount Hood*: Exchange between private company and federal gov't. Passed the Senate with no Administration objection.

1029—*Creation of the Coquille Forest*: Equal value exchange creating a tribal forest. Passed the Senate with no Administration objection.

1034—*Natchez National Historical Park*: Creates an auxiliary area to a NPS unit and provides \$3 million for an intermodal transportation system and visitor center. Administration testified in support at Energy Committee hearing. Reported by Senate Energy.

1036—*Rural electric and telephone facilities*: Authorizes BLM to waive right-of-way rental charged for small rural electric and phone cooperatives.

1037—*Federal borough recognition*: Allows the unorganized borough in Alaska to receive PILT payments. Language was modified in conjunction with BLM and Administration has raised no objections. Reported by Energy Committee.

1038—*Alternative processing*: Prohibits the termination of a timber sale contract solely for the reason of failure to operate a pulp mill. Provides flexibility so that jobs in the sawmill portion of the contract are not lost along with the pulp mill jobs. This is not a contract extension nor is it an increase in timber harvesting. Language has been drastically modified from original proposal. Hearing on contract issues held in both bodies.

1039—*Village land negotiations*: Provides authority for the Secretary to negotiate with five tiny Alaskan villages regarding their entitlements under ANCSA. Language has been modified to address Administration concerns. Provides the Secretary with already existing authority to negotiate without the restrictions of a legal challenge against him.

Language has been further modified from earlier versions and does not include the conveyance of any land or assets. Hearings held in both bodies.

1040—*Unrecognized communities in SE Alaska*: Authorizes the native residents of five Southeast Alaska Villages to organize as urban or group corporations under an amendment to ANCSA. Provision does not direct grants of any federal land or compensation to these villages without a future act of congress. Language has been drastically modified from earlier proposals in that it does not contain any guarantee of land to the villages.

1041—*Gross brothers*: Transfers approximately 160 acres of Forest Service land to Daniel J. Gross and Douglas K. Gross of Wrangell, Alaska. These are the children of the original homesteaders. Energy Committee hearing held.

1043—*Credit for reconveyance*: Would allow Cape Fox Corporation to transfer 320 acres of land near the Beaver Falls Hydro project to the Forest Service. CFC's ANCSA entitlement would be credited with an equal amount of acreage. This provision does not provide CFC any additional entitlement. Hearing held in the House. Administration raised no objection to this provision.

1044—*Radio site report*: A study to determine if an existing radio site continues to be necessary.

1045—*Retention and maintenance of certain dams and weirs etc*: Requires the Forest Service to maintain specific dams and weirs in the Immigrant Wilderness Area.

1046—*Matching land conveyance (University of Alaska)*: Authorizes the Secretary of Interior to discuss a land grant with the University of Alaska who has never received its federal entitlement under the Land Grant College Program. Provides for a matching grant to the State. Prally excludes lands that are part of a CSU or part of a National Forest.

Mr. MURKOWSKI. I concluded my letter by making the statement:

I believe that in the short time remaining in the 104th Congress this is a responsible path to a successful conference report. By accepting the package that has been reduced as a consequence of the objections of the administration, it is my sincere hope that for the benefit of the many intensely interested Members, both Democrat and Republican, some retiring at the end of the Congress, it is important the parks and public land legislation will pass.

In that letter, I agreed to continue to meet with the administration to address their ongoing concerns in order to expedite a response and a successful conclusion of this matter.

Well, I have had no response to that letter, Mr. President. So it is difficult for me to comprehend the basis of their objections, and it is even more difficult for me to understand their reluctance to support this package, recognizing the significance of many of the items in it.

This package contains five new parks, provides better protection for existing parks and historic sites, establishes new memorials, including memorials to Martin Luther King, black Revolutionary War patriots, and Japanese War patriots, protects rivers from coast to coast, from the Columbia River in Washington to the St. Vrain in Colorado and the Lamprey in New Hampshire. The package also contains provisions which protect the hallowed

ground where the blood of American soldiers was shed in battles.

The bill authorizes funding to begin restoration of the San Francisco Bay cleanup and programs to start up the national park system, which should serve to help us again attain the status of operating the world's most outstanding park system. Of course, it also contains the Presidio.

Mr. President, I looked at the veto list. I was struck by the fact that while many of the measures were passed by the House with the administration's support, a couple, specifically, were actually the administration's language. Many of the items enjoy broad bipartisan support. I guess the only common denominator is that each was originally introduced by a Republican.

This should not be about politics. The activities within my committee, the Energy and Natural Resources Committee, in reporting out the bill and holding the hearings and accepting the bill, and the discussions that took place were in total cooperation with the minority. Senator JOHNSTON and his professional staff went about the business of taking Members' bills, holding hearings, reporting them out, and doing the job.

We have done our job, make no mistake about it. We have a package here—126 individual sections. This should not be about politics. This package is about our natural resources and the culture and resources of our parks, monuments, and public lands. I do not really care who takes credit for passage of this legislation. It simply needs to be passed, and passed now.

So if the hold by the administration as placed by the minority continues, this legislation is dead. The administration is going to have to bear this responsibility, and ultimately the President of the United States, because this legislation is ready to go. There is one hold on it, one hold by the Democratic leader on behalf of the administration. If he would release that hold with instructions from the administration, this package can go.

This is an election year, Mr. President. I do not know about the politics down at the White House or how they evaluate this, but with the major emphasis on California, I cannot understand why the administration would not support the Presidio, why they would not support the package associated with the cleaning up of the San Francisco Bay area.

Mr. President, to give you some idea, if you want to talk about politics, California is represented in the Senate by two Democratic Senators. Senator FEINSTEIN and Senator BOXER have been very supportive on this legislation. For California alone, it contains the Presidio, Elsmere Canyon, San Francisco Bay enhancement, the Butte County conveyance, Modoc Forest boundary adjustment, Cleveland National Forest conveyance, Lagomarsino Visitors Center, Tulare conveyance, Mineral King, the Merced irrigation

district land exchange, the Manzanar historic site exchange, the AIDS memorial grove, the Santa Cruz Poland acquisition, the Stanislaus Forest managements, Del Norte school conveyance, and ski fees. More than any other single State—California.

What have we done with the significant issue of the Olympics, which provides for a ski-land exchange in Utah? The administration has seen fit to object to that in the package. I can only assume that the administration has written off Utah. The justification for that is pretty hard to take when the National Ski Association supports this land exchange. The Snow Basin exchange, so that the Olympics can take place as planned up in the Ogden area, and the justification of the administration objecting to that, again, certainly requires an explanation. None is forthcoming. Mr. President, we still have had no answer to our letter.

Mr. President, if you look at section 1044 of the bill, you will find a provision which would require the Secretary of the Interior to conduct a study on an existing radio antenna—a radio antenna which is 4 feet tall. The bill was introduced by Congressman BONO from California. By Alaska standards the Congressman is not very tall, I guess he could be considered "vertically impaired". He is however taller than the 4 foot radio antenna that is addressed in this bill. They list this as an objection for a veto, Mr. President. How ridiculous. I cannot believe a 4-foot tall radio antenna would bring down this needed, important legislation. That is in their veto message.

The American people deserve better from this Congress and the administration. Mr. President, we have tried to meet with the White House and they have told me the list is nonnegotiable. Well, what we have attempted to do, Mr. President, in the structure of the process around here, is to have hearings, get public participation, basically have a process. What this administration proposes to do is a line-item veto of sections out of this 126-section bill, at the expense of every one of the 41 States that are affected.

If we can get this bill back to conference, I am willing to discuss the issue. It is that important.

Now, the nonnegotiable list submitted by the administration appears to be strictly a political campaign statement of some kind, but it is beyond me how they will put a spin on this and blame the Republicans. In many cases where the administration objects, apparently they are opposed because the bill was introduced by a Republican Member of Congress now running for reelection.

Consider that they object to the Alpine School District transfer of 30 acres of land to the Alpine School District for a public school; the transfer of a few acres to the school districts in Del Norte, CA, for educational purposes; removing 40 acres of development property out of 1.2 million acres of coastal barrier resource system—I don't know,

this is election-year politics—and Sterling Forest, which had been anticipated to be in the bill. We have it in our 126-section document. Sterling Forest isn't going to go anywhere; it is not in the CR. The Presidio is not going to go anywhere; it is not in the CR. San Francisco Bay cleanup is not going to go anywhere; it is not in the CR. The coastal barrier amendments for Florida are not going to go anywhere; they are not in the CR. We can go down to Mississippi, which is, coincidentally the State where our majority leader hails from. In Mississippi, we have the Corinth Visitor Center, which is not in the CR, and the Historic Black College Funding, which is not in the CR, and the Natchez Visitor Center.

Mr. President, there are many, many good Democratic-supported sections to this bill which were offered by a Democrat: Senator HEFLIN from Alabama, the Selma to Montgomery Historic Trail; in Arkansas, the Arkansas-Oklahoma land exchange. You know how much that means to Senator BUMPERS. The Carl Garner Federal Lands Exchange. I have mentioned the items in California. There are a couple in Georgia for Senator NUNN. There is one in Hawaii, some in Idaho, Illinois, Michigan. In Louisiana, for Senator BREAU and Senator JOHNSTON, is the Civil War Center and the Laura Hudson Visitor Center. In Massachusetts, the Boston Harbor Islands Park establishment and the Blackstone Heritage Area, the Boston Public Library on Freedom Trail, and the New Bedford establishment. Senator KENNEDY and I have worked on that to try to accommodate his interests. In Michigan, the Pictured Rocks boundary adjustment. In Montana, for Senator BAUCUS, is the Lost Creek exchange and the ski fees. In New Jersey, Senators BRADLEY and LAUTENBERG, Sterling Forest. In New York, the Women's Rights boundary adjustment. I could go on and on. In Virginia, the Cumberland Gap, Shenandoah National Park. In West Virginia, for Senator BYRD, the West Virginia rivers.

There are items in here for every Member of the U.S. Senate, Mr. President. It is ready to go. All the minority has to do is take off the hold. Now, perhaps the administration has written off Alaska, and maybe they have written off Utah. But I don't believe they have written off California. This is a big issue for California. We are ready to go.

Why won't this administration let us take action on this? Why won't they take off their hold? Why won't they let us vote on it? We can still do it today while the House is in session. They want to line-item veto it after a democratic process in the authorizing committee. They evidently want to take over the role of the authorizing committee.

Well, it is a sad day, Mr. President, if indeed they prevail. They are going to have to be held responsible by the American people for killing the Presidio parks omnibus package and killing the work of my committee and its

members for the last 2 years. It is going to have political implications for the administration when they have to explain why they killed our major effort in the Olympics, why they killed the Presidio, why they killed cleanup of the San Francisco Bay, why they killed Sterling Forest.

Again, I implore the Democratic leadership one more time to contact the White House and find out why they mandated a refusal to allow this body to pass this out, get it to the House and get the job done. We are all going to have to, I guess, recognize that we will come back in the 105th and start the process over again.

It is going to be different next year, Mr. President, because this package represents the inability to move these bills individually by Members having holds throughout the process. It is not going to be that way. We are going to move them out of our committee and move them to the floor. If we don't get action and there are holds, this Senator is going to stop the Senate process because I am going to refuse every unanimous consent that comes before this body. We are going to stop this process, because it is absolutely irresponsible. So let the administration recognize the responsibility that they are assuming for not allowing this package to go ahead. It is an injustice to 41 States and an injustice to America. It is an injustice to good Government.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

JUVENILE JUSTICE SYSTEM

Mr. ASHCROFT. Mr. President, I am pleased to have this opportunity to come to the floor today to talk about something that I consider to be a very serious responsibility which we in Government are failing to carry forward. I come to the floor today to point out a dismal failure in our culture, a failure that President Clinton has helped to disguise, and perhaps, has even compounded the problem with his own behavior.

Last February, Antoyne Preston White, 17, was arrested in Washington along with several fellow members of a juvenile car theft ring. White pleaded guilty, and was released several days later.

In April, he was arrested again, this time for sexually assaulting a 4-year-old girl. He pleaded guilty a second time. Sentencing in this case was pending when White allegedly shot and killed Mun Hon Kim, a mailman eating his lunch in his truck, on June 11th.