Mr. LOTT. Will the Senator yield?

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

Mr. LOTT. I thought there was going to be a meeting last night between key players on both sides of the aisle to meet with the administration and see if some compromise could be worked out. I am told that meeting never occurred.

Mr. MURKOWSKI. The majority leader is correct. We were ready to have the meeting, and we were advised by the White House representative that they had no authority and were not familiar with the specifics of the bill and they wanted us to submit a bill, items which we would agree to take out.

As chairman of that committee I feel a responsibility, bipartisan, both Democrats and Republicans, to try to represent them in a conference mode as opposed to arbitrarily taking out their sections to accommodate the administration.

We have, for Senator HEFLIN, who is retiring, Selma to Montgomery Historic Trail designation, the historic black college funding; for Senator SIMON and Senator MOSELEY-BRAUN, the Illinois and Michigan canal, Calumet Ecological Park study; for Senator JOHNSTON and Senator BREAUX, Civil War Center, Louisiana University, the Laura Hudson Visitor Center; Senators KENNEDY and KERREY, and retiring Congressman STUDDS, Boston Harbor Islands park establishment, Blackstone heritage area, New Bedford establishment.

I cannot understand why, after all this work, there is still objection. I encourage the majority leader to continue to work on, and I stand ready to try to meet the objections of my colleagues. I understand there is a hold now from the administration, and I think it is fair to say we have an obligation, certainly, relative to a process here, and as an authorizer, if the White House is going to line-item veto everything, we might as well go out of business.

I encourage the majority leader to continue the effort because we are not very far away, and I stand ready to be here all night if necessary, come in and meet with any group, to try to address this.

I thank my colleague.

Mr. LOTT. I yield to the Senator from Oklahoma.

Mr. NICKLES. One, on the parks bill, I want to commend Chairman MURKOWSKI and other members on the Energy Committee who worked hard to make this happen. This is a large bill, and unfortunately now it has a lot of items throughout the year that many of us have been working on for a long, long time.

The Senator from Alaska has been generous enough to withdraw one of the bills he felt very strongly about, that was important to his State, so we could get it signed. I asked him to do that. I appreciate his willingness to do it.

The Senator from Minnesota dropped an item. Again, we heard it being in there meant it would be vetoed, so we dropped two or three of the most contentious items. We dropped a project in Utah that, again, other people talked about would bring a certain veto.

Now, all of a sudden—we thought we had really taken away the veto objective so we could pass this bill. I committed to the Senator from California that I would try to help pass the Presidio bill this year. I want to maintain that commitment. I would like to pass this bill.

I urge my colleagues to work together. This bill has been put together in a bipartisan fashion. I have not counted up the number of Democrat and the number of Republican bills, but there are a lot on both sides of the aisle that impact parks all across the country and most of the States across the country. It would really be a shame to have that much work and that much time invested in that bill not to see it passed this year.

I compliment my colleague from Alaska and also the majority leader. I hope we will find a way to be able to work out the differences and pass this bill and get it signed into law before we adjourn the 104th Congress.

Let me make an announcement on behalf of the majority leader. I announce there will be no further rollcall votes tonight. The Senate obviously will be working tonight, in various conferences, trying to work out differences both on the continuing resolution and on the immigration and the parks bill. There will be work done tonight but there will be no further rollcall votes tonight.

I announce on behalf of the majority leader the Senate will reconvene at 10 a.m. tomorrow morning and we will try to give as much advance notice to all Senators prior to any recorded rollcall votes. As of now, there has not been one ordered, but Senators should stand on notice there may well be a recorded rollcall vote in the event we are able to come to an agreement on the continuing resolution, the parks bill or the immigration bill.

I thank my colleague from Kentucky.

Mr. MURKOWSKI. I wonder if I may be recognized for 1 minute relative to advising my colleagues of the status of the parks omnibus package.

It is my understanding that the appropriations subcommittee chairman has indicated it will not include specific items taken from the park omnibus bill and put on the appropriation CR. Now, that is a matter outside the control of the Senator from Alaska as chairman of the Energy and Natural Resource Committee. I think that has been clearly stated, and it has been reinforced by the Speaker of the House.

What I am encouraging, obviously, is that we proceed with this package. I agree, if it is in the interests of my colleagues to put the package on the appropriations as an entire package, I have no objection to that. Otherwise, the alternative is to proceed as we have, try to address the objections from the other side, and get on with it.

For those who think we will cherry pick it out and put specific portions on the appropriations CR and pass it there, that is not going to be an available alternative. We will simply lose for this year and have to start again. I hope that will not happen.

Mr. FORD. Mr. President, we are getting into a position where everybody seems to think we have to get out. Our salary still goes on. We still get paid whether we are here or not. I think we might as well stay here and earn our keep. We do not have to get out tomorrow. We do not have to get out Monday. We do not have to get out next Friday. We can go ahead and pass a continuing resolution and we could stay here and pass some bills or we can give a short-term continuing resolution for 3 or 4 days and we can work things out.

But we appear to be pushed up against a wall: you have to get out, got to do this, or it is dead. There is no such thing, unless the majority leader wants to take us out, and then things are dead.

I feel like we are being pushed awfully hard here just because tomorrow night we want to get out or Monday we want to get out. I understand everybody wants to go home and campaign. Let them go home and campaign, and the rest of us can stay here and work. That suits me fine.

FAA REAUTHORIZATION CONFERENCE REPORT

Mr. FORD. Mr. President, I want to make one comment about the express carrier we got the objection on to the FAA. I have been advised by legal counsel—not representing either side in this controversy—that every fact of law has sustained the express portion of the ICC bill. It was to be in there because nothing should be narrower or wider. Nobody should get anything when they pass the ICC legislation.

So I understand where we are coming from, and I understand whose fight it is in. I hate to be in the catch-22. We can stay a while if that's what they want to do, offer a cloture petition, and we will have 30 hours, and we can drive right on. I don't mind staying here. I don't want to any more than anybody else. But if that's the way the game is going to be played, I understand how to play it. If we get 60 votes, then we will have to vote on it. If we have to vote on it and we pass it, then it goes to the President. That is the end of it.

If you want to stay around a while, keep objecting to this one, file a cloture petition, we will get cloture and get our 30 hours and do our thing around here, Mr. President.

THE BOUNDARY WATERS CANOE AREA WILDERNESS

Mr. GRAMS. Mr. President, I rise today to speak on behalf of the people

of northern Minnesota about an issue that symbolizes for us the difference between what the role of government should be and what it has become. I am speaking, of course, about the current struggle to restore the rights of the citizens to have reasonable access to the cherished Boundary Waters Canoe Area Wilderness [BWCAW].

My colleague from northern Minnesota, Congressman JIM OBERSTAR, and I have unfortunately spent our days fighting a campaign of distortions and misinformation by a national coalition of special interest groups that want this national treasure for themselves: their private research territory not to be touched by what they view as the unclean, ignorant citizens of northern Minnesota. I believe a brief history of this controversy is needed if we hope to carry on an honest and reasonable debate on how best to resolve it.

In 1978, 1 million acres in northern Minnesota were designated by Congress as our Nation's only lakeland-based Federal wilderness area. By establishing the BWCAW, Congress rightfully acknowledged the need to protect the tremendous ecological and recreational resources within the area, with the understanding that it was to be a multiple-use wilderness area, as first envisioned by Senator Hubert Humphrey in 1964.

When Senator Humphrey included the Boundary Waters as part of the National Wilderness System, he made a promise to the people of Minnesota, saying ''The wilderness bill will not ban motorboats.'' It is safe to say that without that commitment to the people of northern Minnesota, this region would not be a wilderness area today.

In 1978, additional legislation was passed making further enhancements to the protection of the Boundary Waters, such as a justified ban on commercial activities like logging and mining. The 1978 law also limited recreational uses. For instance, motorboat users could only use 18 of the 1,078 lakes within the region.

Under the 1978 law, however, motorboat users were given the right to access some of these motorized lakes through three portage trails. Trucks and other mechanized means could be used to transport boats, canoes and people across the three portages from one lake to another. While many northern Minnesotans believed the 1978 law unduly restricted their boating privileges, they were comforted that these three mechanized portages would continue to allow reasonable access for everyone—from the young and the old to the strong and the weak—into many of these motorized lakes.

The intent of Congress was altered in 1993 when environmental extremists succeeded in a lawsuit to close these portages to mechanized transport. As a result of this court order, visitors can only transport their boats now by carrying them on their backs or with pieces of equipment which are pulled like a wagon. That is great fun for the young and strong, but wrenching work for those who are elderly, disabled, or traveling with children.

To illustrate the importance of allowing mechanized transport of boats over these portages, I wanted to show these pictures taken at Trout portage, one of the portages in question.

As you can see, the physical requirements of dragging boats across these portages have placed an obvious roadblock to the open access guaranteed to the public by law.

What is worse is that this court order came as the result of legalistic trickery by the radical environmentalists who filed the lawsuit—a deception they readily admit to and describe in great detail in a book they wrote entitled ''Troubled Waters.''

According to their book, the compromise worked out between the attorneys representing the radical environmentalists and the people of northern Minnesota, which was adopted in the 1978 law, allowed portages to use mechanized transport if the U.S. Forest Service determined that a feasible nonmotorized alternative could not be established.

In 1989, the Forest Service, after careful study, did in fact make that determination, thereby keeping the portages accessible to all.

But unbeknownst to the people of northern Minnesota, and apparently the U.S. Congress, the term ''feasible'' did not have the same meaning in environmental law as it does in everyday English.

According to ''Troubled Waters,'' a ''feasible'' alternative could, under law, permit something that was possible only from an engineering standpoint, regardless of whether it would take longer, be less convenient, or even be, and I quote the preservationists' own words, ''downright tortuous.''

The extreme environmentalists go on in their book to describe how their attorney did not even bother to tell the attorney representing the interests of northern Minnesota about their sleight-of-hand gamesmanship.

In other words, they purposely salted the deal with words they knew they would later challenge in court.

It was under this narrow interpretation of the word ''feasible'' that a federal appeals panel ordered the portages closed, after reversing a lower court decision which determined that a group of healthy, able-bodied people could not always transport these boats using muscle power and portage wheels. And so for four years, these portages have been effectively restricted from use by the elderly and disabled.

By the way, the word ''feasible'' means that the Ely football team or dog sleds can maybe help do this, but in other words it restricts an average person's ability to be able to get access to the park.

Since the court decision, the number of motorboats transported across these portages has significantly decreased.

Even more telling are the letters I have received from Minnesotans who have been shut out of the land they once called home.

John Novak, a veteran from Ely, MN, wrote me about his frustration with the closing of the portages, saying:

> I was good enough to go into the armed services for our country for 3 years back in the forties. Now that I am disabled, I am not good enough to get in the Boundary Waters Canoe Area Wilderness.

I received another letter from a young man from Virginia, MN, named Joe Madden who wrote ''I went to visit the Boundary Waters with my grandfather. We wanted to go fishing in Trout Lake, but we could not get there because we could not get my grandpa's boat over the portage.
open it up so Grandpa and I could go fishing?

These are just two of the many letters and requests sent to me by average, hard-working Minnesotans who have seen the promises made to them long ago by the Federal Government broken and forgotten over the years—people who rightfully believed that the Government was meant to work for them, but found out just the opposite.

It is these people—the men, women, and children of northern Minnesota—whose crusade Jim Oberstar and I have carried to the Halls of Congress in trying to reopen the three portages in the Boundary Waters.

In the 104th Congress alone, there have been a number of developments bringing us to the point at which we find ourselves today.

Eight Minnesota State legislators—all Democrats—asked me to request a field hearing on this issue.

The Senate Energy and Natural Resources Committee then held a field hearing in International Falls, MN, on issues surrounding the Boundary Waters and Minnesota's Voyageurs National Park.

A second field hearing was held in St. Paul at the request of my colleagues from Minnesota, Senator WELLSTONE and Congressman BRUCE VENTO.

This year, Congress has held three committee hearings in Washington on bills introduced by Congressman OBERSTAR and me to reopen the portages, and provide the public greater input into how the Boundary Waters and Voyageurs National Park are managed in the future.

At each of these hearings, a major display of opposition was organized by the extreme environmental special interests groups and their allies in Congress against our bills.

As a result, Senators with little knowledge or legitimate interests in the Boundary Waters were scripted to pronounce the bills dead on arrival and to make unbiased charges that we introduced our legislation for political reasons—criticisms which ignored the clear bipartisan nature of our work.

This organized campaign of disinformation and propaganda placed a significant obstacle against our hopes to move these bills through the committee process, leaving us and the taxpayers of Minnesota, who we represent,

with few legislative options to resolve the problems facing the people of northern Minnesota.

While many contentious issues surround the management of these two national treasures, no issue more perfectly symbolizes the failure of the Federal Government to live up to its proper role of serving the people than that of the three portages.

The same radical environmental individuals engaged in Senator WELLSTONE's mediation effort have claimed that any portage changes are ''non-negotiable.'' And yes, the same environmental lawyer who came up with the word ''feasible'' is part of this mediation effort. Congressman OBERSTAR and I persuaded the managers of the conference committee considering the omnibus parks bill to include a compromise provision which would reopen the Trout, Prairie, and Four-Mile portages to the elderly, disabled, and everyone who did not have a washboard stomach.

We hoped that at long last, the people of northern Minnesota would finally have their voices heard in Congress.

But once again, those same special interest groups—who had fooled the people of northern Minnesota in 1978, closed the portages in 1993, and used their influence to block our bills from the committee process this year—struck again, soliciting letters of opposition from Senators outside of Minnesota and even a veto threat from the White House.

The compromise was pulled out of the conference report late Tuesday night—and the people of northern Minnesota were shut out once again.

I am disappointed by this turn of events—not so much for myself and Congressman OBERSTAR, though we have put much time and effort to get the portages reopened—but rather for John Novak, Joe Madden, and the thousands of northern Minnesotans who were counting on this Congress to begin righting the wrongs of the last two decades.

You see, we in Minnesota still honestly believe in the words of President Lincoln that this is a ''government of the people, by the people, and for the people.''

These words and the principles of democracy they embody have been passed down from generation to generation—the uniquely American idea that Government should work in the interests of the people, not against them.

But somewhere down the line, that idea was forgotten by those Federal officials and bureaucrats who have been serving the radical environmental cabal, rather than for those hard-working taxpayers in northern Minnesota who ask for so little.

It is not surprising that the people of northern Minnesota are questioning just whom the Federal Government really serves.

It was President Clinton—yes, the same President Clinton whose White House threatened to veto the portages compromise—who said ''There is nothing wrong with America that cannot be fixed by what is right with America.'' In taking up the cause of the people of northern Minnesota, I embrace those words and only slightly modify them to say ''There is nothing wrong with the federal government that cannot be fixed by what is right with the American people.'' And it is what is right about our fellow Americans that keeps me hopeful that we will indeed resolve this issue in a way that best suits those Minnesotans who I am proud to represent in the Senate.

We may not have the money that the radical environmentalists do, or have at our disposal the highly-paid lobbyists and lawyers who are working against us—but we do have something more important than all of that. We have the truth on our side. And we are working for the same thing every American wants from our government: accountability to the people.

Accountability means balancing the protection of our pristine wilderness with the rights of the people to enjoy our natural resources. It means restoring the promises made in the past and establishing a partnership with the people to ensure those promises will be honored in the future. And it means keeping the Federal Government in check to guarantee that it works for the best interests of the people.

We who love the Boundary Waters Canoe Area Wilderness are working toward—and will continue to work toward—those goals. I am pleased to have a commitment from the distinguished chairman of the Senate Energy and Natural Resources Committee for an early markup of this common-sense reform effort in the next Congress. We will not stop our efforts until the principles of democracy are embodied in the future management of this beautiful national treasure. The people of northern Minnesota will have their voices heard in Congress, past injustices will be remedied, and the promises made so long ago by Senator Humphrey will be kept.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask to speak in morning business.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes according to the previous order.

NOMINATION OF NAVY CAPT. JEFFREY A. COOK

Mr. GRASSLEY. Mr. President, I want to discuss an issue I have with the Armed Services Committee.

On May 15, 1995, I wrote a letter to the chairman of the Committee, my friend from South Carolina, Senator THURMOND.

This was a very important letter.

It concerned the nomination for promotion of Navy Capt. Jeffrey A. Cook.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD.

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

CHARLES E. GRASSLEY,
U.S. SENATE,
Washington, DC, May 15, 1995.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR STROM: I am writing to raise questions about the pending promotion of Navy Captain Jeffrey A. Cook to the rank of rear admiral (lower half).

My questions about Captain Cook's fitness for promotion pertain to his service as the A–12 class desk officer during the period 1987 to 1990. In that capacity, he was the chief engineer for the A–12 stealth bomber program and the principal adviser for engineering matters to the A–12 program manager, Captain Lawrence G. Elberfeld.

A–12 CRIMINAL INVESTIGATION

The main source of my concern about Captain Cook's qualification for promotion are the results of a criminal investigation. The investigation was conducted by the Chicago Field Office of the Defense Criminal Investigation Service, Department of Defense Inspector General (IG). The report on the investigation is dated April 20, 1994, and carries the designation 9011045M–20–SEP–90–40SL–E5A/D.

The purpose of the criminal investigation was to examine allegations that ''U.S. Navy and DOD [Department of Defense] officials may have concealed or conspired to conceal, or otherwise thwart, the dissemination of adverse A–12 program information to the DOD and to Congress.''

The investigation found several specific instances in which former Secretary of the Navy H. Lawrence Garrett and other Navy A–12 program officials ''withheld, concealed, and/or suppressed adverse A–12 program information'' from cognizant DOD and Navy oversight personnel and from Congress. Both Mr. Garrett and Captain Elberfeld are accused of withholding relevant documents and material during an official inquiry and subsequent congressional oversight hearings. Worse still, the report suggests that Mr. Garrett may have in fact destroyed important evidence during the criminal phase of the investigation.

Based on the results of the investigation, the Inspector General concluded there were reasonable grounds to believe that Federal criminal law had been violated. Therefore, all the detailed information related to the actions of Secretary Garrett were referred to the Department of Justice for possible prosecution. Similarly, the case against Captain Elberfeld was referred to the Office of the Judge Advocate General of the Navy for possible court-martial. Captain Elberfeld was suspected of violating various articles of the Uniform Code of Military Justice, including article 907—pertaining to false official statements. In both cases, a decision was made not to prosecute.

CAPTAIN COOK'S POSSIBLE ROLE IN A–12 COVER-UP

Now, this is the issue that must be addressed on the pending nomination: Did Captain Cook allow himself to be drawn into the web of deceit spun out by former Secretary Garrett and Captain Elberfeld? Was Captain Cook a willing or unwilling participant in