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Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we praise You for this new day in which we can glorify You in the crucial work You have called us to do. Through Your goodness we can say with enthusiasm, ''Good morning, Lord,'' rather than with exasperation, ''Good Lord, what a morning.''

Thank You for giving us expectation and excitement for what You have planned for us today. Help us to sense Your presence in the magnificent but also in the mundane. Give us a deep sense of self-esteem rooted in Your love so that we may exude confidence and courage as we grasp the opportunities and grapple with the problems we will confront. Make us sensitive to the needs of the people around us. May they feel Your love and acceptance flowing through us to them. Guide our thinking so we may be creative in our decisions. We humbly acknowledge that all that we have and are is a gift of Your grace. Now we commit ourselves to You to serve our beloved Nation. Dear God, bless America through our leadership today. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will immediately begin consideration of calendar No. 300, H.R. 1296, regarding certain Presidio properties. Senator MURKOWSKI will offer his substitute amendment today. However, no rollcall votes will occur during today's session of the Senate. If other Senators have amendments to this legislation, they are encouraged to come forward and offer those amendments today with the understanding that any votes ordered will occur during Tuesday's session. Also, it may be necessary to file a motion to invoke cloture today on H.R. 1296, therefore, a cloture vote may occur on Wednesday on the Presidio legislation.

Other items possible for consideration, in fact, necessary, probably, as the week goes by, are the omnibus appropriations conference report, the debt limit extension, the farm bill conference report, and the line-item veto conference report.

Mr. President, I yield the floor.

PRESIDIO PROPERTIES ADMINISTRATION ACT OF 1995

The PRESIDING OFFICER (Mr. BROWN). Under the previous order, the Senate will now proceed to the consideration of H.R. 1296, an act to provide for the administration of certain Presidio properties, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1296) to provide for the administration of certain Presidio properties at a minimal cost to the Federal taxpayer.

The Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. FINDINGS.

The Congress finds that—

(1) the Presidio, located amidst the incomparable scenic splendor of the Golden Gate, is one of America's great natural and historic sites;

(2) the Presidio is the oldest continuously operated military post in the Nation dating from 1776, and was designated a National Historic Landmark in 1962;

(3) preservation of the cultural and historic integrity of the Presidio for public use recognizes its significant role in the history of the United States;

(4) the Presidio, in its entirety, is part of the Golden Gate National Recreation Area, in accordance with Public Law 92–589;

(5) as part of the Golden Gate National Recreation Area, the Presidio's significant natural, historic, scenic, cultural, and recreational resources must be managed in a manner which is consistent with sound principles of land use planning and management, and which protects the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources;

(6) removal and/or replacement of some structures within the Presidio must be considered as a management option in the administration of the Presidio; and

(7) the Presidio will be managed through an innovative public/private partnership that minimizes cost to the United States Treasury and makes efficient use of private sector resources.

SEC. 2. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF THE INTERIOR.

(a) INTERIM AUTHORITY.—The Secretary of the Interior (hereinafter in this Act referred to as the ''Secretary'') is authorized to manage leases in existence on the date of this Act for properties under the administrative jurisdiction of the Secretary and located at the Presidio. Upon the expiration of any such lease, the Secretary may extend such lease for a period terminating not later than 6 months after the first meeting of the Presidio Trust. The Secretary may not enter into any new leases for property at the Presidio to be transferred to the Presidio Trust under this Act. Prior to the transfer of administrative jurisdiction over any property to the Presidio Trust, and notwithstanding section 1341 of title 31 of the United States Code, the proceeds from any such lease shall be retained by the Secretary and such proceeds shall be available, without further appropriation, for the preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties. The Secretary may adjust the rental charge on any such lease for any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to properties and infrastructure within the Presidio.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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(b) PUBLIC INFORMATION AND INTERPRETATION.—The Secretary shall be responsible, in cooperation with the Presidio Trust, for providing public interpretive services, visitor orientation and educational programs on all lands within the Presidio.

(c) OTHER.—Those lands and facilities within the Presidio that are not transferred to the administrative jurisdiction of the Presidio Trust shall continue to be managed by the Secretary. The Secretary and the Presidio Trust shall cooperate to ensure adequate public access to all portions of the Presidio. Any infrastructure and building improvement projects that were funded prior to the enactment of this Act shall be completed by the National Park Service.

(d) PARK SERVICE EMPLOYEES.—Any career employee of the National Park Service, employed at the Presidio at the time of the transfer of lands and facilities to the Presidio Trust, shall not be separated from the Service by reason of such transfer, unless such employee is employed by the Trust, other than on detail. The Trust shall have sole discretion over whether to hire any such employee or request a detail of such employee.

SEC. 3. ESTABLISHMENT OF THE PRESIDIO TRUST.

(a) ESTABLISHMENT.—There is established a wholly owned government corporation to be known as the Presidio Trust (hereinafter in this Act referred to as the ''Trust'').

(b) TRANSFER.—(1) Within 60 days after receipt of a request from the Trust for the transfer of any parcel within the area depicted as Area B on the map entitled ''Presidio Trust Number 1,'' dated December 7, 1995, the Secretary shall transfer such parcel to the administrative jurisdiction of the Trust. Within one year after the first meeting of the Board of Directors of the Trust, the Secretary shall transfer to the Trust administrative jurisdiction over all remaining parcels within Area B. Such map shall be on file and available for public inspection in the offices of the Trust and in the offices of the National Park Service, Department of the Interior. The Trust and the Secretary may jointly make technical and clerical revisions in the boundary depicted on such map. The Secretary shall retain jurisdiction over those portions of the building identified as number 102 as the Secretary deems essential for use as a visitor center. The Building shall be named the ''William Penn Mott Visitor Center''. Any parcel of land, the jurisdiction over which is transferred pursuant to this subsection, shall remain within the boundary of the Golden Gate National Recreation Area.

(2) Within 60 days after the first meeting of the Board of Directors of the Trust, the Trust and the Secretary shall determine cooperatively which records, equipment, and other personal property are deemed to be necessary for the immediate administration of the properties to be transferred, and the Secretary shall immediately transfer such personal property to the Trust. Within one year after the first meeting of the Board of Directors of the Trust, the Trust and the Secretary shall determine cooperatively what, if any, additional records, equipment, and other personal property used by the Secretary in the administration of the properties to be transferred should be transferred to the Trust.

(3) The Secretary shall transfer, with the transfer of administrative jurisdiction over any property, the unobligated balance of all funds appropriated to the Secretary, all leases, concessions, licenses, permits, and other agreements affecting such property.

(c) BOARD OF DIRECTORS.—

(1) IN GENERAL.—The powers and management of the Trust shall be vested in a Board of Directors (hereinafter referred to as the ''Board'') consisting of the following 7 members:

(A) the Secretary of the Interior or the Secretary's designee; and

(B) six individuals, who are not employees of the Federal Government, appointed by the President, who shall possess extensive knowledge and experience in one or more of the fields of city planning, finance, real estate development, and resource conservation. At least one of these individuals shall be a veteran of the Armed Services. At least 3 of these individuals shall reside in the San Francisco Bay Area. The President shall make the appointments referred to in this subparagraph within 90 days after the enactment of this Act and shall ensure that the fields of city planning, finance, real estate development, and resource conservation are adequately represented. Upon establishment of the Trust, the Chairman of the Board of Directors of the Trust shall meet with the Chairman of the Energy and Natural Resources Committee of the United States Senate and the Chairman of the Resources Committee of the United States House of Representatives.

(2) TERMS.—Members of the Board appointed under paragraph (1)(B) shall each serve for a term of 4 years, except that of the members first appointed, 3 shall serve for a term of 2 years. Any vacancy in the Board shall be filled in the same manner in which the original appointment was made, and any member appointed to fill a vacancy shall serve for the remainder of the term for which his or her predecessor was appointed. No appointed member may serve more than 8 years in consecutive terms.

(3) QUORUM.—Four members of the Board shall constitute a quorum for the conduct of business by the Board.

(4) ORGANIZATION AND COMPENSATION.—The Board shall organize itself in such a manner as it deems most appropriate to effectively carry out the authorized activities of the Trust. Board members shall serve without pay, but may be reimbursed for the actual and necessary travel and subsistence expenses incurred by them in the performance of the duties of the Trust.

(5) LIABILITY OF DIRECTORS.—Members of the Board of Directors shall not be considered Federal employees by virtue of their membership on the Board, except for purposes of the Federal Tort Claims Act and the Ethics in Government Act, and the provisions of chapter 11 of title 18, United States Code.

(6) MEETINGS.—The Board shall meet at least three times per year in San Francisco and at least two of those meetings shall be open to the public. Upon a majority vote, the Board may close any other meetings to the public. The Board shall establish procedures for providing public information and opportunities for public comment regarding policy, planning, and design issues through the Golden Gate National Recreation Area Advisory Commission.

(7) STAFF.—The Trust is authorized to appoint and fix the compensation and duties of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may pay them without regard to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates, except that no officer or employee may receive a salary which exceeds the salary payable to officers or employees of the United States classified at level IV of the Executive Schedule.

(8) NECESSARY POWERS.—The Trust shall have all necessary and proper powers for the exercise of the authorities vested in it.

(9) TAXES.—The Trust and all properties administered by the Trust shall be exempt from all taxes and special assessments of every kind by the State of California, and its political subdivisions, including the city and county of San Francisco.

(10) GOVERNMENT CORPORATION.—(A) The Trust shall be treated as a wholly owned Government corporation subject to chapter 91 of title 31, United States Code (commonly referred to as the Government Corporation Control Act). Financial statements of the Trust shall be audited annually in accordance with section 9105 of title 31 of the United States Code.

(B) At the end of each calendar year, the Trust shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives a comprehensive and detailed report of its operations, activities, and accomplishments for the prior fiscal year. The report also shall include a section that describes in general terms the Trust's goals for the current fiscal year.

SEC. 4. DUTIES AND AUTHORITIES OF THE TRUST.

(a) OVERALL REQUIREMENTS OF THE TRUST.—The Trust shall manage the leasing, maintenance, rehabilitation, repair and improvement of property within the Presidio under its administrative jurisdiction using the authorities provided in this section, which shall be exercised in accordance with the purposes set forth in section 1 of the Act entitled ''An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes,'' approved October 27, 1972 (Public Law 92–589; 86 Stat. 1299; 16 U.S.C. 460bb), and in accordance with the general objectives of the General Management Plan (hereinafter referred to as the ''management plan'') approved for the Presidio.

(b) The Trust may participate in the development of programs and activities at the properties transferred to the Trust. The Trust shall have the authority to negotiate and enter into such agreements, leases, contracts and other arrangements with any person, firm, association, organization, corporation or governmental entity, including, without limitation, entities of Federal, State, and local governments as are necessary and appropriate to finance and carry out its authorized activities. Any such agreement may be entered into without regard to section 321 of the Act of June 30, 1932 (40 U.S.C. 303b). The Trust shall establish procedures for lease agreements and other agreements for use and occupancy of Presidio facilities, including a requirement that in entering into such agreements the Trust shall obtain reasonable competition. The Trust may not dispose of or convey fee title to any real property transferred to it under this Act. Federal laws and regulations governing procurement by Federal agencies shall not apply to the Trust except that the Trust, in consultation with the Administrator of Federal Procurement Policy, shall establish and promulgate procedures applicable to the Trust's procurement of goods and services including, but not limited to, the award of contracts on the basis of contractor qualifications, price, commercially reasonable buying practices, and reasonable competition.

(c) The Trust shall develop a comprehensive program for management of those lands and facilities within the Presidio which are transferred to the administrative jurisdiction of the Trust. Such program shall be designed to reduce expenditures by the National Park Service and increase revenues to the Federal Government to the maximum extent possible. In carrying out this program, the Trust shall be treated as a successor in interest to the National Park Service with respect to compliance with the National Environmental Policy Act and other environmental compliance statutes. Such program shall consist of—

(1) demolition of structures which in the opinion of the Trust, cannot be cost-effectively rehabilitated, and which are identified in the management plan for demolition,

(2) evaluation for possible demolition or replacement those buildings identified as categories 2 through 5 in the Presidio of San Francisco Historic Landmark District Historic American Buildings Survey Report, dated 1985,

(3) new construction limited to replacement of existing structures of similar size in existing areas of development, and

(4) examination of a full range of reasonable options for carrying out routine administrative and facility management programs.

The Trust shall consult with the Secretary in the preparation of this program.

(d) To augment or encourage the use of non-Federal funds to finance capital improvements on Presidio properties transferred to its jurisdiction, the Trust, in addition to its other authorities, shall have the following authorities subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.):

(1) The authority to guarantee any lender against loss of principal or interest on any loan, provided that (A) the terms of the guarantee are approved by the Secretary of the Treasury, (B) adequate subsidy budget authority is provided in advance in appropriations acts, and (C) such guarantees are structured so as to minimize potential cost to the Federal Government. No loan guarantee under this Act shall cover more than 75 percent of the unpaid balance of the loan. The Trust may collect a fee sufficient to cover its costs in connection with each loan guaranteed under this Act. The authority to enter into any such loan guarantee agreement shall expire at the end of 15 years after the date of the enactment of this Act.

(2) The authority, subject to appropriations, to make loans to the occupants of property managed by the Trust for the preservation, restoration, maintenance, or repair of such property.

(3) The authority to issue obligations to the Secretary of the Treasury, but only if the Secretary of the Treasury agrees to purchase such obligations after determining that the projects to be funded from the proceeds thereof are credit worthy and that a repayment schedule is established and only to the extent authorized in advance in appropriations acts. The Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under chapter 31 of title 31, United States Code, and the purposes for which securities may be issued under such chapter are extended to include any purchase of such notes or obligations acquired by the Secretary of the Treasury under this subsection. Obligations issued under this subparagraph shall be in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary of the Treasury, and shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. No funds appropriated to the Trust may be used for repayment of principal or interest on, or redemption of, obligations issued under this paragraph.

(4) The aggregate amount of obligations issued under this subsection which are outstanding at any one time may not exceed $50,000,000.

(e) The Trust may solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private or public entities for the purpose of carrying out its duties. The Trust shall maintain a liaison with the Golden Gate National Park Association.

(f) Notwithstanding section 1341 of title 31 of the United States Code, all proceeds received by the Trust shall be retained by the Trust, and such proceeds shall be available, without further appropriation, for the preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties under its administrative jurisdiction. Upon the Request of the Trust, the Secretary of the Treasury shall invest excess moneys of the Trust in public debt securities with maturities suitable to the needs of the Trust.

(g) The Trust may sue and be sued in its own name to the same extent as the Federal Government. Litigation arising out of the activities of the Trust shall be conducted by the Attorney General; except that the Trust may retain private attorneys to provide advice and counsel. The District Court for the Northern District of California shall have exclusive jurisdiction over any suit filed against the Trust.

(h) The Trust shall enter into a Memorandum of Agreement with the Secretary, acting through the Chief of the United States Park Police, for the conduct of law enforcement activities and services within those portions of the Presidio transferred to the administrative jurisdiction of the Trust.

(i) The Trust is authorized, in consultation with the Secretary, to adopt and to enforce those rules and regulations that are applicable to the Golden Gate National Recreation Area and that may be necessary and appropriate to carry out its duties and responsibilities under this Act. The Trust shall give notice of the adoption of such rules and regulations by publication in the Federal Register.

(j) For the purpose of compliance with applicable laws and regulations concerning properties transferred to the Trust by the Secretary, the Trust shall negotiate directly with regulatory authorities.

(k) INSURANCE.—The Trust shall require that all leaseholders and contractors procure proper insurance against any loss in connection with properties under lease or contract, or the authorized activities granted in such lease or contract, as is reasonable and customary.

(l) BUILDING CODE COMPLIANCE.—The Trust shall bring all properties under its administrative jurisdiction into compliance with Federal building codes and regulations appropriate to use and occupancy within 10 years after the enactment of this Act to the extent practicable.

(m) LEASING.—In managing and leasing the properties transferred to it, the Trust consider the extent to which prospective tenants contribute to the implementation of the General Management Plan for the Presidio and to the maximum generation of revenues to the Federal Government. The Trust shall give priority to the following categories of tenants: tenants that enhance the financial viability of the Presidio; tenants that maximize the amount of revenues to the Federal Government; and tenants that facilitate the cost-effective preservation of historic buildings through their reuse of such buildings.

(n) REVERSION.—If, at the expiration of 15 years, the Trust has not accomplished the goals and objectives of the plan required in section (5)(b) of this Act, then all property under the administrative jurisdiction of the Trust pursuant to section (3)(b) of this Act shall be transferred to the Administrator of the General Services Administration to be disposed of in accordance with the procedures outlined in the Defense Authorization Act of 1990 (104 Stat. 1809), and any real property so transferred shall be deleted from the boundary of the Golden Gate National Recreation Area.

SEC. 5. LIMITATIONS ON FUNDING.

(a)(1) From amounts made available to the Secretary for the operation of areas within the Golden Gate National Recreation Area, not more than $25,000,000 shall be available to carry out this Act in each fiscal year after the enactment of this Act until the plan is submitted under subsection (b). Such sums shall remain available until expended.

(2) After the plan required in subsection (b) is submitted, and for each of the 14 fiscal years thereafter, there are authorized to be appropriated to the Trust not more than the amounts specified in such plan. Such sums shall remain available until expended. Of such sums, not more than $3 million annually shall be available through the Trust for law enforcement activities and services to be provided by the United States Park Police at the Presidio in accordance with section 4(h) of this Act.

(b) Within one year after the first meeting of the Board of Directors of the Trust, the Trust shall submit to Congress a plan which includes a schedule of annual decreasing federally appropriated funding that will achieve, at a minimum, self-sufficiency for the Trust within 15 complete fiscal years after such meeting of the Trust.

(c) The Administrator of the General Services Administration shall provide necessary assistance to the Trust in the formulation and submission of the annual budget request for the administration, operation, and maintenance of the Presidio.

SEC. 6. GENERAL ACCOUNTING OFFICE STUDY.

(a) Three years after the first meeting of the Board of Directors of the Trust, the General Accounting Office shall conduct an interim study of the activities of the Trust and shall report the results of the study to the Committee on Energy and Natural Resources and the Committee on Appropriations of the United States Senate, and the Committee on Resources and Committee on Appropriations of the House of Representatives. The study shall include, but shall not be limited to, details of how the Trust is meeting its obligations under this Act.

(b) In consultation with the Trust, the General Accounting Office shall develop an interim schedule and plan to reduce and replace the Federal appropriations to the extent practicable for interpretive services conducted by the National Park Service, and law enforcement activities and services, fire and public safety programs conducted by the Trust.

(c) Seven years after the first meeting of the Board of Directors of the Trust, the General Accounting Office shall conduct a comprehensive study of the activities of the Trust, including the Trust's progress in meeting its obligations under this Act, taking into consideration the results of the study described in subsection (a) and the implementation of plan and schedule required in subsection (b). The General Accounting Office shall report the results of the study, including any adjustments to the plan and schedule, to the Committee on Energy and Natural Resources and the Committee on Appropriations of the United States Senate, and the Committee on Resources and Committee on Appropriations of the House of Representatives.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

PRIVILEGE OF THE FLOOR

Mr. JOHNSTON. Mr. President, I ask unanimous consent that Aaron Watkins, a congressional fellow employed by the Department of the Interior, and assigned to the staff of the Committee on Energy and Natural Resources, be granted privilege of the floor for the duration of the consideration of H.R. 1296, a bill to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayers.

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

Mr. BENNETT addressed the Chair.

Mr. JOHNSTON. Mr. President, I yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I ask unanimous consent that A. J. Martinez, a fellow from the Department of the Interior, be granted privilege of the floor during consideration of H.R. 1296, and all votes taken thereon.

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

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, in the absence of Senator MURKOWSKI, his staff indicated that it would be appropriate for me to go ahead and make my

statement at this point, so I would like to do so.

Mr. President, I want to make a few initial observations about where we are with respect to this bill and where I hope we will end up. Almost every park and public land bill reported from the Energy and Natural Resources Committee in this Congress is included in the Murkowski substitute to be introduced this morning. Most of these bills are noncontroversial and were reported by the committee unanimously; some have passed the Senate already but are held up in the House; some have passed the House and could go to the President, but for the fact that they are included in this package; others have had no action in either body.

While packaging these bills in this manner is not unprecedented, this particular package is unusual in at least two respects. First, for almost 1½ years we have been unable to move any of these bills through the Senate. This gridlock which has prevented our ability to legislate in this area is unprecedented. This is not the way we should do our business.

Whatever happens to this bill, I hope we will not find ourselves in this situation again. For as long as I have been in the Senate we have, until this Congress, been able to move these noncontroversial but important bills back and forth between the House and Senate in a spirit of bipartisanship and comity. I deeply regret that we appear to have lost the will and/or the ability to do that in this instance.

Second, the addition of the Utah wilderness bill to this package has transformed an effort to end procedural gridlock and enact a number of essential noncontroversial bills into a major battle over a very contentious wilderness proposal. The inclusion of the Utah wilderness bill in this package of otherwise relatively noncontroversial bills has brought on a filibuster here in the Senate and a veto threat from the administration.

I have indicated to my colleagues from Utah that I plan to support them in their efforts to get a Utah wilderness bill enacted. At the same time, I do not want to see the committee's efforts of the last year and a half wasted by passing a bill that does not pass or cannot pass the House and will almost certainly be vetoed.

Since the Utah wilderness bill was introduced, the delegation from Utah has agreed to modify it significantly. Wilderness acreage has been added and a number of significant changes in the management and land exchange provisions have been made. While I know that the changes do not go far enough for some of my colleagues, I think it is clear that the Utah delegation is serious about crafting a bill that can pass the Senate.

For example, with respect to one of the most contentious provisions of the bill, the so-called release language, the substitute before the Senate today contains language very similar to an amendment which I offered in the committee on this subject and which, though it failed on a 10 to 10 vote, had bipartisan support and, as I recall, the Democrats of the committee were united on that subject. So, in effect, Senators BENNETT and HATCH have agreed to the Democratic position in the committee on that subject.

The substitute no longer contains language requiring that release lands, that is, lands not designated as wilderness, be managed for nonwilderness multiple uses. Likewise, the substitute does not prohibit the BLM from managing these release lands in a manner that protects their wilderness character. Thus, this new language now satisfies the primary objective that my amendment in the committee addressed.

Under the language as introduced, the BLM would have been unable for any reason to manage released lands, that is, those lands not designated as wilderness, for anything but nonwilderness purposes. In addition, the BLM would have been precluded from adopting any management option that had the effect of protecting the wilderness character of these released lands. I was concerned that such restrictive language would preclude management for many legitimate purposes, such as disbursed recreation, protection of wildlife habitat or watersheds, the protection of scenic, scientific, or historical values or similar purposes.

Like the language offered, which was supported by virtually all the Senators on my side, the substitute now clearly permits these management options and only prohibits the BLM from managing these lands as wilderness study areas for the expressed purpose of protecting their suitability for future inclusion in the National Wilderness Preservation System.

While I recognize that there is still a serious limitation in the view of some of my colleagues, this current formulation is significantly narrower in scope than the bill introduced and illustrates the willingness of the Utah delegation to compromise on some of these very difficult issues. I hope that both sides will make the very serious effort over the next several days to reach an accommodation on this bill.

I might say, Mr. President, Senator BENNETT, a former member of our committee, has shown time and time again in this Senate his willingness to be reasonable, not to be extreme in any way, and try to work to a bipartisan solution. I do not know the details of all the land in Utah. In fact, I count myself as being unlucky because I have only been to Utah once and that was to the Salt Lake City airport. I am advised that it is a magnificent State with very beautiful lands. I cannot tell you about which lands are which in Utah. However, I support the position of my colleagues from Utah, frankly, as an indication of my confidence in their fairness and their reasonableness in picking these lands and because I think the two Senators from the State ought to, in all but very extreme circumstances, have the ability to deal with wilderness matters in their State.

Now, having said that, I can tell my colleagues from Utah that they are up against very strong and persuasive opposition. The most persuasive opposition you can get is a veto threat from the President. I offer to them and to my colleagues on this side of the aisle whatever services I can give in trying to find a common solution so that we can work out a bill that not only passes the Senate, gets past the filibuster, but can avoid the veto threat of the President.

They have shown already, as I just indicated, on the release language, their willingness to work to this kind of purpose. I hope we can find a way to do that here on this floor so we can do more than just pass a bill in the Senate or get a majority of the votes in the Senate for a bill that does not become law; rather, that we pass a law that does become law and settles this very contentious issue in a good way for the people of this country, as well as the people of the State of Utah.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Alaska [Mr. MURKOWSKI] is recognized to offer a substitute amendment.

AMENDMENT NO. 3564

(Purpose: To offer an amendment in the nature of a substitute to H.R. 1296, a bill to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes)

Mr. MURKOWSKI. Mr. President, I send to the desk a substitute amendment and ask for its immediate consideration.

The legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI] proposes an amendment numbered 3564.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. MURKOWSKI. Let me acknowledge my friend from Louisiana, the ranking member of the Energy and Natural Resources Committee, for his statement of support on the Utah wilderness. As we both know, serving on the committee, this particular phase of this package of legislation has been worked long and hard. We will hear from the representatives from Utah with regard to the specifics, but I think we have a good package here.

I want to remind my colleagues, of the 56 or so titles of this bill, there is virtually something in it for almost every Member of this body in the sense of it affecting his or her individual State. I encourage my colleagues to recognize the importance of staying together on this package, because once we start to take it apart by motions to strike, it will lose its base of support in

the House of Representatives. I can assure all of the Members of that fact.

PRIVILEGE OF THE FLOOR

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that Michael Menge be permitted privilege of the floor for the duration of the debate of H.R. 1296, the Presidio legislation.

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

Mr. MURKOWSKI. I ask unanimous consent that John Piltzecker be granted privilege of the floor during consideration of H.R. 1296.

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

Mr. MURKOWSKI. Mr. President, the legislation under consideration today is probably the largest and, in my opinion, one of the most balanced environmental packages we have addressed in the Senate, at least in this Congress. This major legislative effort does, really, a number of things. It is proenvironment, it is profuture. I think it is fair to say that basically everybody wins. The bill represents a balance between protection of our parks and our public lands and the welfare of families and the economic well-being of the Nation and many local communities.

Furthermore, Mr. President, it is a very reasonable attempt to fulfill a multiple-use concept and add to the wilderness some 2 million acres. Now, acreage, in the eyes of many, does not relate to anything, and perhaps I can put it in perspective. The State of Delaware is about 1 million acres. We are proposing to add 2 million acres in Utah. It is fair to say 2 million acres is about three times the size of the State of Rhode Island; 2 million acres of wilderness is about half the size of the State of New Jersey.

Let me put this in a further perspective, Mr. President, as we address wilderness and what it means. In the State of New Jersey, there are 10,341 acres of wilderness. With this bill, we would be adding to Utah's 800,000 acres of wilderness another 2 million, making it 2.8 million, approximately.

Another State that comes to mind in comparison is Arkansas. There are 127,000 acres of wilderness in the State of Arkansas. By this legislation, we would be adding 2 million in the State of Utah, again making it 2.8 million.

My friend from Louisiana has 17,046 acres of wilderness in his state of Louisiana. I am not going to talk too much about my State of Alaska but will just mention in passing, we have 57 million acres of wilderness in the State of Alaska. We are proud of that wilderness. I think it is important in this debate that we keep this in a proportional comparison, because with New Jersey at 10,341, one wonders why there is not a little more wilderness in New Jersey. I will leave that to the Senator from New Jersey to explain.

Mr. President, this bill contains over 50 measures affecting our parks, our national forests, and public lands. It is really a bipartisan endeavor. It addresses legislation introduced by Members on both sides of the aisle and represents a broad spectrum of interests from legislation dealing with everything from the Olympic games in Utah to the Sterling Forest in New York, to land exchanges in California, to boundary adjustments in the Commonwealth of Virginia.

The legislation contains expanded authorities for the National Park Service which will contribute to more cost-effective management and add additional parklands for the protection and enjoyment of all Americans now and in the future.

There are several land exchange proposals that will add environmentally sensitive lands to the Nation's public land inventory, as well as having the effect of rearranging scattered Federal land areas into manageable units that will be protected well into the future.

The amendment starts with the Presidio, San Francisco. The title is a result of long hours of negotiation, long hours of bargaining and compromise. I made a visit to this military post on the San Francisco peninsula. The committee has been presented with a major challenge, and I am pleased to report to you that we, I think, have a realistic method to save this valuable historic asset. Let me recognize Representatives from the House, as well as those Members from the California delegation of the Senate, DIANNE FEINSTEIN and BARBARA BOXER. I know how much this particular legislation means, and we have been working with them to try and reach an accord.

Mr. President, under this legislation, and over a period of time, the Federal appropriated dollars that made this park the most expensive operation in the National Park System, I am pleased, will be reduced over a period of time to basically zero. Federal dollars will be replaced with money and expertise from the private sector, and the private sector is willing and able to accomplish that.

Mr. President, following the provisions affecting the Presidio, we have some 32 additional titles covering 53 separate measures, and now there have been three more for a total of 56. I trust that the staffs are responding this morning because I am going to go through the various titles and identify the States because, again, I want to emphasize that there is virtually an interest by each State in this package of titles.

Here is the list of titles:

Yucca House National Monument boundary adjustment (Colorado);

Zion National Park boundary adjustment (Utah);

Pictured Rocks National lakeshore boundary adjustment (Michigan);

Independence National Historic Park boundary adjustment (Pennsylvania);

Craters of the Moon National Monument boundary adjustment (Idaho);

Hagerman Fossil Beds National Monument boundary adjustment (Idaho);

Wupatki National Monument boundary adjustment (Arizona);

New River Gorge National River (West Virginia);

Gauley River National recreation area (West Virginia);

Bluestone National Scenic River (West Virginia);

Kaloko-Honokohau National Historical Park (Hawaii);

Women's Rights National Historical Park (New York);

Boston National Historical Park (Massachusetts);

Cumberland Gap National Historic Park (Kentucky, Virginia, Tennessee);

William O. Douglas outdoor classroom (California);

Limitation on park buildings (National Park service-wide);

Appropriations for transportation of children (National Park service-wide);

Federal burros and horses (National Park service-wide);

Authorities of the Secretary relating to museums (National Park service-wide);

Volunteers in the parks increase (National Park service-wide);

Cooperative agreements for research purposes (National Park service-wide);

Carl Garner Federal lands cleanup day (Federal lands-wide);

Fort Pulaski National Monument (Georgia);

Laura C. Hudson visitor center (Louisiana);

United States Civil War Center (Louisiana);

Title III—Robert J. Lagomarsino Visitor Center (California);

Title IV—Rocky Mountain National Park Visitor Center (Colorado);

Title V—Corinth, Mississippi Battlefield Act (Mississippi);

Title VI—Walnut Canyon National Monument Boundary Modification (Arizona);

Title VII—Delaware Water Gap (Pennsylvania, New Jersey);

Title VIII—Targhee National Forest Land Exchange (Idaho, Wyoming);

Title IX—Dayton Aviation (Ohio);

Title X—Cache La Poudre (Colorado);

Title XI—Gilpin County, Colorado Land Exchange (Colorado);

Title XII—Butte County, CA. Land Conveyance (California);

Title XIII—Carl Garner Federal Lands Cleanup Day (Federal lands-wide);

Title XIV—Anaktuvuk Pass Land Exchange (Alaska);

Title XV—Alaska Peninsula Subsurface Consolidation (Alaska);

Title XVI—Sterling Forest (New York, New Jersey);

Title XVII—Taos Pueblo Land Transfer (New Mexico);

Title XVIII—Ski Fees (National Forest System-wide);

Title XIX—Selma to Montgomery National Historic Trail (Alabama);

Title XX—Utah Wilderness (Utah);

Title XXI—Fort Carson-Pinon Canyon (Colorado);

Title XXII—Snowbasin Land Exchange Act (Utah);

Title XXIII—Colonial National Historical Park (Virginia);

Title XXIV—Women's Rights National Historical Park (New York);

Title XXV—Franklin D. Roosevelt Family Lands (New York);

Title XXVI—Great Falls Historic District (New Jersey);

Title XXVII—Rio Puerco Watershed (New Mexico);

Title XXVIII—Columbia Basin (Washington);

Title XXIX—Grand Lake Cemetery (Colorado);

Title XXX—Old Spanish Trail (New Mexico, Colorado, Utah, California);

Title XXXI—Blackstone River Valley (Massachusetts, Rhode Island);
Title XXXII—Cuprum, Idaho Relief (Idaho); and
Title XXXIII—Arkansas and Oklahoma Land Transfer (Arkansas, Oklahoma).

So, you see, Mr. President, this has far-reaching effects, and I urge my colleagues to recognize and assess keeping this package together to ensure that it will be passed when it reaches the House.

Mr. President, within the noncontroversial issues, as I have indicated, there are a host of minor boundary adjustments and small operational change authorizations requested by the Department of Interior. There are authorizations for historic trail studies, building and naming national park visitor centers, expansion of historical parks, and equal value land exchanges for the Department of Agriculture. We have also addressed survey problems, and we authorize the citizens of Grand Lake, CO, to maintain their own town cemetery. It just happens to lie inside the boundaries of the Rocky Mountain National Park. There are other noncontroversial measures, each benefiting one or more segments of our society.

Mr. President, by far, the most controversial component of the package that we are considering is the title dealing with the Utah wilderness. Mr. President, it is suggested that if Winston Churchill were a Member of this body, he would have said, ''Never have so few done so much to confuse so many.'' It is our collective responsibility, I think, to look past the smoke screen that has been framed by extreme elitist types on the Utah wilderness issue.

Under the provisions of this bill, the Nation gains some 2 million acres of new wilderness. The lands under consideration meet the legislatively mandated definition of what wilderness should be. These are truly land masses that retain their primeval character and their influence, without permanent improvements or human habitation, with the imprint of man's work substantially unnoticeable, just as the act tells us the requirements must be. We have the benefit of extensive studies and efforts poured into defining exactly what lands should and should not be included in the wilderness system for Utah.

This whole issue was initiated by an act of Congress under the terms and conditions contained within the Federal Land Planning and Management Act. The effort was carried out by professional subject matter experts working for the Federal Government, not political appointees. In other words, Mr. President, this was done by professionals working for the Federal Government, but independent of the political influences associated with political appointees. That is not the case on the current recommendations that are coming from the other side to increase this wilderness in the area of 5 million acres.

Mr. President, the Bureau of Land Management study and final report cost the taxpayers of this country in excess of $10 million. It took more than 15 years to complete. This process, which was carried out in the full light of the public land planning process, included input from some 16,000 written comments, and there were over 75 formal public hearings on this question of Utah wilderness. The study processed was open to every citizen of the United States. It was well-defined criteria, and well documented. Appeals and protests rights were well publicized and used by groups of people on both sides of the issue. At the culmination of this process, those independent professionals recommended the inclusion of 1.9 million acres. This legislation recommends 2 million acres on the nose.

Those Federal employees in that open process spoke basically for every citizen in this country who participated in the Utah wilderness process. The process followed the rules that, I remind my colleagues, are extensively articulated in both the Wilderness Act of 1964 and the Federal Land Planning and Management Act.

Mr. President, unfortunately, the Secretary of the Interior, Secretary Babbitt, seems to want to ignore the advice of his own professional managers.

Here is the record of decision, Mr. President, the Utah Statewide Wilderness Study Report that substantiates the recommendations that it be 2 million acres. So the Secretary has decided to ignore that.

I ask unanimous consent that this be printed in the RECORD.

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

[From the Bureau of Land Management, Oct. 1991]

UTAH STATEWIDE WILDERNESS STUDY REPORT, VOLUME I—STATEWIDE OVERVIEW

THE SECRETARY OF THE INTERIOR,
Washington, DC, October 18, 1991.

RECORD OF DECISION

The following are the wilderness recommendations for 95 wilderness study areas (WSAs) in the State of Utah. These recommendations were developed from the findings of a 15-year wilderness study process by the Department of the Interior and Bureau of Land Management. The wilderness studies considered each area's resource values, present and projected future uses of the areas, public input, the manageability of the areas as wilderness, the environmental consequences of designating or not designating the areas as wilderness, and mineral surveys prepared by the U.S. Geological Survey and Bureau of Mines.

Based on our review of those studies, I have concluded that 1,958,339 acres within 69 study areas should be designated as part of the National Wilderness Preservation System and that 1,299,911 acres within 63 study areas should be released from wilderness study for uses other than wilderness. The acreage recommendations for each WSA, with which I concur, are listed in the following table. The Wilderness Study Report accompanying this decision includes a detailed discussion of the recommendations and maps showing the boundaries of each area.

MANUEL LUJAN, Jr.,
Secretary of the Interior.

UTAH WILDERNESS RECOMMENDATION

[Utah Statewide EIS WSAs/ISAs]

WSA/ISA name	Study	WSA number	Acres recommended for wilderness	Acres recommended for nonwilderness
North Stansbury Mountains	Statewide	UT–020–089	10,480	0
Cedar Mountains	Statewide	UT–020–094	0	50,500
Deep Creek Mountains	Statewide	UT–050–020/ UT–020–060	57,384	11,526
Fish Springs	Statewide	UT–050–127	33,840	18,660
Rockwell	Statewide	UT–050–186	0	9,150
Swasey Mountain	Statewide	UT–050–061	34,376	15,124
Howell Peak	Statewide	UT–050–077	14,800	10,000
Conger Mountain	Statewide	UT–050–035	0	20,400
Notch Peak	Statewide	UT–050–078	28,000	23,130
King Top	Statewide	UT–050–070	0	84,770
Wah Wah Mountains	Statewide	UT–050–073/ UT–040–205	36,382	5,758
Cougar Canyon	Statewide	UT–040–123/ NV–050–166	4,228	6,340
Red Mountain/Red Mountain 202	Statewide	UT–040–132/132A	12,842	5,448
Cottonwood Canyon	Statewide	UT–040–046	9,853	1,477
LaVerkin Creek Canyon [a]	Statewide	UT–040–153 (202)	567	0
Deep Creek [a]	Statewide	UT–040–146 (202)	3,320	0
North Fork Virgin River [a]	Statewide	UT–040–150 (202)	1,040	0
Orderville Canyon [a]	Statewide	UT–040–145 (202)	1,750	0
Parunuweap Canyon	Statewide	UT–040–230	17,888	12,912
Canaan Mountain	Statewide	UT–040–143	33,800	13,370
Moquith Mountain	Statewide	UT–040–217	0	14,830
The Blues	Statewide	UT–040–268	0	19,030
Mud Spring Canyon	Statewide	UT–040–077	0	38,075
Paria-Hackberry/Paria-Hackberry 202	Statewide	UT–040–247/247A	95,042	41,180
The Cockscomb	Statewide	UT–040–275	5,100	4,980

UTAH WILDERNESS RECOMMENDATION—Continued

[Utah Statewide EIS WSAs/ISAs]

WSA/ISA name	Study	WSA number	Acres recommended for wilderness	Acres recommended for nonwilderness
Wahweap	Statewide	UT–040–248	0	134,400
Burning Hills	Statewide	UT–040–079	0	61,550
Death Ridge	Statewide	UT–040–078	0	62,870
Phipps-Death Hollow	Statewide	UT–ISA–006	39,256	3,475
Steep Creek	Statewide	UT–040–061	20,806	1,090
North Escalante Canyons/The Gulch	Statewide	UT–ISA–004	91,558	28,194
Carcass Canyon	Statewide	UT–040–076	0	46,711
Scorpion	Statewide	UT–040–082	14,978	20,906
Escalante Canyons Tract 5	Statewide	UT–ISA–005	760	0
Fiftymile Mountain	Statewide	UT–040–080	91,361	54,782
Mt. Ellen-Blue Hills	Statewide	UT–050–238	65,804	15,922
Bull Mountain	Statewide	UT–050–242	11,800	1,820
Dirty Devil	Statewide	UT–050–236A	61,000	0
Horseshoe Canyon (South)	Statewide	UT–050–237	36,000	2,800
French Spring-Happy Canyon	Statewide	UT–050–236B	11,110	13,890
Fiddler Butte	Statewide	UT–050–241	32,700	40,400
Mt. Pennell	Statewide	UT–050–248	25,800	48,500
Mt. Hillers	Statewide	UT–050–249	16,360	3,640
Little Rockies	Statewide	UT–050–247	38,700	0
Mancos Mesa	Statewide	UT–060–181	51,440	0
Grand Gulch ISA Complex	Statewide	UT–ISA–001	105,520	0
Pine Canyon WSA		UT–060–188		
Bullet Canyon WSA		UT–060–196		
Sheiks Flat WSA		UT–060–224		
Slickhorn Canyon WSA		UT–060–197/198		
Road Canyon	Statewide	UT–060–201	52,420	0
Fish Creek Canyon	Statewide	UT–060–204	40,160	6,280
Mule Canyon	Statewide	UT–060–205B	5,990	0
Chessebox Canyon	Statewide	UT–060–191	0	15,410
Dark Canyon ISA Complex	Statewide	UT–ISA–002	68,030	0
Middle Point WSA		UT–060–175		
Butler Wash	Statewide	UT–060–169	24,190	0
Bridger Jack Mesa	Statewide	UT–060–167	5,290	0
Indian Creek	Statewide	UT–060–164	6,870	0
Behind The Rocks	Statewide	UT–060–140A	12,635	0
Mill Creek Canyon	Statewide	UT–060–139A	9,780	0
Negro Bill Canyon	Statewide	UT–060–138	7,620	0
Horsehoe Canyon (North)	Statewide	UT–060–045	20,500	0
San Rafael Reef	Statewide	UT–060–029A	59,170	0
Crack Canyon	Statewide	UT–060–028A	25,335	0
Muddy Creek	Statewide	UT–060–007	31,400	0
Devils Canyon	Statewide	UT–060–025	0	9,610
Sids Mountain/Sids	Statewide	UT–060–023/023A	80,084	886
Cabin 202				
Mexican Mountain	Statewide	UT–060–054	46,750	12,850
Jack Canyon	Statewide	UT–060–068C	0	7,500
Desolation Canyon	Statewide	UT–060–068A	224,850	65,995
Turtle Canyon	Statewide	UT–060–067	0	33,690
Floy Canyon	Statewide	UT–060–068B	23,140	49,465
Coal Canyon	Statewide	UT–060–100C	20,774	40,656
Spruce Canyon	Statewide	UT–060–100C	14,736	5,614
Flume Canyon	Statewide	UT–060–100B	16,495	34,305
Westwater Canyon	Statewide	UT–060–118	26,000	5,160
Winter Ridge	Statewide	UT–080–730	0	42,462
Red Butte [a]	Statewide	UT–040–147 (202)	804	0
Spring Creek Canyon [a]	Statewide	UT–040–148 (202)	1,607	2,826
The Watchman [a]	Statewide	UT–040–149 (202)	600	0
Taylor Creek Canyon [a]	Statewide	UT–040–154 (202)	35	0
Goose Creek Canyon [a]	Statewide	UT–040–176 (202)	89	0
Beartrap Canyon [a]	Statewide	UT–040–177 (202)	40	0
Fremont Gorge [a]	Statewide	UT–050–221 (202)	0	2,540
Lost Spring Canyon [a]	Statewide	UT–060–131B (202)	3,880	0
Daniels Canyon [a]	Statewide	UT–080–414 (202)	0	2,496
South Needles [a]	Statewide	UT–060–169A	160	0
Statewide EIS totals			1,945,079	1,285,355

[a] Recommended in conjunction with adjacent National Parks.

UTAH WILDERNESS RECOMMENDATION

[Utah ISAs not in Statewide EIS]

WSA/ISA Name	Study	WSA number	Acres recommended for wilderness	Acres recommended for nonwilderness
Book Cliffs Mountain Browse N.A.[1]	Unit	UT–ISA–007	0	400
Devils Garden N.A.[1]	Unit	UT–ISA–009	0	640
Joshua Tree N.A.[1]	Unit	UT–ISA–010	0	1,040
Escalante Canyons (Tract 1) N.A.[1]	Unit	UT–ISA–003	0	360
Link Flats N.A.[1]	Unit	UT–ISA–008	0	912
Unit ISA totals			0	3,352

[1] N.A.=Natural area.

[Utah WSAs studied by other States]

WSA/ISA Name	Study	WSA number	Acres recommended for wilderness	Acres recommended for nonwilderness
West Cold Spring	District	UT–080–103/ CO–010–208	0	3,200
Diamond Breaks	District	UT–080–113/ CO–010–214	3,620	280
Bull Canyon	District	UT–080–419/ CO–010–001	620	40
Wrigley Mesa/Jones Canyon/Black Ridge Canyon West	Resource Area	UT–060–116/117/ CO–070–113A	5,200	0
Squaw/Papoose Canyon	Resource Area	UT–060–227/ CO–030–265A	0	6,676
Cross Canyon	Resource Area	UT–060–229/ CO–030–265	0	1,008
White Rock Range	Resource Area	UT–040–216/ NV–040–202	3,820	0

[Utah WSAs studied by other States]

WSA/ISA Name	Study	WSA number	Acres recommended for wilderness	Acres recommended for nonwilderness
Total Utah WSAs studies by other States			13,260	11,204
Utah study totals			1,958,339	1,299,911

Mr. MURKOWSKI. I thank the Chair.

Mr. President, it is important to note that throughout the committee deliberations on this issue the Secretary did not offer one constructive comment—not one single comment—nor did he direct his legions to put forth an alternative. He was silent except for his exchanges with the media.

So here we have a Secretary that objects to this even after some $10 million and 15 years, and comes up with no suggested alternative.

That brings me to the point which I find very, very disturbing. I personally received from the Secretary, not directly but through the news media, a letter. This letter contains the passage that if the Utah wilderness provision contained in this bill prevails he would recommend that the President veto the entire bill. This did not come in the mail, Mr. President. Again, the Secretary offered no other constructive alternative to the wilderness proposal. I do not know. Maybe he wanted to save stamps and figured that the media would deliver his message. Well, they did deliver his message. I put a copy that we finally received into the RECORD. I ask unanimous consent that it be printed. I add that this did not come in the mail.

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

SECRETARY OF THE INTERIOR,
Washington, DC, March 15, 1996.

Hon. FRANK MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to convey the Administration's position on the Omnibus Parks Bill, due before the full Senate shortly. If the Utah Public Lands Management Act is part of an omnibus bill sent to the President, I would recommend that he veto the entire package.

The Administration is prepared to support the omnibus park bill if the Utah wilderness provision is deleted and with the qualifications mentioned below.

With regard to the Presidio, we have continued to work with the Committee to arrive at acceptable language. I am prepared to recommend that the President support this provision, assuming the Senate includes language authorizing the Trust to transfer properties surplus to its needs and open space areas to the Secretary (as provided for in the House-passed bill), deletes the Davis-Bacon waiver (again as in the House bill), deletes the exemption from the Anti-Deficiency Act, and clarifies that the National Park Service may continue short-term use and occupancy agreements until the Trust is established.

As to the remaining titles, we are, in general, favorably disposed to their enactment. However, the Alaska Peninsula Subsurface Consolidation title is problematic. It would establish a new appraisal methodology that would likely result in the overvaluation of Koniag subsurface rights, at the expense of the taxpayer. In addition, the National Park Service does not believe that Koniag subsurface rights, at the expense of the taxpayer. In addition, the National Park Service does not believe that Koniag has a valid claim on some lands the Secretary would be directed to acquire, and these interests are of very low priority when evaluated on an objective basis.

It is my understanding that certain procedural obstacles to the consideration of the individual titles have recently been overcome. We would also be pleased to encourage swift passage and adoption of the vast majority of the bill's titles were they to be considered separately. I have directed my staff to work with the Committee to convey other technical concerns of the Department and assist in improving the legislation where we have expressed concerns, and hope this has been helpful to those seeking to assess prospects for this legislation.

The Office of Management and Budget has advised that there is no objection to the submission of this report and that enactment of this legislation in its current form would not be in accord with the program of the Administration.

Sincerely,

BRUCE BABBITT.

Mr. MURKOWSKI. Mr. President, I still have not received the original letter from the Secretary. I find these events indicative of some of the attitudes that this administration—or some in this administration—seems to have for the Congress and the people who will benefit by the passage of this legislation. Playing in the media is only self-serving. It does not serve the public. Unfortunately, some of the media seemed to not have the intestinal fortitude to get up and find out just what the facts are. I hope they will search them out with regard to this package that is so important to the lands in the United States.

It is true that some of these lands in the State of Utah that they are going to receive in the exchange authorized under this legislation may be developed, but very little. It will not be developed irresponsibly. I think we can trust the people of Utah in that regard. The moneys generated from some of these lands go to Utah schools and institutions. Some opponents of the legislation suggest that the land will be ruined and developed beyond recognition. I know that my colleagues are aware of all of the safeguards that are still in place under both Federal and State laws, and they are almost too numerous to mention, Mr. President. But I think it is important that we recognize just what the significance of these checks and balances are because they are numerous.

To suggest that somehow Utah will have the flexibility to irresponsibly develop this land defies logic, Mr. President. I am going to submit for the RECORD legislative authorities involving the Bureau of Land Management, the General Public Lands Management Act, the general environmental laws. They consist of the Federal Land Policy Management Act, Classification of Multiple Use Act, Federal Advisory Committee Act, Coastal Zone Management Act, National Environmental Policy Act, Clean Air Act, Federal Water Pollution Control Act, Safe Drinking Water Act, Noise Control Act, Solid Waste Disposal Act, Environmental Quality Improvement Act, Hazardous Materials Transportation Act, Comprehensive Environmental Response, Oil Pollution Act, National Environmental Education Act, on and on and on.

I ask unanimous consent that they be printed in the RECORD.

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

LEGISLATIVE AUTHORITIES INVOLVING BLM

I. GENERAL PUBLIC LANDS MANAGEMENT

1. Federal Land Policy and Management Act of 1976, as amended, 43 U.S.C. 1701, et seq.
2. Classification and Multiple Use Act of 1964, as amended, 433 U.S.C. 1411 et seq. (Expired. However, segregative effects of classifications are valid until modified or terminated.)
3. Federal Advisory Committee Act, as amended, 5 U.S.C. Appendix I
4. Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq.

II. GENERAL ENVIRONMENTAL LAWS

1. National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321–4347
2. Clean Air Act, as amended, 42 U.S.C. 7401 et seq.
3. Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. (Includes Clean Water Act of 1977 and Water Quality Act of 1987)
4. Safe Drinking Water Act, as amended, 42 U.S.C. 42 U.S.C. 300f et seq.
5. Noise Control Act of 1972, as amended, 42 U.S.C. 4901 et seq.
6. Solid Waste Disposal Act of 1965, as amended, 42 U.S.C. 6901 et seq. (Includes Resource Conservation and Recovery Act of 1976)
7. Environmental Quality Improvement Act, as amended, 42 U.S.C. 4371–4374
8. Hazardous Materials Transportation Act, as amended, 49 U.S.C. 1801–1813
9. Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (CERCLA) ''Superfund,'' 42 U.S.C. 9601 (Includes Superfund Amendments and Reauthorization Act of 1986 (SARA))
10. Oil Pollution Act of 1990, as amended, 104 Stat. 484–575; 33 U.S.C. 2701/2719; 33 U.S.C. 2731–2737; 33 U.S.C. 1319, 1321; 43 U.S.C. 1642, 1651 et seq. (Includes Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act of 1990)
11. National Environmental Education Act, 104 Stat. 3325–3329; 20 U.S.C. 5501–5510
12. Antarctica Protection Act, 104 Stat. 2975–2978; 16 U.S.C. 2461–2466
13. Arctic Research and Policy Act of 1984, as amended, 15 U.S.C. 4101–4111; 30 U.S.C. 1801–1811 (Includes National Critical Materials Act of 1984)

14. Global Change Research Act of 1990, 15 U.S.C. 2921 et seq. (Includes International Cooperation in Global Change Research Act of 1990)
15. The Emergency Planning and Community Right-to-Know Act of 1986
16. The Community Environmental Response Facilities Act of 1992

III. LANDS AND REALTY MANAGEMENT

1. Alaska Native Claims Settlement Act, as amended, 43 U.S.C. 1601 et seq.
2. Reservations and Grants to States for Public Purposes, 43 U.S.C. 851 et seq.
3. Carey Act of August 18, 1894, as amended, 43 U.S.C. 641 et seq.
4. Desert Land Act of March 3, 1877, as amended, 43 U.S.C. 321 et seq
5. Color of Title Act, as amended, 43 U.S.C. 1068
6. Recreation and Public Purposes Act, as amended, 43 U.S.C. 869
7. Act of July 26, 1955, 69 Stat. 374 (Timber Access Roads)
8. Act of February 28, 1958, 43 U.S.C. 155–158 (Withdrawal for Defense Purposes ''Engle Act'')
9. Act of July 7, 1958, 72 Stat. 339, 48 U.S.C. Chapter 2 (Alaska Statehood)
10. Alaska Omnibus Act, as amended, 73 Stat. 141, 48 U.S.C. Chapter 2
11. Act of September 21, 1922, 43 U.S.C. 992 (Erroneously Meandered Lands, Arkansas)
12. Act of February 19, 1925, 43 U.S.C. 993 (Erroneously Meandered Lands, Louisiana)
13. Act of February 27, 1925, 43 U.S.C. 994 (Erroneously Meandered Lands, Wisconsin)
14. Act of August 24, 1954, 43 U.S.C. 1221 (Erroneously Meandered Lands/Wisconsin River and Lake Land Titles)
15. Act of May 31, 1962, 76 Stat. 89 (Snake River, Idaho—Omitted Lands)
16. Federal-Aid Highway Act, as amended, 23 U.S.C. 101 et seq.
17. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601 et seq.
18. Act of September 28, 1850, as amended, 43 U.S.C. 982 et seq, (Grants of Swamp and Overflowed Lands)
19. Submerged Lands Act, as amended, 43 U.S.C. 1301 et seq.
20. Alaska Natural Gas Transportation Act of 1976, 15 U.S.C. 719
21. Act of February 26, 1931, as amended, 40 U.S.C. 258a–258e (Popularly Known as the Declaration of Taking Act)
22. Various Acts authorizing creation of units within the National Park System which provided for exchanges involving public land—
a. Act of September 13, 1962, 16 U.S.C. 459c–459c–7 (Point Reyes National Seashore)
b. Act of September 11, 1964, as amended, 16 U.S.C. 459e–459e–9 (Fire Island National Seashore, NY)
c. Act of October 8, 1964, as amended, 16 U.S.C. 460n–460n–9 (Lake Mead National Recreation Area, AZ & NV)
d. Act of October 15, 1966, 16 U.S.C. 460t (Bighorn Canyon National Recreation Area, WY & MT)
e. Act of July 15, 1968, as amended, 16 U.S.C. 4601–11 (Conveyances in National Park System and Miscellaneous Areas—Freehold and Leasehold Interests; Competitive bidding; Exchanges)
f. Act of October 2, 1968, 16 U.S.C. 90 (North Cascades National Park, WA)
g. Act of October 2, 1968, 16 U.S.C. 79a–79j (Redwood National Park, WA)
h. Act of June 28, 1980, 16 U.S.C. 410gg–2(b) (Biscayne National Park, FL)
23. Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 et seq. (Section 601—Energy and Impact Area Development Assistance)
24. Act of October 21, 1970, as amended, 16 U.S.C. 460y–460y-9 (King Range National Conservation Area)
25. Federal Land Exchange Facilitation Act of 1988, 43 U.S.C. 751; 1716–1723
26. Rail Safety and Service Improvement Act of 1982, 96 Stat. 2543; 45 U.S.C. 1201–1214; 43 U.S.C. 1611, 1615, 1621, 1635 (Includes the Alaska Railroad Transfer Act of 1982)
27. Alaska National Interest Lands Conservation Act, as amended, 43 U.S.C. 1631 et seq.
28. Coastal Barrier Resources Act, as amended, 16 U.S.C. 3501–3510
29. Federal Lands Cleanup Act of 1985, 36 U.S.C. 169
30. Act of November 4, 1986, 28 U.S.C. 2409a (Real Property Quiet Title Actions)
31. Wildfire Suppression Assistance Act, 42 U.S.C. 1856
32. Utah School Lands Improvement Act, 107 Stat. 995
33. Airport and Airway Improvement Act of 1982
34. The Engle Act of February 28, 1958
35. The Burton-Sensitive Act, Public Law 96–586
36. The Zuni Act, Public Law 98–408
37. The Federal Power Act of 1920, as amended

IV. ENERGY AND MINERALS MANAGEMENT

1. Act of May 10, 1872, as amended, 30 U.S.C. 21 et seq. (General Mining Law)
2. Mineral Leasing Act, as amended, 30 U.S.C. 1818 et seq. Includes:
a. Act of November 16, 1973, 87 Stat. 576 (Trans-Alaska Pipeline Authorization Act).
b. Federal Coal Leasing Amendments of 1976, 90 Stat. 1083
c. Combined Hydrocarbon Leasing Act of 1981, 95 Stat. 1070 (Tar Sand)
d. Federal Onshore Oil and Gas Leasing Reform Act of 1987, 101 Stat. 1330–256–1330–263
3. Mineral Leasing Act for Acquired Lands, as amended, 30 U.S.C. 351–359
4. Geothermal Steam Act of 1970, as amended, 30 U.S.C. 1001 et seq.
5. Outer Continental Shelf Lands Act, as amended, 43 U.S.C. 1331 et seq.
6. Naval Petroleum Reserves Production Act of 1976, as amended, 42 U.S.C. 6501 et seq. (Includes Barrow Gas Field Transfer Act of 1984)
7. Surface Mining Control and Reclamation Act of 1977, as amended, 30 U.S.C. 1201 et seq.
8. Act of February 7, 1927, 30 U.S.C. 281 et seq. (Potash Mineral Leasing)
9. Multiple Mineral Development Act, as amended, 30 U.S.C. 521-531.
10. Act of August 12, 1953, 30 U.S.C. 501–505 (Mining Claims on Lands Subject to Mineral Leasing Laws)
11. Act of August 11, 1955, 30 U.S.C. 541–541i (Mining Location on Coal Lands)
12. Stock-Raising Homestead Act of 1916, as amended (Section 9), 43 U.S.C. 299. (Includes Act of April 16, 1993, regarding mining claims)
13. Mining Claims Rights Restoration Act of 1955, as amended, 30 U.S.C. 621–625
14. Act of April 17, 1926, 30 U.S.C. 271–276 (Sulphur Mineral Leasing)
15. Act of May 9, 1942, 30 U.S.C. 181, et seq. (Silica Leasing on Withdrawn Lands)
16. Act of June 8, 1926, 30 U.S.C. 291–293 (Lease of gold, silver, or quicksilver on private land claims)
17. Act of March 18, 1960, 30 U.S.C. 42 (Mill sites)
18. Act of July 31, 1947, as amended, 30 U.S.C. 601 et seq. (Popularly known as the Materials Act of 1947) (Includes the Multiple Use Mining Act of 1955)
19. Barrow Gas Field Transfer Act of 1984, 42 U.S.C. 6504
20. Arctic Research and Policy Act of 1984, 15 U.S.C. 4101 et seq; 30 U.S.C. 1801 et seq.
21. Act of August 29, 1984, 30 U.S.C. 1221 et seq. (State Mining and Mineral Resources Research Institute Program)
22. National Critical Materials Act of 1984, as amended, 30 U.S.C. 1801–1811.
23. Federal Oil and Gas Royalty Management Act of 1982, as amended, 30 U.S.C. 1701–1757; 30 U.S.C. 188
24. Energy Policy and Conservation Act, as amended, 42 U.S.C. 6201 et seq.
25. Federal Power Act, as amended, 16 U.S.C. 791a; 818
26. Deep Seabed Hard Mineral Resources Act, 30 U.S.C. 1413
27. Uranium Mill Tailings Radiation Control Act of 1978, as amended, 42 U.S.C. 7901 et seq. (Includes the Uranium Mill Tailings Remedial Action Amendments Act of 1988, Section 7916)
28. Energy Policy Act of 1992, 106 Stat. 2782; 42 U.S.C. 13201 et seq.
29. Waste Isolation Pilot Plant Land Withdrawal Act, 106 Stat. 4777

V. RENEWABLE RESOURCES MANAGEMENT

1. Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901 et seq.
2. Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq.
3. Act of August 28, 1937, as amended, 43 U.S.C. 1181a et seq. (Oregon and California Railroad and Coos Bay Wagon Road Grant Lands)
4. Act of June 28, 1934, as amended, 43 U.S.C. 315–315r (Popularly known as the Taylor Grazing Act)
5. Act of December 15, 1971, as amended, 16 U.S.C. 1331 et seq. (Popularly known as the Wild and Free-Roaming Horses and Burro Act)
6. Act of September 15, 1960, as amended, 16 U.S.C. 670g (Popularly known as the Sikes Act)
7. Act of June 8, 1940, as amended, 16 U.S.C. 668 et seq. (Protection of Bald and Golden Eagles)
8. Act of March 4, 1927, as amended, 43 U.S.C. 316 et seq. (Alaska Grazing)
9. Anadromous Fish Conservation Act, as amended, 16 U.S.C. 757a et seq.
10. Bankhead-Jones Farm Tenant Act, as amended, 7 U.S.C. 1010–1012
11. Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 et seq.
12. Act of March 29, 1944 16 U.S.C. 583–583i (Sustained-Yield Forest Management)
13. Halogeton Glomeratus Control Act, 7 U.S.C. 1651–1656
14. Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq.
15. Act of August 14, 1976, 16 U.S.C. 673d et seq. (Tule Elk)
16. Resources Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.
17. Marine Mammal Protection Act of 1972, as amended, 16 U.S.C. 1361–1362, 1371–1384, 1401–1407
18. Act of October 17, 1968, 43 U.S.C. 1241–1243 (Control of Noxious Plants)
19. Federal Noxious Weed Act of 1974, as amended, 7 U.S.C. 2801–2813
20. Fishery Conservation and Management Act of 1976, as amended, 16 U.S.C. 1801–1802, 1811–1813, 1821–1825, 1851–1861, 1882
21. Migratory Bird Conservation Act, as amended, 16 U.S.C. 715 (Includes the Wetlands Loan Extension Act of 1976)
22. Act of April 27, 1935, as amended, 16 U.S.C. 590a et seq. (Soil Conservation)
23. Federal Insecticide, Fungicide and Rodenticide Act, as amended, 7 U.S.C. 136–136y (Includes the Federal Environmental Pesticide Control Act of 1972)
24. Act of September 2, 1937, as amended, 16 U.S.C. 669–669i (Popularly known as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Wildlife Restoration Act)
25. Fur Seal Act of 1966, as amended, 16 U.S.C. 1151 et seq.
26. North American Wetlands Conservation Act, as amended, 16 U.S.C. 4401–4413

27. Federal Timber Contract Payment Modification Act, 16 U.S.C. 618–619, 539f
28. Food Security Act of 1985 (Farm Bill), 7 U.S.C. 148f (Control of grasshoppers & mormon crickets on Federal lands)
29. Controlled Substances Act, 21 U.S.C. 841 et seq.
30. Pacific Yew Act, 16 U.S.C. 4801 et seq.
31. Snake River Birds of Prey Act, 107 Stat. 302

VI. WATER RESOURCES AND RELATED PROBLEMS

1. Water Resources Planning Act, as amended, 42 U.S.C. 1962–1962a (Includes the Water Resources Development Act of 1974)
2. Rivers and Harbors Appropriation Act of 1899, as amended, 33 U.S.C. 401 et seq.
3. Act of August 3, 1968, 16 U.S.C. 1221 et seq. (Estuary Protection)
4. Marine Protection, Research and Sanctuary Act, as amended, 33 U.S.C. 1401–1445, 16 U.S.C. 1431–1439
5. Watershed Protection and Flood Prevention Act, as amended, 16 U.S.C. 1001–1009
6. Colorado River Basin Salinity Control Act, as amended, 43 U.S.C. 620d, 1543, 1571–1578
7. Water Resources Research Act of 1984, 42 U.S.C. 10301 et seq.
8. Water Resources Development Act of 1986, as amended, 33 U.S.C. 2201 et seq.
9. Federal Water Project Recreation Act, 16 U.S.C. 4601–12—4601–21
10. The Clean Water Act, as amended by the Water Quality Act of 1987
11. The Safe Drinking Water Act Amendments of 1977
12. The National Dam Inspection Act of 1977
13. The Soil and Water Resources Conservation Act of 1977

VII. RECREATION, HERITAGE AND WILDERNESS PROGRAMS

1. National Historic Preservation Act, as amended, 16 U.S.C. 470 et seq.
2. Wild and Scenic Rivers Act, as amended, 16 U.S.C. 1271 et seq.
3. Act of June 8, 1966, 16 U.S.C. 431–433 (Preservation of Antiquities)
4. National Trail System Act, as amended, 16 U.S.C. 1241 et seq.
5. Wilderness Act, as amended, 16 U.S.C. 1131 et seq.
6. Act of August 11, 1978, 42 U.S.C. 1996 (Popularly known as the American Indian Religious Freedom Act)
7. Historic Sites Buildings and Antiquities Act or Historic Sites Act, 16 U.S.C. 461–467
8. Federal Cave Resources Protection Act of 1988, 16 U.S.C. 4301 et seq.
9. Archaeological Resources Protection Act of 1979, as amended, 16 U.S.C. 470aa et seq.
10. Federal Water Project Recreation Act, 16 U.S.C. 4601–12—4601–21
11. Native American Programs Act of 1974, as amended, 42 U.S.C. 2991–2992, (Includes the Indian Environmental Regulatory Enhancement Act of 1990)
12. Act of December 19, 1980, 16 U.S.C. 410ii–410ii-7 (Chaco Culture National Historical Park)
13. Act of September 27, 1988, 16 U.S.C. 273b (Capitol Reef National Park, Grazing Privileges)
14. Arizona-Idaho Conservation Act of 1988, as amended, 16 U.S.C. 460xx–1—460xx–6; 460yy–1
15. Act of December 31, 1987, 16 U.S.C. 460uu et seq. (El Malpais National Conservation Area)
16. Red Rock Canyon National Conservation Area Establishment Act of 1990, 16 U.S.C. 460ccc et seq.
17. Arizona Desert Wilderness Act of 1990, 16 U.S.C. 460ddd (Includes Gila Box Riparian National Conservation Area and Take Pride in America Act, 16 U.S.C. 4601–4608)
18. Intermodal Surface Transportation Efficiency Act of 1991, 105 Stat. 1914 (Includes Federal Lands Highway Program/BLM Country Byways Program, 23 U.S.C. 101 Note, and Symms National Recreation Trails Act of 1991, 16 U.S.C. 1261–1262)
19. The Nature American Graves Protection and Repatriation Act of 1990

VIII. FINANCE

1. Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601–4—4601–11
2. Act of September 13, 1982, as amended, 31 U.S.C. 6901–6907, (Payment-in-Lieu of Taxes (PILT))
3. Act of June 17, 1902, as amended, 13 U.S.C. 371 et seq. (Popularly known as the Reclamation Act or the National Irrigation Act of 1902)
4. Forest Wildfire Emergency Pay Equity Act of 1988, 5 U.S.C. 5547

IX. TECHNICAL SERVICES

1. Cadastral Survey
a. Act of May 18, 1976, as amended, 43 U.S.C. 751 et seq. (R.S. 2395—Survey of Public Lands)
b. Act of April 8, 1864, as amended, 25 U.S.C. 176 (Survey of Indian Reservations)
2. Law Enforcement and Fire Protection
a. Act of September 20, 1922, 16 U.S.C. 594 (Protection of Timber of U.S.)
b. Act of May 27, 1955, 42 U.S.C. 1856 (Reciprocal Fire Protection)
c. Act of February 25, 1885, as amended, 43 U.S.C. 1061 et seq. (Popularly known as the Unlawful Inclosures of Public Lands Act or the Unlawful Occupancy of Public Lands Act)
d. Federal Timber Contract Payment Modification Act, 16 U.S.C. 618–619, 539f
e. Wildfire Disaster Recovery Act of 1989, 16 U.S.C. 551b–551c
f. Forest Wildfire Emergency Pay Equity Act, 5 U.S.C. 5547
3. Act of August 13, 1970, as amended, 16 U.S.C. 1701–1706 (Youth Conservation Corps)
4. Volunteers in the Parks Act of 1969, as amended, 16 U.S.C. 18g–18j
5. The Federal Uniform Crime Reporting Act 1988

X. ADMINISTRATIVE

1. Administrative Procedures Act, as amended, 5 U.S.C. 500–576. Includes:
a. Freedom on Information Act, as amended, 5 U.S.C. 552 et seq.
b. Privacy Act of 1974, as amended, 5 U.S.C. 552a et seq.
2. Regulatory Flexibility Act, 5 U.S.C. 601 et seq.
3. Whistleblower Protection Act, 5 U.S.C. 1201–1222
4. Federal Employees' Leave Transfer Act of 1988, 5 U.S.C. 6331–6339
5. Awards for Cost Savings Disclosures Act, 5 U.S.C. 4511–4514
6. Performance Management and Recognition System Reauthorization Act of 1989, as amended, 5 U.S.C. 5401 et seq.; 5 U.S.C. 4302a
7. Family and Medical Leave Act of 1993, 107 Stat. 6; 5 U.S.C. 6381 et seq. (Title II—Federal Employees)
8. Government Printing Office Electronic Information Access Enhancement Act of 1993, 107 Stat. 112
9. The Paperwork Reduction Act of 1980
10. The Computer Security Act of 1987
11. The Civil Service Reform Act of 1978
12. The Civil Rights Act of 1964, as amended

MAJOR ENVIRONMENTAL LAWS ENFORCED BY THE BUREAU OF LAND MANAGEMENT ON FEDERAL LANDS

Federal Land Policy and Management Act of 1976
National Environmental Act of 1969
Federal Water Pollution Control Act
Clean Air Act
Resource Conservation and Recovery Act
Oil Pollution Act of 1990
Safe Drinking Water Act
Mineral Leasing Act
Surface Mining Control and Reclamation Act
Public Rangelands Improvement Act
Taylor Grazing Act
Wild Horse and Burro Act
Endangered Species Act
Federal Noxious Weed Act
National Historic Preservation Act
Wilderness Act
American Indian Religious Freedom Act
Comprehensive Environmental Response, Compensation, and Liability Act of 1980

MAJOR ENVIRONMENTAL LAWS ENFORCED BY THE STATE OF UTAH ON STATE AND PRIVATE LANDS

The State of Utah, through State Law has the authority to enforce the following Federal Laws on State and private lands:
Surface Mining Control and Reclamation Act
Federal Water Pollution Control Act
Clean Air Act
Endangered Species Act
Surface Mining Control and Reclamation Act
National Historic Preservation Act
Resource Conservation and Recovery Act
Safe Drinking Water Act
Fish and Wildlife Management Laws
In addition, the Counties have zoning ordinances to ensure lands within the counties are managed in a responsible fashion.

Mr. MURKOWSKI. Mr. President, my point is an obvious one—that there are plenty of safeguards to ensure that that land will be developed in a responsible manner.

The citizens of Utah have proven that they are responsible and good stewards of their land. Irresponsible development does not support, obviously, the school system, and the future of the State of Utah, as is any other State, is the children. They obviously need the benefits of a good educational system and some development. Some of this land will be utilized for that purpose.

But to suggest somehow that it is an irresponsible act, the development of the land will be done irresponsibly, defies logic. This bill benefits the local communities in Utah. It provides them with access to resources promised to them when they were first granted the school section concept.

I need only to remind my colleagues that those who oppose this addition to the wilderness system are, in my opinion, those who have absolutely no consideration for maintaining a vibrant economy. Look at some areas of the United States where we had difficulties—poverty, lack of jobs. Appalachia comes to mind. We can look to Afghanistan and certain areas of South America, economically depressed portions of the planet, and there is an easy connection to be drawn. It is a reality that people do not have a future. They do not have the opportunity for jobs. There is no tax base. As a consequence, a situation like that needs to be recognized and corrected.

That is why in this legislation, the State of Utah has the flexibility to make the determinations on their own as to what is best for their own people and their own State.

So, Mr. President, we simply must not divorce the concept of environmental protection from the economic

health of our citizens and the communities within which they live. Economic well-being enhances the environment. It certainly does not destroy it. I think you have to have good schools, well-educated young Americans, and good job opportunities. Then we can truly have the means and the knowledge to meet our environmental responsibilities. You do not do it in a vacuum.

Again, Mr. President, the Nation gains some 2 million acres of pristine national treasure; the residents of Utah gain schools, education, and a protected environment. In my opinion, there is no better quid pro quo.

We are going to have an extended debate here, Mr. President. But there are a couple of other things that I would like to add to the opening statement that I think make reference to the realities that we are faced with.

There has been a suggestion by some in the media and some of my colleagues on the other side of the aisle that there have been delays in putting this legislation together and that somehow the responsibility should rest with those of us on this side of the aisle.

Mr. President, I would like to remind my colleagues that the bills in this package have been held in limbo for several months. The end result of this inaction has produced a logjam of legislative proposals that have been collecting sawdust around here. But the reality of this logjam is the fact that Senate passage of one bill will not occur until there is an action on another and then another and so on down the line.

The bottom line is everyone gets something or everyone gets nothing. That is where we are with this package today. As I have indicated, there are some 56 areas that are affected here. If we can take this package together and move it, it will pass and be accepted in the House of Representatives and move on to the President. But if we start unwinding, I can assure you that set of facts is not going to prevail.

The bottom line is that you cannot send the Presidio to the House minus the provisions concerning Utah. I guess we could sit around here today and tomorrow rearranging the deck chairs all we want, but if the Titanic leaves port without that deck chair the results are predictable. Presidio will die and all of the other titles of the bill will die, too.

I am going to be specific because I think it is appropriate relative to the concerns that are going to be expressed today in the extended debate.

I wish to talk specifics about the Utah wilderness bill. I know my colleagues from Utah will go on at great length, but my good friend from New Jersey has made a point of indicating his dissatisfaction with the proposed resolve of 2 million acres being added to the wilderness of Utah, and he has made the point in his press releases that our public lands belong to all Americans. I certainly agree with that. But he goes on to say that they should never be given away to a few special interests.

Mr. President, I do not consider the people of Utah ''a few special interests.'' While I am a Senator from Alaska, I happen to have a little spot in Utah where occasionally I go skiing, so you might say I have my own vested interest in Utah. I am a taxpayer there. I do not pretend to have the expertise of my colleagues who are going to speak later, but by the same token I think I have equal expertise to that of my friend from Utah.

I do not consider the people of Utah a special interest. The residents of Utah are represented by their elected officials. I have a letter which shows that 26 of the 29 State senators support the provisions of this bill. The letter from the house chamber of the Utah State Legislature shows that 64 out of 75 house members support the designation of wilderness in this bill.

Finally, I have a letter which shows that all of the elected county officials, all of the officials in 26 out of the 29 counties support the legislation as written. It is interesting to note that in the 27th county, five out of seven commissioners support the bill. The letter contains over 310 signatures of county elected officials.

Mr. President, I ask unanimous consent that the letters to which I just referred be printed in the RECORD.

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

UTAH STATE LEGISLATURE,
Salt Lake City, UT, February 14, 1996.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: As legislative leaders, we want to reaffirm the position taken by the Fifty-first Legislature of the State of Utah as it relates to the amount of BLM land designated as wilderness in Utah.

HCR 12, RESOLUTION SUPPORTING WILDERNESS DESIGNATION, by Representative Bradley Johnson, states very clearly the process by which wilderness was to be identified and quantified. That process was followed, and the local political entities acted very responsibly when they recommended that a little more than 1 million acres receive wilderness status.

The addition of acreage bringing the total amount to be added to the wilderness proposal to 1.8 million was an unsettling surprise. Yet, in a spirit of compromise, this total amount would be acceptable. We believe the addition of any more acreage, however, would be an affront to the citizens of this state and the process put in place that made the original recommendation. Furthermore, we believe the addition of more land would be tantamount to surrendering to rhetoric which is without a rational or factual basis.

The Fifty-first Legislature has spoken clearly on BLM wilderness designation. To lock up more land to an uncertain future in a state where 80 percent of the land area is subject to some form of government restriction and control is a policy which lacks sensitivity and foresight. This policy blind spot is simply inappropriate. To shackle future generations in this state with the unbendable restrictions wilderness designation imposes is nothing more than a ''takings'' of the hopes and dreams of Utahns whose heritage and economic roots are tied to these lands. These lands are not threatened and wilderness designation will not provide any additional protection that is already provided for by law governing the management of these lands.

For more than 100 years, there has been a harmony between the land and the land user. A dependence on the part of both has grown up with a healthy mutual respect. Questionable science has been injected into the wilderness decision-making process by those who are disjointed and removed from the land they claim to befriend.

We reaffirm our position on wilderness designation articulated in the last legislative session and as that you consider it to be the position of the State of Utah. If we can be helpful and answer your questions in addressing your concerns relative to this issue, we would be most amenable to doing what is necessary so that your decision is made with the very best, accurate information.

Sincerely,

MELVIN R. BROWN,
Speaker.
R. LANE BEATTIE,
President.

THE TRUTH ABOUT UTAH WILDERNESS

MARCH 22, 1996.

DEAR SENATOR: You recently received a letter dated March 15, 1996 from a group of twenty calling themselves ''The Coalition of Utah Elected Officials,'' asking the ''Utah Congressional Delegation to withdraw S. 884 and reconsider the direction they have taken on wilderness.'' The letter states that ''most Utahns oppose S. 884.'' It further states that ''most local people consider this to be stridently anti-environmental legislation, not the carefully balanced package the Utah Congressional Delegation has been claiming it to be.''

These statements are not only preposterous, but blatantly untrue. The facts are that most Utahns do not want large amounts of acreage designated as wilderness in Utah. We the undersigned Democrats and Republicans strongly support Senator's Hatch and Bennett in their balanced approach to Utah wilderness.

In reality, the Utah State Senate endorsed the provisions contained in the Hatch-Bennett proposal unanimously (27–0), while the Utah State House voted 62–6, or 92% in favor. Across the state, elected commissioners in 27 of 29 counties support this bill. As this letter indicates, over 90% of Utah's elected county leaders support the Utah wilderness proposal now before the Senate.

Early in 1995, the Governor of Utah and all members of the Utah Congressional Delegation specifically tasked the elected county officials in each county where wilderness was being proposed, to hold public hearings and from those public hearings, develop a proposal for wilderness designation on Bureau of Land Management (BLM) Lands in the affected counties. Numerous public hearings were held in every county where lands were proposed for wilderness designation. The country officials then developed their proposals for designating lands as wilderness from the public hearings. In every county where lands were proposed for wilderness designation, the county officials made their recommendations based on what they heard at the hearings. Many county officials recommended more acreage than they knew their citizens wanted, but they knew they had to do so in order to make a bill acceptable to Congress. Some of those county officials have paid a dear political price for their recommendations.

After the county officials made their recommendations, the Governor and Congressional Delegation, held five regional hearings around the state. The environmental community, both in and outside of Utah was well organized and paid its partisans to testify. They even rented busses and vans to transport these people from location to location. The testimony they gave was based on emotion and not the requirements of the Wilderness Act itself. Their testimony ignored the professional recommendations of the BLM which based its proposals on the criteria of the 1964 Wilderness Act.

The Governor and Congressional Delegation then developed what is now Title XX of omnibus package, S. 884. Many in Utah believe it contains too much acreage. It represents more than was recommended by the elected county officials who held the local public hearings. It represents more than the State Legislature has recommended at least twice in the last four years by nearly unanimous votes.

The people of Utah live in a state with approximately 67% federal land ownership and another 13% state ownership, but managed under the federally enacted State Enabling Act. Utah already has millions of acres in Five National Parks, two National Recreation Areas, four National Monuments, thirteen Forest Service wilderness areas, and BLM Areas of Critical Environmental Concern (ACEC). The unelected State Director of the BLM manages more of Utah than does its elected Governor.

The BLM wilderness debate in Utah has dragged on for more than 15 years at a cost to taxpayers of over $10 million. We believe it is time to end the debate, pass the balanced Hatch-Bennett proposal and bring some peace and stability to the people of Utah who must live daily with results of this debate. We the undersigned are a few of the elected officials in Utah who support Title XX of this omnibus bill. We want it passed and enacted into law.

Sincerely,

John Hansen, Millard County Auditor; Linda Carter, Millard County Recorder; Ed Phillips, Millard County Sheriff; LeRay Jackson, Millard County Attorney; John Henrie, Millard County Commissioner; Donovan Dafoe, Mayor, Delta Utah; Merrill Nielson, Mayor, Lynndyl, Utah; Phil Lovell, Mayor, Leamington, Utah; B. DeLyle Carling, Mayor, Meadow, Utah; Terry Higgs, Mayor, Kanosh, Utah; Mont Kimball, Councilman, Konosh, Utah; Roger Phillips, Councilman, Kanosh, Utah; Robert Decker, Councilman Delta, Utah; Gary Sullivan, Beaver County Commissioner; Ross Marshall, Beaver County Commissioner.

Chad Johnson, Beaver County Commissioner; Howard Pryor, Mayor, Minersville Town; Louise Liston, Garfield County Commissioner; Clare Ramsay, Garfield County Commissioner; Guy Thompson, Mayor, Henrieville Town; Shannon Allen, Mayor, Antimony Town; John Mathews, Mayor, Cannonville Town; Julee Lyman, Mayor, Boulder Town; Robert Gardner, Iron County Commissioner; Thomas Cardon, Iron County Commissioner; Worth Grimshaw, Mayor, Enoch City; Dennis Stowell, Mayor, Parowan City; Norm Carroll, Kane County Commissioner; Stephen Crosby, Kane County Commissioner; Viv Adams, Mayor, Kanab City.

Scot Goulding, Mayor, Orderville Town; Gayle Aldred, Washington County Commissioner; Russell Gallian, Washington County Commissioner; Gene Van Wagoner, Mayor, Hurricane City; Chris Blake, Mayor, Ivins Town; Rick Hafen, Mayor, Santa Clara City; Paul Beatty, Mayor, New Harmony Town; Terrill Clove, Mayor, Washington City; David Zitting, Mayor, Hildale City; Ike Lunt, Juab County Commissioner; Martin Jensen, Piute County Commissioner; Joseph Bernini, Juab County Commissioner; J. Keller Christensen, Sanpete County Commissioner; Eddie Cox, Sanpete County Commissioner; Ralph Okerlund, Sevier County Commissioner; Meeks Morrell, Wayne County Commissioner; Stanley Alvey, Wayne County Commissioner; Kevin Young, Mayor, Mona, Utah.

Steve Buchanan, Mayor, Gunnison, Utah; Roger Cook, Mayor, Moroni, Utah; Mary Day, Millard County Treasurer; James Talbot, Millard County Assessor; Marlene Whicker, Millard County Clerk; Lana Moon, Millard County Commissioner; Tony Dearden, Millard County Commissioner; Ken Talbot, Mayor, Hinkley, Utah; Elzo Porter, Mayor, Oak City, Utah; Keith Gillins, Mayor, Fillmore, Utah; Barry Monroe, Mayor, Scipio, Utah; C.R. Charlesworth, Mayor, Holden, Utah; Vicky McKee, Daggett Clerk Treasurer; Bob Nafus, Councilman, Konosh, Utah; Roger Phillips, Councilman, Konosh, Utah.

Chad Johnson, Beaver County Commissioner; James Robinson, Mayor, Beaver City; Mary Wiseman, Mayor, Milford City; Maloy Dodds, Garfield County Commissioner; Jean Seiler, Mayor, Tropic Town; Laval Sawyer, Mayor, Hatch Town; Wade Barney, Mayor, Escalante, Utah; Elaine Baldwin, Mayor, Panguitch, Utah; Roy Urie, Iron County Commissioner; Bill Weymouth, Mayor, Kanarraville Town; Harold Shirley, Mayor, Cedar City; Constance Robinson, Mayor, Pro-Tem, Paragonah; Joe Judd, Kane County Commissioner; Garaldine Rankin, Mayor, Big Water; Eric Brinkerhoff, Mayor, Glendale Town; Orval Palmer, Mayor, Alton Town; Jerry Lewis, Washington County Commissioner.

Daniel McArther, Mayor, City of St. George; A. Morley Wilson, Mayor, Enterprise City; Raymond Jack Eves, Mayor, LaVerkin City; David Everett, Mayor, Toquerville Town; Brent DeMille, Mayor, Leeds Town; Joy Henderlider, Mayor, Virgin Town; Gordon Young, Juab County Commissioner; Paul Morgan, Piute County Commissioner; Don Julander, Piute County Commissioner; Robert Bessey, Sanpete County Commissioner; Tex Olsen, Sevier County Commissioner; Peggy Mason, Sevier County Commissioner; Bliss Brinkerhoff, Wayne County Commissioner; Bob Steele, Mayor, Nephi, Utah; Connie Dubinsky, Mayor, Utah; Kent Larsen, Mayor, Utah; Chesley Christensen, Mayor, Mt. Pleasant, Utah.

Lawrence Mason, Mayor, Aurora, Utah; Eugene Honeycutt, Mayor, Redmond, Utah; James Freeby, Mayor, Sigurd, Utah; Orlin Howes, Mayor, Junction, Utah; Sherwood Albrecht, Mayor, Bicknell, Utah; Dick Davis, Mayor, Lyman, Utah; Mike Milovich, Carbon County Commissioner; Pay Pene, Grand Count Council; Bart Leavitt, Grand County Council; Lou Colisimo, Mayor, Price City; Roy Nikas, Councilman, Price City; Paul Childs, Mayor, Wellington, Utah; Bill McDougald, Councilman, City of Moab; Terry Warner, Councilman, City of Moab; Richard Seeley, Councilman, Green River City; Karen Nielsen, Councilwoman, Cleveland Town; Gery Petty, Mayor, Emery Town; Dennis Worwood, Councilman, Ferron City.

Brenda Bingham, Treasurer, Ferron City; Ramon Martinez, Mayor, Huntington City; Ross Gordon, Councilman, Huntington City; Lenna Romine, Piute County Assessor; Tom Balser, Councilman, Orangeville, City; Richard Stilson, Councilman, Orangeville City; Murene Bean, Recorder, Orangeville City; Carolyn Jorgensen, Treasurer, Castle Dale City; Bevan Wilson, Emery County Commissioner; Donald McCourt, Councilman, East Carbon City; Murray D. Anderson, Councilman East Carbon City; Mark McDonald, Councilman, Sunnyside City; Ryan Hepworth, Councilman, Sunnyside City; Dale Black, Mayor, Monticello City; John Black, Councilman, Monticello City.

Grant Warner, Mayor, Glenwood, Utah; Grant Stubbs, Mayor, Salina, Utah; Afton Morgan, Mayor, Circleville, Utah; Ronald Bushman, Mayor, Marysvale, Utah; Eugen Blackburn, Mayor, Loa, Utah; Robert Allred, Mayor, Spring City, Utah; Neil Breinholt, Carbon County Commissioner; Bill Krompel, Carbon County Commissioner; Dale Mosher, Grand County Councilman; Den Ballentyne, Grand County Councilman; Frank Nelson, Grand County Councilman; Steve Bringhurst, Price City Councilman; Joe Piccolo, Price City Councilman; Tom Stocks, Mayor, City of Moab; Judy Ann Scott Mayor, Green River City; Art Hughes, former Councilman, Green River.

Gary Price, Mayor,, Clawson Town; Marvin Thayne, Councilman Elmo Town; Dale Roper, Mayor, Town of Ferron; Garth Larsen, Ferron Town Council; Paul Kunze, Recorder, Ferron Town; Don Gordon, Huntington City Councilman; Jackie Wilson, Huntington City Council; Howard Tuttle, Councilman, Orangeville City; Dixon Peacock, Councilman, Orangeville City; Roger Warner, Mayor Castle Dale City; Kent Peterson, Grand County Commissioner; Randy Johnson, Grand County Commissioner; L. Paul Clark, Mayor, East Carbon City; Darlene Fivecoat, Councilwoman, East Carbon City; Barbara Fisher, Councilwoman, East Carbon City.

Grant McDonald, Mayor, Sunnyside City; Nick DeGiulio, Councilman, Sunnyside City; Bernie Christensen, Councilwoman, Monticello City; Mike Dalpiaz, Helper City; Lee Allen, Box Elder County Commissioner; Royal K. Norman, Box Elder County Commissioner; Jay E. Hardy, Box Elder County Commissioner; Darrel L. Gibbons, Cache County Councilman; C. Larry Anhder, Cache County Councilman; Guy Ray Pulsipher, Cashe County Councilman; James Briggs, Daggett County Commissioner; Sharon Walters, Daggett County Commissioner; Chad L. Reed, Daggett County Commissioner; Curtiss Dastrup, Duchesne County Commissioner.

Larry Ross, Duchesne County Commissioner; John Swasey; Duchesne County Commissioner; Dale C. Wilson, Morgan County Commissioner; Jan K. Turner, Morgan County Commissioner; Jeff D. London, Morgan County Commissioner; Kenneth R. Brown, Rich County Commissioner; Blair R. Francis, Rich County Commissioner; Keith D. Johnson, Rich County Commissioner; Ty Lewis,

San Juan County Commissioner; Bill Redd, San Juan County Commissioner; Mark Maryboy, San Juan County Commissioner; Sheldon Richins, Summit County Commissioner; Thomas Flinders, Summit County Commissioner; Jim Soter, Summit County Commissioner; Teryl Hunsaker, Tooele County Commissioner; Gary Griffith, Tooele County Commissioner; Lois McArther, Tooele County Commissioner; Odell Russell, Mayor, Rush Valley, Utah; Cosetta Castagno, Mayor, Vernon, Utah; Frank Sharman, Tooele County Sheriff.

Glen Caldwell, Tooele County Auditor; Donna McHendrix, Tooele County Recorder; Gerri Paystrup, Tooele County Assessor; Valerie B. Lee, Tooele County Treasurer; H. Glen McKee, Uintah County Commissioner; Lorin Merrill, Uintah County Commissioner; Lewis G. Vincent, Uintah County Commissioner; Laren Provost, Wasatch County Commissioner; Keith D. Jacobson, Wasatch County Commissioner; Sharron J. Winterton, Wasatch County Commissioner; David J. Gardner, Utah County Commissioner; Jerry D. Grover, Utah County Commissioner; Gary Herbert, Utah County Commissioner; Gayle A. Stevenson, Davis County Commissioner; Dannie R. McConkie, Davis County Commissioner.

Carol R. Page, Davis County Commissioner; Leo G. Kanel, Beaver County Attorney; Monte Munns, Box Elder County Assessor; Gaylen Jarvie, Daggett County Sheriff; Camille Moore, Garfield County Clerk/Auditor; Brian Bremner, Garfield County Engineer; Karla Johnson, Kane County Clerk/Auditor; Richard M. Baily, Director, Administrative Services; Lamar Guymon, Emery County Sheriff; Eli H. Anderson, District 1, Utah State Representative; Peter C. Knudson, District 2, Utah State Representative; Fred Hunsaker, District 4, Utah State Representative; Evan Olsen, District 5, Utah State Representative; Martin Stephens, District 6, Utah State Representative; Joseph Murray, District 8, Utah State Representative; John B. Arrington, District 9, Utah State Representative.

Douglas S. Peterson, District 11, Utah State Representative; Gerry A. Adair, District 12, Utah State Representative; Nora B. Stephens, District 13, Utah State Representative; Don E. Bush, District 14, Utah State Representative; Blake D. Chard, District 15, Utah State Representative; Kevin S. Garn, District 16, Utah State Representative; Marda Dillree, District 17, Utah State Representative; Karen B. Smith, District 18, Utah State Representative; Sheryl L. Allen, District 19, Utah State Representative; Charles E. Bradford, District 20, Utah State Representative; James R. Gowans, District 21, Utah State Representative; Steven Barth, District 26, Utah State Representative; Ron Bigelow, District 32, Utah State Representative; Orville D. Carnahan, District 34, Utah State Representative; Lamont Tyler, District 36, Utah State Representative; Ray Short, District 37, Utah State Representative; Sue Lockman, District 38, Utah State Representative; Michael G. Waddoups, District 39, Utah State Representative.

J. Reese Hunter, District 40, Utah State Representative; Darlene Gubler, District 41, Utah State Representative; David Bresnahan, District 42, Utah State Representative; Robert H. Killpack, District 44, Utah State Representative; Melvin R. Brown, District 45, Utah State Representative; Brian R. Allen, District 46, Utah State Representative; Bryan D. Holladay, District 47, Utah State Representative; Greg. J. Curtis, District 49, Utah State Representative; Lloyd Frandsen, District 50, Utah State Representative; Shirley V. Jensen, District 51, Utah State Representative; R. Mont Evans, District 52, Utah State Representative; David Ure, District 53, Utah State Representative; Jack A. Seitz, District 55, Utah State Representative; Christine Fox, District 56, Utah State Representative; Lowell A. Nelson, District 57, Utah State Representative; John L. Valentine, District 58, Utah State Representative.

Doyle Mortimer, District 59, Utah State Representative; Norm Nielsen, District 60, Utah State Representative; R. Lee Ellertson, District 61, Utah State Representative; Jeff Alexander, District 62, Utah State Representative; Jordan Tanner, District 63, Utah State Representative; Byron L. Harward, District 64, Utah State Representative; J. Brent Hammond, District 65, Utah State Representative; Tim Moran, District 66, Utah State Representative; Bill Wright, District 67, Utah State Representative; Michael Styler, District 68, Utah State Representative; Tom Mathews, District 69, Utah State Representative; Bradley T. Johnson, District 69, Utah State Representative; Keele Johnson, District 71, Utah State Representative; Demar ''Bud'' Bowman, District 72, Utah State Representative; Tom Hatch, District 73, Utah State Representative.

Bill Hickman, District 75, Utah State Representative; Wilford Black, District 2, Utah State Senator; Blaze D. Wharton, District 3, Utah State Senator; Howard Stephenson, District 4, Utah State Senator; Brent Richard, District 5, Utah State Senator; Stephen J. Rees, District 6, Utah State Senator; David L. Buhler, District 7, Utah State Senator; Steve Poulton, District 9, Utah State Senator; L. Alma Mansell, District 10, Utah State Senator; Eddie P. Mayne, District 11, Utah State Senator; George Mantes, District 13, Utah State Senator; Craig A. Peterson, District 14, Utah State Senator; LeRay McAllister, District 15, Utah State Senator; Eldon Money, District 17, Utah State Senator; Nathan Tanner, District 18, Utah State Senator; Robert F. Montgomery, District 19, Utah State Senator; Joseph H. Steel, District 21, Utah State Senator; Craig L. Taylor, District 22, Utah State Senator; Lane Beattie, District 23, Utah State Senator; John P. Holmgren, District 24, Utah State Senator; Lyle W. Hillyard, District 25, Utah State Senator; Alarik Myrin, District 26, Utah State Senator; Mike Dmitrich, District 27, Utah State Senator; Leonard M. Blackham, District 28, Utah State Senator; David L. Watson, District 29, Utah State Senator.

LAWS OF UTAH—1995

H.C.R. 12

Whereas the Bureau of Land Management (BLM) has issued its final Environmental Impact Statement and recommended designating approximately 1.9 million acres of land in Utah as wilderness;

Whereas the state is willing to cooperate with the United States government in the designation process and in protecting Utah's environment;

Whereas designating lands as wilderness affects many communities and residents of the state by permanently prohibiting certain kinds of economic development;

Whereas a federal reservation of water could seriously affect the potential for development in growing areas of the state;

Whereas the designation of wilderness would depreciate the value of state inholdings and adjacent state lands, reducing an important source of revenue for the education of Utah's schoolchildren;

Whereas it is the state's position that there should be no net loss of state or private lands and no increase in federal ownership as a result of wilderness designation;

Whereas lands that may be designated as wilderness are subject to existing rights and uses under current law, such as mining, timber harvesting, and grazing.

Whereas the BLM has extensively studied public lands in Utah for the purpose of determining simtability for wilderness designation;

Whereas it is vitally important for Utah to maintain the ability to develop its mineral resources, such as the Kaparowits Coal Field, for the economic and financial well being of the state, its trust lands, and counties;

Whereas much of Utah's municipal, industrial, and agricultural wear supply comes from public lands, requiring continued management and maintenance of vegetation, reservoirs, and pipelines, and

Whereas the definition of wilderness lands established by Congress in the 1964 Wilderness Act should be used to determine the designation of wilderness lands.

Now, therefore, be it *resolved* that the Legislature of the state of Utah, the Governor concurring therein, encourage the Congress to enact at the earliest possible opportunity a fair and equitable Utah wilderness bill regarding BLM lands, with the Legislature's and Governor's support of the bill contingent upon its containing the following provisions:

(1) that any BLM lands designated as wilderness must meet the legal definition of wilderness lands as contained in the 1964 Wilderness Act;

(2) that all lands not designated as wilderness be released from Wilderness Study Area status and that the BLM be directed to manage those released lands under multiple use sustained yield principles and be prohibited from making or managing further study area designations in Utah without express authorization from Congress;

(3) that no reserve water right be granted or implied in any BLM wilderness bill for Utah inasmuch as federal agencies are able to apply for water through the state appropriations system in keeping with the 1988 opinion of Solicitor Ralph W. Tarr of the United States Department of the Interior.

(4) that federal agencies be required to cooperate with the state in exchanging state lands that are surrounded by or adjacent to or adversely affected by wilderness designation for federal lands of equivalent value; and additionally, because designation of wilderness lands is a federal action, that federal funds be appropriated to pay for appraisals of state lands and federal lands to be exchanged;

(5) that every effort be made to ensure that there be no net loss of state or private lands and no increase in federal ownship as a result of wilderness designation in Utah;

(6) that the designation of wilderness not result in the creation, either formally or informally, of buffer zones and management zones around, contiguous, or on lands affected by wilderness designation;

(7) that all valid existing rights and historical uses be allowed to be fully exercised

without undue restriction or economic hardship on lands designated as wilderness as provided in the Wilderness Act of 1964; and

(8) that management of vegetation, reservoirs, and similar facilities on watershed lands designated as wilderness be continued by state or private means.

Be it further *Resolved* that the Legislature and the Governor conclude that elected country officials, after extensive public input, should develop the wilderness proposals and the conditions for acceptable designation of wilderness lands within their respective counties, with the aggregate of those respective county recommendations constituting the basis of the state proposal for BLM wilderness designation in Utah. The county officials should be consulted regarding any changes to their respective county recommendations.

Be it further *Resolved* that copies of this resolution be sent to President Clinton, the President of the United States Senate, the Speaker of the House of Representatives the Secretary of the Interior, the directors of both the state and federal offices of the Bureau of Land Management, and Utah' congressional delegation.

Mr. MURKOWSKI. Mr. President, over 93 percent of the State legislators and county elected officials in Utah did not misread public opinion at home. If we were talking about New Jersey, the Senator's State, and Federal elected Representatives took the identical stance in support of their constituency, my good friend from New Jersey would occupy the Senate floor for the next month defending their rights, and I would admire that, against the intervention of a Senator from another State who represents only a few special interests.

So let us keep this in perspective, Mr. President. New Jersey has 10,341 acres of wilderness, Arkansas has 127,000, and Utah, with this provision, will have 2.8 million acres of wilderness.

Further, reference has been made by the Senator from New Jersey in a press statement dated March 22 saying that ''20 million acres of Utah lands can never be designated as wilderness in the future.''

He then goes on to say: ''If it becomes law, it would permit the transformation of these lands from wilderness to strip mines, roads and commercial development.''

Come on, Mr. President. These statements are scare tactics. They are untrue. They are unrealistic. Congress, as the Senator from New Jersey knows, can at any time revisit this issue and designate additional wilderness. The field professionals after 15 years of study, review and court cases, found that 20 million acres do not meet the strict definition of wilderness. Under the act, these lands are not wilderness but many do qualify under other designations. The BLM is already using other management schemes on much of this acreage, including designated areas of critical environmental concerns, outstanding natural areas, natural landmarks, research, national areas, wild and scenic rivers, national trails, primitive areas, visual resources, management class 1 areas, and each of these designations offer a host of protected measures.

To suggest that the residents of and visitors to Utah will desecrate these lands or to imply that the Federal managers will turn their eyes when this destruction descends upon us is simply a gross exaggeration of facts. One only has to visit Utah, view the lands, look at the national parks and the forests and the State lands that have been set aside to know that they care about their resources. They were protecting these lands long before the elitists arrived on the scene. For those lands which might be developed, and there will be some, there are additional protections.

To suggest the enactment of this bill would destroy 20 million acres contributes little fact to this debate and only brings it up to a hysteric level. The list of Federal laws and State laws I previously submitted for the RECORD still must be complied with. If these lands will not afford protection, why do we have them?

Further, much has been made of the holds on this legislation and the consequences associated therewith. I have worked with my good friend from New Jersey from time to time, and we have reached accords from time to time, not necessarily all the time by any means. But I noticed a ''Dear Colleague'' the Senator from New Jersey sent around was joined by some 17 Members of this body, and it stated:

Many of us have provisions important to our respective States within the omnibus parks legislation.

The letter goes on to say:

They need to be uncoupled from the Utah wilderness provision.

The majority of these bills were placed on the calendar of the Senate on April 7, 1995, almost a year ago. They have been on the calendar almost a year. The Senator from New Jersey could have let these environmental bills, land bills, make their way to the House and to the President months ago. Unfortunately, for reasons of his own, he chose not to do so. The direct result of those actions is this package. The Senator from New Jersey, by his own actions, is the ghost writer of this bill that we are considering. So as we look at where to finger the delay and why there is a package, I think we should ask the Senator from New Jersey to explain why he would put a hold on virtually every bill of this nature coming through the process starting back to when it was introduced and placed on the calendar in 1995.

I have accommodated many times the Senator from New Jersey on interests of his, certainly on the Sterling Forest, a bill, I might add, that is not totally without some controversy, and, in my opinion, there is reason that he should attempt to accommodate others. When this bill passes, Mr. President, Americans will get 2 million acres of new wilderness, and there is nothing in this legislation that will prevent another Congress from adding additional lands in Utah to the wilderness inventory.

I think it is appropriate that we take this discussion a little further and find out just who and what and why this onslaught of well-financed propaganda by a small group of elitists in opposition to this bill. This has come up in the forms of expensive full-page ads, calls from telephone banks, multicolored brochures, posters, a raft of letter writing campaigns.

There was an editorial from the San Francisco Examiner, one example, suggesting that I am the guy who caused the Presidio bill to be held hostage and added on the riders.

I am not the guy, Mr. President. It suggested that this bill is a Christmas tree of special goodies, including, the inference was, opening up ANWR, the Alaska Arctic oil reserve. This bill does not have anything to do with Alaskan oil. It is not even mentioned in the bill and the San Francisco Examiner should know that. But they chose to make an issue and draw a parallel, when none existed. I think that is irresponsible reporting.

I am attempting to get these bills moving in the direction of the White House. Without this effort, the Presidio will not pass Congress. It needs to be passed, as do other titles, and they are all important to our colleagues. That is just the hard, cold fact existing on the other side, the House side.

There is a small group of elitists, self-anointed saviors of the West, perhaps the Senator from New Jersey is among them, who would prefer to see the entire package of noncontroversial, needed measures simply choked together, because they do not want to see 2 million acres added to the Nation's wilderness inventory. They want 5 million acres, 6 million acres, or nothing.

Environmentalism is big business. I am going to show some charts here, to show just how big it is. The campaigns of this big business enterprise, the environmental lobby, are well financed, well staffed. They attach themselves rapidly to any issue that expands more membership, will raise more money for their coffers. They almost consume their causes. I am not suggesting the causes are not meritorious in many cases. But, by the same token, I do want to point out the significance of just how large these organizations have become and why they would dwell on an issue such as Utah wilderness.

Here we have environmental organizations, their revenues, their expenses, their assets, and the fund balances. These are the 12 major environmental organizations in the United States. There are more. I am not suggesting this is the entire list. We have the Nature Conservancy—these figures are as of fiscal 1993. I suspect they are higher now. These are the last figures we were able to generate. If you look at the revenue generated—$278 million; expenses, $219 million; assets, basically what they own, $915 million; and fund balances, $855 million.

Then you go to the National Wildlife Federation. Let us just look at the fund balances: $13 million; World Wildlife Fund, $39 million; Greenpeace, $23 million; Sierra Club, $14 million; the Sierra Club Legal Defense Fund, $5.9 million; National Audubon Society, $61 million; Environmental Defense Fund, $5 million; Natural Resources Defense Council, $11 million; Wilderness Society, $4 million; National Parks and Conservation Association, $769,000; Friends of the Earth, they are not doing too well looks like; Izaak Walton League of America, $414,000.

If we just look these up we will get an idea of the significance of these groups, in their totality. The revenue, $633 million; expenses, they expend about $556 million. Their assets, what they own, $1.2 billion. That would be among the Fortune 500. Fund balances, over $1 billion.

Let us look at some of the salaries paid, because I think, here again, this reflects on the significance that these groups are big business. The Nature Conservancy, John Sawhill, this is, I believe, as of 1994, $185,000. I think the President's salary is somewhere in the area of a little over $200,000. So here we have salaries, the National Wildlife Federation, Jay Hair, $242,000, more than the President of the United States; World Wildlife Fund, $185,000; Sierra Club Legal Defense Fund, $106,000; Environmental Defense Fund, $193,000; National Resources Defense Council, $145,000; National Parks and Conservation Association, $185,000.

I think these show, in detail, the significance of just how big the environmental communities' efforts and organizations have become.

Mr. President, I have another chart here. While staff is getting it, I want to amplify, again, the fact that these organizations need legitimate causes. The question of how extreme, how far is there room for compromise, is a legitimate question here. The State of Utah has proposed adding 2 million acres. But that is not enough, environmentalists want 5 or 6 million. They generate extreme reasons, in my opinion, inflammatory suggestions, suggesting that the residents of the State cannot be trusted, are irresponsible. I just do not buy that. I think we have to recognize their legitimate contribution, and when they are off line and unrealistic, take them to task.

It is interesting to note the investments of these organizations. I wish I had a third chart to show, but I am going to have it printed in the RECORD of investment summaries, the market value of these organizations as they invest in stocks, bonds. And I am also going to have printed in the RECORD the benefits associated with the officers, directors, the salaries and wages, the pension plans and the other employee benefits which clearly substantiate my claim that this is now big business.

I am also going to have printed in the RECORD the major corporate contributors to these organizations. In some cases that is rather amusing, because we find a direct contrast between the objectives and efforts of some of the organizations and some of the donors who, you would think, would have conflicting points of view. But I will leave that up to them to explain.

So, I ask unanimous consent that a list of the major corporate contributors, the officers' income, staff, wages and benefits, executive compensation, environmental organization incomes, and a list of the top 12 organizations, be printed in the RECORD from the report of the Center for the Defense of Free Enterprise entitled, ''Getting Rich, the Environmental Movement's Income, Salary, Contributor, and Investment Patterns, With an Analysis of Land Trust Transfers of Private Land to Government Ownership.''

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

[From the Center for the Defense of Free Enterprise]

GETTING RICH—THE ENVIRONMENTAL MOVEMENT'S INCOME, SALARY, CONTRIBUTOR, AND INVESTMENT PATTERNS, WITH AN ANALYSIS OF LAND TRUST TRANSFERS OF PRIVATE LAND TO GOVERNMENT OWNERSHIP

INTRODUCTION

The environmental movement is arguably the richest power and pressure center in America. This report examines the question, ''What is the public paying for with its money for the environment?'' It profiles the twelve richest and best-known environmental organizations in the United States, including two subgroups, one within Greenpeace, one related to the Sierra Club. It focuses on their internal finances, how they spend the money the public gives them—usually a well-guarded secret even though the law requires non-profit organizations to make full public disclosure.

Simply put, where does the money go?

Certainly environmental group money goes to programs that ''protect the environment from the ravages of humanity.'' None of the twelve major groups and their subgroups examined here fail to expend substantial funds on their publicly announced programs.

However, none of the groups examined here announce the fat salaries of their executives, the huge amounts paid for staff wages and pensions, or the donations spent playing Wall Street in professionally managed investment portfolios. And few loudly advertise their gifts from large corporations.

In addition, many environmental groups have fallen under control of the nation's richest private foundations. Private foundations have forced their own social-change agendas on many environmental organizations through ''grant driven projects,'' with ominous implications for the unwitting public.

This report also focuses on the most troublesome aspects of a citizen movement grown powerful: the ability of wealthy land trusts to funnel private property into the federal government at prices above the approved appraised value, to ''lowball'' prices paid to private owners based on inside information provided by federal agencies, and to persuade congressional allies to put their properties at the top of the list for federal payments.

ACKNOWLEDGMENTS

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All raw data used in this report were obtained from public records, including IRS Form 990 reports, and annual financial filings required by the States of New York, Virginia, and California. Statistical and political analyses were performed by the Center for the Defense of Free Enterprise.

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THE TWELVE TOP ORGANIZATIONS

1: The Nature Conservancy (Founded 1951).

Annual budget: $278,497,634 (1993).

Staff: 1,150 total.

Members: 708,000 individuals; 405 corporations.

Tax Status: (501)(c)(3).

Headquarters: 1815 North Lynn Street, Arlington, Virginia 22209, Phone: (703) 841–5300 Fax: (703) 841–1283.

2: National Wildlife Federation (Founded 1936).

Annual budget: $82,816,824 (1993).

Staff: 608 total.

Members: 4 million members.

Tax Status: (501)(c)(3).

Headquarters: 1400 16th Street, NW, Washington, D.C. 20036, Phone: (202) 797–6800 Fax: (202) 797–6646.

3: World Wildlife Fund (Founded 1961: predecessor in 1948).

Annual budget: $60,791,945 (1993).

Staff: 244 total—172 professional: 72 support.

Members: 1 million members.

Tax Status: (501)(c)(3).

Headquarters: 1250 24th Street, NW, Washington, D.C. 20037, Phone: (202) 293–4800 Fax: (202) 293–9211.

4: Greenpeace Fund, Inc. (Founded 1971, formerly Greenpeace USA).

Annual budget: $48,777,308 (Combined 1993 with Greenpeace, Inc.), $157 million internationally (1991).

Staff: 250 staff members plus 20 interns (reorganized in 1992), Offices in 30 countries.

Members: 1.7 million members and supporters U.S. (1993), 4.5 million worldwide.

Tax Status: (501)(c)(3) [Greenpeace, Inc. is a (501)(c)(4)].

Headquarters: 1436 U Street, NW, Washington, D.C. 20009, Phone: (202) 462–1177 Fax: (202) 462–4507.

5: Sierra Club (Founded 1892).

Annual budget: $41,716,044 (1992).

Staff: 325 total—180 professional, 145 support, plus volunteers.

Members: 550,000 individuals.

Tax Status: (501)(c)(4); Sierra Club Legal Defense Fund is 501(c)(3).

Headquarters: 730 Polk Street, San Francisco, California 94109, Phone: (415) 776–2211, Fax: (415) 776–0350, and 408 C Street, NE, Washington, D.C. 20002, Phone: (202) 797–6800, Fax: (202) 797–6646.

6: National Audubon Society (Founded 1905, precursors in 1886 and 1896).

Annual budget: $40,081,591 (1992).

Staff: 315 total.

Members: 542,000 individuals (1993).

Tax Status: (501)(c)(3).

Headquarters: 950 Third Avenue, New York, New York 10022, Phone: (212) 832–3200, Fax: (212) 593–6254, and 801 Pennsylvania Avenue

SE, Washington, D.C. 20003, Phone: (202) 547–9009, Fax: (202) 547–9022.

7: Natural Resources Defense Council (Founded 1970).

Annual budget: $20,496,829 (1993).

Staff: 128 total—83 professional; 45 support.

Members: 170,000 individuals.

Tax Status: (501)(c)(3).

Headquarters: 40 West 20th Street, New York, New York 10011, Phone: (212) 727–2700, Fax: (212) 727–1773, and 1350 New York Ave., NW, Suite 300, Washington, D.C. 20005, Phone: (202) 783–7800, Fax: (202) 783–5917.

8: Environmental Defense Fund (Founded 1967).

Annual budget: $17,394,230 (1993).

Staff: 110 total—80 professional, 30 support.

Members: 250,000 individuals (1994) [source: telephone inquiry].

Tax Status: (501)(c)(3).

Headquarters: 257 Park Avenue South, New York, New York 10010, Phone: (212) 505–2100, Fax: (212) 505–2375, and 1616 P Street, NW, Washington, D.C. 20036, Phone: (202) 387–3500, Fax: (202) 234–6049.

9: The Wilderness Society (Founded 1935).

Annual budget: $16,093,764 (1993).

Staff: 136 total.

Members: 293,000 individuals.

Tax Status: (501)(c)(3).

Headquarters: 900 17th Street, NW, Washington, D.C. 20006, Phone: (202) 833–2300 Fax: (202) 429–3959.

10: National Parks and Conservation Association (Founded 1919).

Annual budget: $11,285,639 (1993).

Staff: 43 total.

Members: 400,000 individuals.

Tax Status: 501(c)(3).

Headquarters: 1015 31st Street, NW, Washington, D.C. 20007, Phone: (202) 223–6722 Fax: (202) 944–8535.

11: Friends of the Earth (Founded 1969, reconstituted 1990).

Annual budget: $2,467,775 (1993).

Staff: 45 total—38 professional, 7 support.

Members: 50,000 individuals.

Tax Status: 501(c)(3).

Headquarters: 218 D Street, SE, Washington, D.C. 20003, Phone: (202) 544–2600 Fax: (202) 543–4710.

12: Izaak Walton League of America (Founded 1922).

Annual budget: $2,074,694 (1992).

Staff: 23 total—14 professional, 9 support.

Members: 52,700 individuals.

Tax Status: 501(c)(3).

Headquarters: 1401 Wilson Boulevard, Level B, Arlington, Virginia 22209, Phone: (703) 528–1818 Fax: (202) 528–1836.

ENVIRONMENTAL ORGANIZATION INCOMES

Organization	Revenue	Expenses	Assets	Fund balances
The Nature Conservancy (fiscal 1993)	$278,497,634	$219,284,534	$915,664,531	$855,115,125
National Wilflife Federation (1993)*	82,816,324	83,574,187	52,891,144	13,223,554
World Wildlife Fund (fiscal 1993)*	60,791,945	54,663,771	52,496,808	39,460,024
Greenpeace Fund, Inc. (1992)	11,411,050	7,912,459	25,047,761	23,947,953
(Combined different years)	48,777,308			
Greenpeace Inc. (1993)	37,366,258	38,586,239	5,847,221	5,696,375
Sierra Club (1992)	41,716,044	39,801,921	22,674,244	14,891,959
Sierra Club Legal Defense Fund (1993)	9,539,684	9,646,214	9,561,782	5,901,690
National Audubon Society (fiscal 1992)	40,081,591	36,022,327	92,723,132	61,281,006
Environmental Defense Fund (fiscal 1992)	17,394,230	16,712,134	11,935,950	5,279,329
Natural Resources Defense Council (fiscal 1993)	20,496,829	17,683,883	30,061,269	11,718,666
Wilderness Society (fiscal 1993)	16,093,764	16,480,668	10,332,183	4,191,419
National Parks and Conservation Association (1993)	12,304,124	11,534,183	3,530,881	769,941
Friends of the Earth (1993)	23,467,775	2,382,772	694,386	120,759
Izaak Walton League of America (1992)	2,036,838	2,074,694	1,362,975	414,309
Total	633,014,090	556,359,986	1,234,824,267	1,030,377,841

NOTES: All figures most recent reporting year available. Some organizations had not filed reports for either calendar or fiscal 1993 as of September 1, 1994. Calendar year used unless noted. The Nature Conservancy obtained $76,318,014 of this amount from sale of private land to the government and $20,402,672 from government grants. National Wildlife Federation fiscal year 1993 ended August 31, 1993. World Wildlife Fund fiscal year 1993 ended June 30, 1993. Greenpeace Fund (a 501(c)(3)) and Greenpeace, Inc. (a 501(c)(4)) have substantial financial interactions annually. Most recent Form 990 year avalable for Greenpeace Fund, Inc., is 1992. Greenpeace, Inc. figures are from 1993 financial staement. National Audubon Society icome includes $93,623 in mineral royalties from natural gas wells on its Rainey Wildlife Sanctuary and $505,850 from government grants.

EXECUTIVE COMPENSATION

Organization	Executive	Title	Salary	Benefits	Expense account
The Nature Conservancy	John Sawhill	President and Chief Executive	$185,000	$17,118	None
National Wildlife Federation	Jay Hair	Executive Director	242,060	34,155	$23,661
World Wildlife Fund	Kathryn Fuller	Executive Director	185,000	16,650	None
Greenpeace Fund	Barbara Dudley	Executive Director Acting*	65,000	None	None
Greenpeace Inc	Stephen D'Esposito	Executive Director	82,882	None	None
Sierra Club	Carl Pope	Executive Director	77,142	None	None
Sierra Club Lebal Defense Fund	Vawter Parker	Executive Director	106,507	10,650	None
National Audubon Society	Peter A.A. Berle	President	178,000	21,285	None
Environmental Defense Fund	Fred Krupp	Executive Director	193,558	17,216	None
Natural Resources Defense Council	John H. Adams	Executive Director	145,526	13,214	None
Wilderness Society	Karin Sheldon	Acting President	90,896	22,724	None
National Parks and Conservation Association	Paul C. Pritchard	President	185,531	26,123	None
Friends of the Earth	Jane Perkins	President	74,104	2,812	None
Izaak Walton League of America	Maitland Sharpe	Executive Director	76,052	5,617	None
Total			1,887,258	187,564	23,661

Greenpeace: Stephen D'Esposito subsequently took the position of head of Greenpeace International in Belgium, leaving Barbara Dudley as executive director of both Greenpeace Fund, Inc. and Greenpeace, Inc., according to the Washington office.

OFFICER INCOMES, STAFF WAGES AND BENEFITS

Organization	Officer and director compensation	Other salaries and wages	Pension plan contributions	Other employee benefits
The Nature Conservancy	$1,786,432	$45,824,545	$1,913,453	$3,832,110
National Wildlife Federation	475,512	23,607,589	80,000	640,291
World Wildlife Fund	663,531	11,515,186	None	934,687
Greenpeace Fund (1991)	148,900	5,928,454	None	300,318
Greenpeace Inc. (1991)	35,600	9,904,344	None	545,985
Sierra Club	272,381	8,234,250	73,275	1,011,847
Sierra Club Legal Defense Fund	384,502	3,612,083	447,700	461,607
National Audubon Society	1,010,723	10,382,800	913,397	1,265,623
Environmental Defense Fund	0	6,163,645	220,769	422,141
Natural Resources Defense Council	421,730	8,258,420	None	None
Wilderness Society	757,541	4,470,572	403,581	569,163
National Parks and Conservation Association	185,531	1,864,451	56,195	142,122
Friends of the Earth	74,104	958,580	28,797	123,762
Izaak Walton League of America	0	659,365	31,985	173,958
Total	62,164,487	141,384,284	4,169,152	10,423,614

MAJOR CORPORATE CONTRIBUTORS

Organization	Donor corporation or corporate funded foundation
The Nature Conservancy	Allied-Signal, Inc.; ARCO; Boeing; BP Oil; Chevron; Dow Chemical; DuPont; Enron; Exxon; Newmont Gold Company; Times-Mirror Corporation; others.
National Wildlife Federation	Amoco; ARCO; Coca-Cola; Dow Chemical; DuPont; Exxon; General Electric; General Motors; IBM; Miller Brewing; Mobil Oil; Monsanto; Pennzoil; others.
World Wildlife Fund	ARCO; AT&T; Ford Motor Company; General Electric; H.J. Heinz; Mobil Oil; New York Times Company; Procter & Gamble; Shell Oil; Weyerhaeseser; others.
Greenpeace Fund	Greenpeace, Inc. is a lobbying group not eligible for tax deductible donations.

MAJOR CORPORATE CONTRIBUTORS—Continued

Organization	Donor corporation or corporate funded foundation
Greenpeace Inc	Greenpeace. Inc. is a lobbying group not eligible for tax deductible donations.
Sierra Club	The Sierra Club is a lobbying group not eligible for tax deductible donations.
Sierra Club Legal Defense Fund	New York Times Company.
National Audubon Society	Alcoa; Bank of Boston Corporation; Ford Motor Company; General Electric; H.J. Heinz; Monsanto; New York Times Company; Procter & Gamble; others.
Environmental Defense Fund	Times Mirror Company.
Natural Resources Defense Council	Ametek; Corning Glass Works; Dakin Corporation; Mayfair Supermarkets; Morgan Bank; New England Biolabs; New York Times Company; Dean Witter.
Wilderness Society	Archer Daniels Midland; Guardsmark, Inc.; Morgan Guaranty Trust Co.; New York Times Company; Timberland Co.; Waste Management, Inc.; others.
National Parks and Conservation Association	First National Bank of Boston.
Friends of the Earth	American Railroad Association; Recreational Equipment, Inc.
Izaak Walton League of America	Amoco; Anhaeuser-Busch; ARCO; Chevron USA; DuPont; Exxon; FMC Corp.; Pennzoil; Phillips Petroleum; Procter & Gamble; Tenneco; 3M; Unocal.

INVESTMENT SUMMARIES, MARKET VALUE

Organization	U.S. Government obligations	Common stocks	Bonds, all types	Other	Total investments
The Nature Conservancy	$49,017,000	$138,508,000	$27,262,000	$65,597,600	$245,322,000
National Wildlife Federation	6,739,754	4,592,752	1,426,093	See analysis	12,758,599
World Wildlife Fund	2,704,914	*27,262,802	*6,216,714	*6,760,934	42,945,391
Greenpeace Fund	2,470,393	None	None	1,112,134	3,582,527
Greenpeace Inc	Note 1				
Sierra Club					8,886,605
Sierra Club Legal Defense Fund	Note 1				4,870,716
National Audubon Society	12,366,647	34,237,474	9,640,927	830,425	57,075,473
Environment Defense Fund					2,744,086
Natural Resources Defense Council	2,139,751	155,245	*1,461,277	5,335,167	9,091,440
Wilderness Society	1,808,092	*3,913,949	None	180,000	5,950,957
National Parks and Conservation Association	1,227,342	*728,255	511,889	369,137	2,836,623
Friends of the Earth	Note 1				
Izaak Walton League of America	None	None	72,756	None	72,756
Total	78,473,983	209,398,477	46,591,656	80,563,456	396,137,173

World Wildlife Fund: Common stock entry is listed on Form 990 as ''Equities,'' Bonds entry as ''Corporate obligations,'' and Other entry as ''Cash and cash equivalents.'' Greenpeace Inc. Note 1: Greenpeace Inc. claims to have no investments in securities. Sierra Club Legal Defense Fund Note 1: See Investment Analysis on page 14 for details. *Natural Resources Defense Council-owned corporate obligations may include instruments other than bonds. *Wilderness Society: $3,913,949 is entered as cash equivalents on the balance sheet. The Wilderness Society also maintains a financial reserve called The Wilderness Fund with a 1993 market value of $3,890,898. National Parks and Conservation Association: Stocks: Includes preferred and common stock; Bonds: Includes corporate notes and bonds; Other: See analysis. Friends of the Earth Note 1: FOE claims to have no investments in securities. Izaak Walton League of America owns only these investments in bonds according to their Form 990.

INVESTMENT ANALYSIS

THE NATURE CONSERVANCY

[Fiscal 1993 Form 990, Part IV—Investments Securities, Statement 7]

Description	Beginning of year	End of year
U.S. Obligations		$49,017,000
Bonds		27,017,000
Endowment Investments	$138,228,753	
Planned Giving Investments	26,890,767	
Current & Land Acquisition	102,941,039	
Common Stock		138,508,000
Preferred Stock		976,000
Mutual Funds		29,559,000
Total	268,060,559	245,322,000

(Note: The classification of beginning-of-year figures is different from end-of-year figures in order to reflect groupings previously reported). The Nature Conservancy refused to release its list of investments in corporate stocks.

NATIONAL WILDLIFE FEDERATION

[Taxable Year Ended July 31, 1993—Form 990, Part IV—Invements—Securities, Schedule 9]

Description	Book value	
	FY 1993	FY 1992
U.S. Government and Agency Securities	$6,739,754	$8,216,943
Corporate Stock	4,592,752	4,423,380
Corporate Bonds	1,426,093	3,343,893
Total	12,758,599	15,984,216
Investments-Other Schedule 10		
Investments-Mutual Funds		
Merrill Lynch Investment Portfolio Government Plus	0	206,9999
Merrill Lynch Cash Management Account	378,059	554,666
Total	378,059	761,665

Note: The National Wildlife Federation refused to release its list of investments in corporate stock and corporate bonds.

World wildlife fund

1993 Form 990, Part IV, Line 54-Investments:

Cash and cash equivalents	$6,760,934
Government Securities	2,704,914
Corporate obligations	6,216,714
Equities	27,262,802
Total	42,945,391

Notes to Financial Statements as of June 30, 1993.

Note 1: Summary of Significant Accounting Policies.

Cash and Investment: Investments are recorded in the financial statements at the lower of cost or market value. Investments received as contributions are recorded at their fair market value at the date of donation. Market value of cash and investments at June 30, 1993 and June 30, 1992 were approximately $47,972,000 (1993) and $40,671,000 (1992). The World Wildlife Fund refused to release its list of investments in corporate obligations and equities.

GREENPEACE FUND

[Financial Statement—Note 4—Investments]

	Amortized cost	Market value
At December 31, 1991, investments consist of:		
Current investments:		
Certificates of deposit	$680,000	$680,000
U.S. Government securities	1,134,451	1,152,051
Other	101,765	105,154
Total current investments	1,916,216	1,937,205
Long-term investments:		
Certificates of deposit	90,000	90,000
U.S. Government securities	1,279,703	1,318,342
Municipal Bonds	99,139	95,213
Other	137,965	141,767
Total long-term investments	1,916,216	1,937,205
Total investments	3,523,023	3,582,527

SIERRA CLUB

[1992 Form 990, Page 3, Part IV, Line 54—Investments—Beginning of Year: $7,979,267; End of Year: $8,886,605; Analysis of 1992 Not Available; Most Recent Analysis Available, Year Ended: 09/30/90—Statement 9]

Interest rate	Description	Balance 09/30/89	Balance 09/30/90
15.75	Stripped Coupon Treasury Bonds	$470,867	$470,867
	Cash Held for Investment	384,966	657,718
	Bond Amortization	740,079	1,030,083
	Investment in Subsidiary	250,000	250,000
11.25	Stripped Coupon Treasury Bonds	65,128	65,128
	U.S. Strip Bond	330,278	330,278
	FNMA	175,000	0
6.5	U.S. Treasury Note	229,973	0
8.75	U.S. Treasury Note	201,187	201,187
8.625	U.S. Treasury Note	200,879	0
	U.S. Strip Bond	294,122	294,122
	U.S. Strip Bond	207,493	207,493
	U.S. Strip Bond	181,791	181,791
8.125	U.S. Treasury Note	244,765	244,765
8.25	U.S. Treasury Note	243,125	243,125
8.875	U.S. Treasury Note	246,679	246,679
8.6	U.S. Treasury Note	241,211	241,211
8.25	U.S. Treasury Note	244,414	244,414
8.875	U.S. Treasury Note	295,875	295,875
	U.S. Strip Bond	154,754	154,754
7.15	FHLB	0	246,563
8.05	FHLB	0	329,794
8.913	Resolution Fund	0	169,999
8.7	U.S. Strip Bond	0	369,504
	Total	5,402,586	6,475,328
	Less: Investments held by Affiliate S.C.C.O.P.E.	(237,311)	(83,674)
	Net Investment for Balance Sheet	5,165,275	6,391,654

Note: S.C.C.O.P.E. is the Sierra Club Committee on Political Education, a Political Action Committee.

SIERRA CLUB LEGAL DEFENSE FUND, INC.

[Taxable Year Ended July 31, 1993—Form 990, Part IV—Investments]

Description	Fair market value	
	1993	1992
Bonds	$14,150	$12,975
Mutual Beacon Fund, Inc	97,753	78,530
Mutual Qualified Fund	51,190	42,329
Brown Brothers Harriman	3,374,107	3,181,536
Meritor Mortgage Corp—GNMA	19,564	29,731
U.S. Trust Company	90,648	n/a
U.S. Trust Company	901,078	626,353
Franklin Trust Company	322,586	166,799
Total	4,870,716	4,138,253

NATIONAL AUDUBON SOCIETY

[Form 990, Part IV, Line 54—Investment Securities—6/30/92

Description	Cost	Market
U.S. Government and Agency obligations	$11,789,173	$12,366,647
Money Market Funds	830,425	830,425
Corporate Bonds	9,267,238	9,640,927
Corporate Stock	28,811,560	34,237,474
Total	50,698,396	57,075,473

The National Audubon Society breaks down these funds into two investment pools, general investment and life income trusts. Values of these components were: Current Funds, Cost: $12,716,026, Market, $14,273,514; Endowment and Similar Funds, Cost, $34,147,894, Market, $38,598,119; Life Income Trusts, Cost, $1,689,572, Market, $1,846,105; Non-Pooled Investments, Cost, $2,144,904, Market, $2,357,735. The National Audubon Society refused to release its list of investments in corporate bonds and common stocks.

Environmental defense fund

[Fiscal 1992 Form 990, Part IV—Investments—Securities, Line 54]

Total investments, End of Fiscal Year at September 30, 1992: $2,744,086.	
Investments include the following:	
Morgan Fixed Fund, Endowment	$8,658
Morgan Fixed Fund, Board Designated Endowments	40,558
Vanguard Fund—GNMA	820,493
Short Term, Vanguard Fund—GNMA	823,773
Vanguard GNMA—Endowment	65,923
Other Investments—Line 56—Form 990.	

EDF has invested a portion of its endowment funds in a limited partnership. During the fiscal year ended September 30, 1992, the market value of the partnership investment decreased from $527,882 to $480,454. The assets reported in the financial statements reflect the September 30, 1992 market value.

NATURAL RESOURCES DEFENSE COUNCIL

[Fiscal 1993 Form 990, Part IV—Investments—Securities, Statement 7]

Description	Beginning of year	End of year
Money Market Funds	2,601,982	4,255,984
U.S. Government and Agency Obligations	2,031,624	2,139,751
Corporate Obligations	1,005,222	1,461,277
Common Trust Funds	951,016	1,079,183
Common Stocks	None	155,245
Total	6,589,844	9,091,440

The Natural Resources Defense Council refused to release its list of investments in corporate obligations and common stocks.

WILDERNESS SOCIETY

[Investment in Securities (Most recent year available)]

	Cost	Market value
Investment at September 30, 1988 are as follows:		
Cash Equivalents:		
General Motors Acceptance Corp.—repurchase agreements	385,000	385,000
Kidder, Peabody—premium account	597,030	597,030
Total	982,030	982,030
Principal Cash; Fiduciary Trust Co	4,202	4,202
Securities of U.S. Government and Agencies:		
U.S. Treasury notes, due 5/31/89 8%	200,000	199,688
Federal Home Loan Bank, due 9/25/89, 6.75%	150,541	147,375
Federal Home Loan Bank, due 7/25/91, 7.5%	99,719	96,719
Federal National Mortgage Association, due 12/10/93, 7.375%	149,625	140,156
Federal National Mortgage Association, due 7/10/96, 8%	200,500	187,000
Government National Mortgage Association Guaranteed Mortgage Pool #167158 due 6/15/01, 8%	176,948	173,185
Federal Home Loan Mortgage Corp. Participation Certificate Group #20–0043, due 7/01/01, 9%	153,169	151,153
Total	1,130,502	1,095,276
Debentures:		
General Motors Acceptance Corp., due 3/01/95, 7.25%	46,058	44,375
Pacific Gas & Electric, due 7/1/95, 8.375%	49,688	47,008
Total	95,746	91,383
Convertible Debentures:		
Circle K Corp., due 11/01, 7.25%	18,700	19,600
Dreyers Grand Ice Cream, due 6/01/11 6.5%	18,775	15,800
General Dynamics, due 7/15/11 5.75%	32,887	27,150
Masco Industries, Inc., due 12/15/11, 6%	37,163	30,450
Sci Systems, Inc., Due 3/01/12, 5.625%	30,000	23,400
Total	137,525	116,400
Convertible Preferred Issues:		
Baxter International, Inc	41,560	30,438
Warner Communications, Inc	26,431	25,850
Total	67,991	56,288
Equity Securities:		
Preferred Stocks (Shares and Security):		
1,395 Keland Holding Co., preferred 6%	1,395	87,815
366 Keland Holding Co., 2nd preferred 6.25%	366	23,424
Total	1,761	111,239
Common Stocks (Shares and Security):		
600 AMP, Inc	26,092	25,200
800 AMR Corp	37,546	38,000
640 Abbott Labs	27,415	30,880
600 American International Group	37,169	39,675
800 Apple Computer, Inc	31,800	34,600
900 Baltimore Gas & Electric Co	29,219	28,463
600 Banc One Corp	15,372	15,228
440 Bell Atlantic Corp	29,180	31,680
400 Caterpillar, Inc	25,732	23,000
500 Consolidated Edison Co. of New York	21,313	22,313
1,000 Consolidated Rail Corp	29,370	33,125
1,000 Compania Telefonica Nacional de Espana	20,875	22,625
400 Corestates Financial Corp	15,550	16,400
700 Deere & Co., Inc	25,256	31,063
700 Cummins Engine Co., Inc	37,446	34,037
500 Digital Equipment Corp	51,324	46,938
750 Eaton Corp	39,196	39,094
1,800 Emerson Electric Co	55,110	54,000
1,200 FPI Group, Inc	35,327	37,500
700 Gannett, Inc	24,672	22,925
1,102 General Electric, Inc	44,869	47,799
300 IBM Corp	34,307	34,613
1,000 Illinois Tool Works	20,706	35,125
1,050 Intel Corp	26,089	28,875
400 J. P. Morgan & Co., Inc	24,128	15,050
400 Johnson & Johnson	27,511	34,350
700 Loral Corp	24,584	24,063
750 McDonalds Corp	34,460	35,625
402 Merck & Co., Inc	7,883	23,216
624 Midsouth Corp	4,160	7,020
400 Minnesota Mining & Manufacturing Co	23,424	25,750
600 Nynex Corp	39,272	39,600
1,000 Pacific Telesis Group	23,176	30,750
700 Pepsico, Inc	21,784	27,475
1,000 Policy Management System Corp	21,625	22,375
800 Prime Motor Inns	29,196	27,900
4,166 Prospect Group, Inc	44,998	34,370
800 Reuters Holdings, PLC	18,725	20,700

WILDERNESS SOCIETY—Continued

[Investment in Securities (Most recent year available)]

	Cost	Market value
600 Ryder Systems, Inc	14,832	14,178
700 Sara Lee Corp	23,972	30,188
1,000 Southern California Edison Co	34,183	32,750
800 Tambrands, Inc	49,909	44,000
600 U.S. Bancorp	14,925	14,478
600 Walt Disney Co	25,747	38,925
600 Wells Fargo & Co	27,132	40,500
1,000 Yellow Freight Systems, Inc	36,313	31,500
Total	1,312,874	1,387,921
Other Interests—at nominal value	103	2,770
Total Investment at September 30, 1988	3,732,734	3,847,509
Total investments in securities as displayed on the balance sheet, Exhibit A:		
1988:		
Unrestricted	3,334,858	3,449,633
Endowment Fund	397,876	397,876
Total	3,732,734	3,847,509
1987:		
Unrestricted	3,889,814	4,376,821
Endowment Fund	397,876	397,876
Total	4,287,690	4,774,697
1993 Financial Statements, Note 3: Investment in Securities Investments at September 30, 1993 are as follows:		
Cash equivalents	3,913,949	3,913,949
Certificates of Deposit	180,000	180,000
Securities of U.S. Government and agencies	1,808,092	1,843,776
Total investments at September 30, 1993	5,902,041	5,937,725
Permanent financial reserve, The Wilderness Fund, assets at September 30, 1993, consist of the following:		
Mutual Funds	2,144,923	2,614,602
Charitable remainder unitrusts	858,379	1,232,176
Cash value of life insurance	44,118	44,118
Total	3,047,420	3,890,898

The Wilderness Society has not filed for public inspection a list of investments in securities as displayed above since 1989 in any state jurisdiction investigated (New York, California, Virginia) nor with the IRS.

NATIONAL PARKS AND CONSERVATION ASSOCIATION

[Fiscal 1993 Form 990, Part IV—Investments—Securities—Statement 7]

Description	Beginning of year	End of year
Common and preferred stock	340,048	728,255
U.S. Government securities	737,467	1,227,342
Corporate notes and bonds	684,814	511,889
Short term securities	None	369,137
Total	1,762,329	2,836,623

See next pages for NPCA's Capital Gains and Losses.

NATIONAL PARKS AND CONSERVATION ASSOCIATION

[Form 990, Page 1, Part 1, Line 7—Capital Gains and Losses]

Shares	Security	Date acquired	Date sold	Cost basis	Proceeds	Gain (loss)
6	General Electric		03/30/93	154.50	513.73	359.23
49	New York Times		03/30/93	1,000.00	1,467.83	467.83
27	AT&T		03/30/93	1,000.00	1,519.03	519.03
100	Amerada Hess		03/31/93	5,000.00	5,124.82	124.82
100	Toys R Us		03/29/93	4,266.00	4,346.85	80.85
25	Paramount Comm		03/29/93	1,162.50	1,192.26	29.76
180	FMP International		03/31/93	3,638.10	3,638.10	0.00
18	FMP International		05/21/93	406.50	406.50	0.00
1	Rockwell International			29.63	29.63	0.00
1	Philip Morris			47.00	47.00	0.00
3	General Electric		05/05/93	256.49	256.49	0.00
35,000	Fed Farm Cr Bks Con	02/15/90	09/01/92	35,380.00	35,000.00	(380.00)
300	Citicorp	12/20/91	10/02/92	3,091.00	4,585.00	1,494.00
100	Chem Bank Corp	12/20/91	10/02/92	2,103.00	3,035.00	932.00
35,000	New York Tele Co	06/26/90	10/15/92	35,743.00	30,000.00	(743.00)
100,000	Associates Corp No. Amer	09/12/91	11/16/92	105,619.00	100,000.00	(5,619.00)
300	CSMTX	01/22/92	12/01/92	13,340.00	11,795.00	(1,545.00)
30,000	Federal Home Ln Bks Cons	01/06/91	12/28/92	30,658.00	30,000.00	(658.00)
200	ANR Corps Cel Con	01/22/92	02/10/93	14,240.00	12,425.00	(1,815.00)
200	General Electric	12/20/91	02/10/93	13,615.00	17,276.00	3,650.00
300	Hong Kong Telecommunication	03/04/92	02/10/93	9,750.00	11,174.00	1,424.00
50,000	Sears Med Term Nts	11/27/91	02/16/93	50,102.00	50,490.00	388.00
35,000	United States Treasury	02/13/90	02/16/93	35,792.00	35,000.00	(792.00)
100,000	General Motors Acceptance	11/26/91	03/15/93	103,819.00	100,000.00	(3,819.00)
300	ASTA Research Inc	12/20/91	03/19/93	5,555.00	4,080.00	(1,475.00)
1,000	ASTA Research Inc	12/07/92	03/19/93	20,481.00	13,601.00	(6,880.00)
200	ALZE Corp CL	12/20/91	03/19/93	17,815.00	6,691.00	(11,124.00)
300	ALZE Corp CL	12/07/92	03/19/93	12,206.00	10,037.00	(2,169.00)
300	Glaxo Holdings	03/11/92	03/19/93	8,578.00	5,366.00	(3,212.00)
200	IBM	12/20/91	03/19/93	17,690.00	10,700.00	(6,990.00)
300	Merck & Co Inc	03/11/92	03/19/93	15,446.00	10,732.00	(4,714.00)
100	Merck & Co Inc	12/21/92	03/19/93	4,787.00	3,577.00	(1,210.00)
500	National Health Labs	01/21/92	03/19/93	14,535.00	7,351.00	(7,184.00)
200	National Health Labs	12/21/92	03/19/93	4,710.00	2,940.00	(1,770.00)
300	Price Co	06/15/92	03/19/93	10,165.00	9,809.00	(356.00)
300	Price Co	12/21/92	03/19/93	12,055.00	9,809.00	(2,246.00)
500	Time Warner Inc	03/11/92	03/29/93	25,167.00	25,850.00	683.00
100,000	United States Treasury	08/26/91	03/29/93	100,711.00	103,984.00	3,273.00
35,000	United States Treasury	02/07/90	03/29/93	35,299.00	37,209.00	1,910.00
100,000	United States Treasury	09/18/91	03/29/93	105,802.00	106,312.00	510.00
100,000	Chrysler Corp	02/14/92	04/05/93	93,384.00	104,375.00	10,991.00
20,000	Conner Peripherals	12/03/91	04/05/93	16,172.00	17,850.00	1,678.00

NATIONAL PARKS AND CONSERVATION ASSOCIATION—Continued

[Form 990, Page 1, Part 1, Line 7—Capital Gains and Losses]

Shares	Security	Date acquired	Date sold	Cost basis	Proceeds	Gain (loss)
300	Bombay Co	11/19/92	05/25/93	8,220.00	13,057.00	4,837.00
300	Bombay Co	12/21/92	05/25/93	9,561.00	13,054.00	3,493.00
300	Movell Inc	12/01/92	05/25/93	9,026.00	8,903.00	(123.00)
50,000	Citicorp Sr Nt	11/14/92	06/14/93	50,209.00	52,547.00	2,338.00
500	Bank of Boston Corp	03/11/92	06/29/93	18,188.00	22,802.00	4,614.00
200	Ford Motor Co	11/29/91	06/29/93	10,268.00	17,699.00	7,431.00
200	Aerco Inc	03/11/92	10/02/92	5,927.00	4,738.00	(1,189.00)
300	Bio Magnetic Technologies	03/12/92	10/02/92	4,715.00	2,797.00	(1,918.00)
500	WWC Financial Corp	03/12/92	10/02/92	4,133.00	5,224.00	1,091.00
400	Abbott Labs	03/11/92	02/10/93	12,665.00	10,983.00	(1,682.00)
300	Hechinger Company	11/19/92	03/19/93	3,318.00	2,611.00	(707.00)
400	ICF International	11/19/92	03/19/93	2,857.00	2,494.00	(363.00)
1,000	Naviator Intl	02/26/92	03/19/93	3,841.00	2,547.00	(1,294.00)
100	National Health Labs	12/21/92	03/19/93	2,377.00	1,460.00	(917.00)
25,000	US Treas Secs Stripped	02/15/90	03/29/93	18,878.00	24,640.00	5,762.00
200	Bombay Company	12/17/92	05/25/93	6,708.00	8,687.00	1,979.00
25,000	Citicorp Sr Nt	11/14/91	06/14/93	25,105.00	26,274.00	1,169.00
	Total			1,186,766.72	1,181,801.24	(4,963.48)

FUNDRAISING AND LOBBYING EXPENDITURES

Organization	Four year direct lobbying	Four year grassroots lobbying	Total 4 year lobbying expenditures	Fundraising [1]
The Nature Conservancy	$3,352,135	$12,508	$1,913,453	$24,791,449
National Wildlife Federation	2,334,138	486,947	3,115,866	3,994,986
World Wildlife Fund	7,069	76,792	83,861	4,447,034
Greenpeace Fund	111,992	None	111,992	9,050,944
Greenpeace Inc	(2)	(2)	12,617,895	3,896,596
Sierra Club	(2)	(2)	8,793,421	5,098,599
Sierra Club Legal Defense Fund	165,864	107,027	272,891	1,813,426
National Audubon Society	1,732,047	549,012	2,281,059	4,338,227
Environmental Defense Fund	624,030	None	624,030	3,168,754
Natural Resources Defense Council	246,526	182,821	429,347	2,158,637
Wilderness Society	1,155,264	207,198	1,362,462	2,485,395
National Parks and Conservation Association	192,192	189,235	381,427	988,806
Friends of the Earth	116,378	0	116,378	266,948
Izaak Walton League of America	54,773	2,929	57,702	159,023
Total	10,092,408	1,814,469	32,161,784	66,658,824

[1] Fundraising: amounts shown appear in Line 15, Form 990, "Fundraising."

[2] Greenpeace, Inc. and the Sierra Club are 501(c)(4) lobbying organizations that do not report under Section 501(h) of the U.S. Tax Code. The amounts shown are from Form 990, Part III, under Program Services and may include educational expenses as well as actual lobbying expenses to influence public policy.

MAJOR FOUNDATION DONORS

Organization	Donor foundation
The Nature Conservancy	Mildred Andrews Fund ($10 million in 1989); W. Alton Jones Foundation; MacArthur Foundation; C.S. Mott Foundation; R. K. Mellon Foundation.
National Wildlife Federation	American Conservation Association (Rockefeller); Beldon Fund; W. Alton Jones Foundation; Joyce Foundation; C.S. Mott Foundation; Pew Charitable Trusts.
World Wildlife Fund	Champlin Foundations; Geraldine R. Dodge Foundation; Ford Foundation; W. Alton Jones Foundation; MacArthur Foundation; R.K. Mellon Foundation.
Greenpeace Fund	Bydale Foundation; Cheeryble Foundation; William H. Donner Foundation; Dreyfus Foundation; Fanwood Foundation; Town Creek Foundation.
Greenpeace Inc	Greenpeace, Inc. is a lobbying group not eligible for tax deductible donations.
Sierra Club	The Sierra Club is a lobbying group not eligible for tax deductible donations.
Sierra Club Legal Defense Fund	Compton Foundation; Gerbode Foundation; C.S. Mott Foundation; Mary Flagler Cary Charitable Trust; W. Alton Jones Foundation.
National Audubon Society	Compton Foundation; Ford Foundation; W. Alton Jones Foundation; Joyce Foundation; MacArthur Foundation; C.S. Mott Foundation; Rockefeller Family Fund.
Environmental Defense Fund	Foundation grants 1993, $6,133,625. Ford Foundation, Richard King Mellon Foundation, Rockefeller Family Fund.
Natural Resources Defense Council	Foundation grants 1993, MacArthur Foundation $1,576,403; Beineke Foundation $1,450,000. W. Alton Jones Foundation; Rockefeller Foundation.
Wilderness Society	Foundation grants 1993, $2,285,111. Goldman Foundation; George Gund Foundation; MacArthur Foundation; R.K. Mellon Foundation.
National Parks and Conservation Association	Foundation grants 1993, $196,268. Mary Flagler Cary Charitable Trust; Andrew W. Mellon Foundation.
Friends of the Earth	Foundation grants 1993, $1,573,996. Beldon Fund; C.S. Mott Foundation; Rockefeller Brothers Fund; Rockefeller Family Fund.
Izaak Walton League of America	Foundation grants 1993, $498,309. Beldon Fund; R.K. Mellon Foundation; George Gund Foundation; Joyce Foundation.

FOUNDATION CONTROL OF ENVIRONMENTAL GROUPS

The Surdna Instance

Surdna Foundation, Inc. (a member of Environmental Grantmakers Association), 1155 Avenue of the Americas, 16th Floor) New York, New York 10036, Tel: 212–730–0030 Fax: 212–391–4384.

Contacts: Edward Skloot, Executive Director; Hooper Brooks, Program Officer for the Environment.

The Surdna Foundation, Inc., is a family foundation established in 1917 by John E. Andrus (d. 1934., whose businesses included gold, oil, timber, and real estate. Surdna is Andrus spelled backward. About half of its annual grants go to two programs: Community Revitalization and the Environment.

Documents show that Surdna Foundation, as part of an investment portfolio of $338,074,279 in assets, owns and operates approximately 75,000 acres of timberlands in Northern California. Andrus timber partners also own and operate approximately 90,000 acres of timberlands in Northern California. Frederick F. Moon III is a director of both Surdna Foundation and Andrus timber partners. According to federal tax forms, Surdna Foundation realized $2.7 million income from timber in 1992–93.

Documents show that Surdna Foundation made contributions of $35,000 to Environment Now, an environmental organization that held training seminars teaching activists group leaders how to file appeals to stop federal timber harvest plans. Surdna Foundation grant recipients known to have filed Timber Harvest Plan appeals include Sierra Club ($90,000), Oregon Natural Resources Council, Wilderness Society ($325,000), Western Ancient Forest Campaign ($175,000), Audubon Society ($100,000), and Natural Resources Defense Council ($557,000), stopping timber harvests and log supplies to mills in the Sierra Nevada market area. Thirty-six sawmills in Northern California have shut down because of log shortages since 1990, rendering 8,000 unemployed. As a result, timber prices on Surdna Foundation's private lands have increased dramatically. Some of the Timber Harvest Plans that were appealed lie in the same watershed as the timberlands owned by Surdna Foundation and Andrus timber partners, yet no appeals were filed on the State Timber Harvest Plans submitted by Surdna Foundation under California law.

The sequence of events of Surdna Foundation's grantmaking history shows that they made no grants to groups involved in restricting federal timber supplies in Northern California during 1987–88; during 1988–89 they made a grant to The Nature Conservancy; in 1989–90, grants went to Conservation Law Foundation, 1000 Friends of Oregon. Natural Resources Defense Council, Project LightHawk, Sierra Club, Wilderness Society and Western Ancient Forest Campaign; during 1991–92, grants went to Americans for the Ancient Forest, National Audubon Society, Environment Now, Conservation Law Foundation, Natural Resources Defense Council, Oregon Natural Resources Council, Eco Trust, 1000 Friends of Oregon, Western Ancient Forest Campaign, and the Wilderness Society.

Two Northern California residents filed numerous Timber Harvest Plan appeals on behalf of several groups, and also occupied leadership positions: Linda Blum, leader positions: Western Ancient Forest Campaign; Tulare Audubon Society; Friends of Plumas; Sierra Nevada Alliance; and Wilderness Society. Erin Noel, leader positions; Western Ancient Forest Campaign; Friends of Plumas; Sierra Nevada Issues Group.

During 1992–93 Surdna Foundation realized $2.7 million income from its Northern California timberlands.

A substantial effort to control major nonprofit environmental organizations through

the power of the purse was discussed in the 1992 annual retreat of the:

Environmental Grantmakers Association (Founded 1985).

Budget: $40,000.

Staff: 1, operated by Rockefeller Family fund dba EGA, 1290 Avenue of the Americas, New York, New York 10104. Phone: 212–373–4260 FAX: 212–315–0996.

Pam Maurath, Assistant Coordinator.

The Environmental Grantmakers Association is a coalition of 160 private foundations that provide most of the $340 million in environmental grants each year. The annual retreats are strategy planning sessions during which grantmakers lay their plans for the coming year. The following dialog was transcribed verbatim from tapes of a session titled ''Environmental Legislation.'' Ed Skloot and Hooper Brooks of Surdna Foundation spoke during this panel.

Anne Fitzgerald: Do you detect, though, a resistance in the larger organizations to becoming grant driven?

Donald Ross [Rockefeller Family Fund]: Yeah. I think a lot of them resist.

Chuck Clusen [American Conservation Association]: A number of us have been involved in this, Anne. Yeah. There's definitely a feeling on the part of the not-for-profit organizations that in cases of some of the campaigns like the Ancient Forests Campaign that they resent funders, not just picking the issues, but also being directive in the sense of the kind of campaign, the strategy, the style, and so on. I guess, coming out of the advocacy world, and having spent most of my career doing it, I look at it as, if they're not going to do it on their own, thank God funders are forcing them to start doing it. . . .

Donald Ross: I think that there are things that could be done. I think funders have a major role to play. And I know there are resentments in the community towards funders doing that. And, too bad. We're players, they're players.

But I think we touched on a lot of problems, the internal problems within these big groups, the warring factions within them who are all trying to get resources, and there's too many groups and too few resources, and all that. I think the fundamental effort that has to be made is a reorganization of the movement, whether you're talking—I don't think it's realistic to think that groups like Sierra Club or NRDC are going to disappear and reform into something new. They'll stay, and they'll still send out those newsletters. I think we have to begin to look much more at a task force approach on major issues that is able to pool. And the funders can drive that. And part of the reason these groups have been resistant to work with each other is precisely because they want the credit, they want the name, so they can get more funding, either from us—from foundations—or from members.

And I think there isn't one of them, even the biggest, National Wildlife, or Audubon or Sierra Club, that has the capacity to wage full scale battles on major issues by themselves. They don't have the media, lobbying, grass roots organizing, Washington base, etc., litigation, all wrapped in one organization.

And so the trick, I think, is to figure out how we can duplicate some of the early successes like the Alaska lands fight that you were involved in, Chuck, back in—or this transportation one. I think it can be, where funders can play a real role is helping, is using the money to drive, to create ad hoc efforts in many cases that will have a litigation component coming from one group, a lobbying component coming from another group, a grass roots organizing component coming from yet a third group with a structure that enables them to function well.

Individual audio tapes of all 1992 EGA retreat sessions can be purchased for $11.00 each from Conference Recording Service, 1308 Gilman Street, Berkeley, California 94706, Phone: (510) 527–3600, Fax: (510) 527–8404. The complete conference audio set is available in a vinyl binder for $150 including shipping. If EGA attempts to block release of these tapes by Conference Recording Service, the Center for the Defense of free Enterprise will provide copies to legitimate members of the media. Verbatim transcriptions of major sessions are available from the Center for the Defense of Free Enterprise.

NON-PROFIT LAND TRUSTS SELLING PRIVATE LAND TO GOVERNMENTS

There are presently more than 900 non-profit land trusts in the United States. These land trusts commonly buy property from individual private owners with the understanding that the land will be kept in trust for environmental purposes by the non-profit purchaser. Many non-profit land trusts, in addition to keeping these private purchases in private trusts, also sell purchased private land to government agencies.

Many individual private land owners have complained about non-profit land trust practices and cite numerous abuses that should receive congressional scrutiny and wide public attention. The most commonly cited abuses are:

Failure to advise the individual private seller that his or her land will in turn be sold to a government agency.

Individual land owners are underpaid by non-profit trusts.

Individual land owners are not advised that they may sell directly to the government.

Non-profit land trusts receive inside information from government agencies about ''approved appraised value'' of individual privately owned parcels in advance of purchase, promoting underpayment.

Government agencies secretly request non-profit land trusts to buy desired properties and hold them until congressional appropriations are available to pay for government purchase.

Government agencies pay non-profit land trusts prices ''above approved appraised value.''

Government agencies pay non-profit land trusts additional ''carrying costs'' including interest, travel, telephone, postage, appraisal and survey costs, title premiums, closing costs, property taxes owed, and overhead.

Non-profit land trusts commonly retain all mineral rights and gas and oil rights to properties they sell to the government.

Government agency employees who have arranged favorable purchases for non-profit land trusts for years then accept employment by those non-profit land trusts often takes the property off the tax rolls, harming local and country government revenues.

Sales of non-profit land trust property to government centralizes power and feeds an insatiable appetite for more private property to be nationalized.

Non-profit land trusts keep their government sales quiet and refuse to release details of individual transactions in progress or completed.

Government agencies refuse to release details of land transactions in progress or completed with nonprofit land trusts, claiming private sales to government are exempt from the Freedom of Information Act.

Non-profit land trusts justify their secret complicity with government agencies by pointing out that it is not illegal, setting a standard of behavior of merely avoiding prosecution.

Non-profit land trusts use their reputations to purchase private property for conservation purposes and then convert it to ''trade lands'' which are sold to developers at high profits, using the justification that the funds will eventually be plowed back into purchases of actual conservation lands.

Non-profit land trusts advertise only their private land activities, and do not provide the public with remedial advertising openly describing their extensive land sales to the government, thus leaving the public with a false impression of their real operations.

Government agencies commonly whitewash their abuses in reports written by government appointees formerly employed by environmental organizations and still loyal to those private non-profit organizations.

BAIT AND SWITCH

The Bait: This charming Nature Conservancy ad with its appealing tag line, ''Conservation Through Private Action''.

''We Get a Good Return on Our Investment.

''The Nature Conservancy takes a business approach to protecting our natural world. Each day in the U.S. we invest in over 1,000 additional acres of critical habitat for the survival of rare and endangered species. ''Through creative techniques like debt-for-nature swaps, we are also saving millions of acres of tropical rainforest throughout Latin America and the Caribbean. ''On these protected acres, migratory waterfowl return each year. Trout return to the streams. Antelope return to the grasslands. And in many areas plant and animal species previously driven to the brink of extinction are returning to their native habitats. ''Join us, and make an investment in our natural heritage. Future return, isn't that what investment is all about?

''Conservation Through Private Action.''

The Switch: The Nature Conservancy sells private purchases to the federal government—

Without the prior knowledge of the private land seller;

Often at secret government request;

Using privileged appraisal information supplied by agents of the federal government;

Above ''approved appraised value'';

Paying ''lowball'' prices below ''approved appraisal value'' by offering tax breaks to the seller because of TNC's non-profit tax status;

Keeping the mineral and oil and gas rights;

Taking land off the tax rolls;

Obtaining influence within federal agencies for Congressional appropriations to pay for TNC purchases;

$76,318,014 income from government sales in fiscal 1993;

All at taxpayer expense.

Conservation Through Private Action?

OTHER NON-PROFIT LAND TRUSTS SELLING PRIVATE LAND TO GOVERNMENTS

The Conservation Fund

Staff: 19 professionals on contractual basis.

Non-membership.

Tax Status: 501(c)(3).

1800 N. Kent Street, Suite 1120, Arlington, Virginia 22209, Phone: (703) 522–8008 Fax: (703) 525–4610.

Total revenue, 1993, $13,886,902.

President: Patrick Noonan. Salary, $148,500, Benefits $16,542.

Vice President: David Sutherland, $64,000 salary, $6,426 benefits.

Chief Operating Officer: John Turner, $68,000 salary, $3,743 benefits.

Secretary: Kiku Hoagland Hanes, $55,000 salary, $9,800 benefits.

Assistant Treasurer: Joann Porter, $64,500 salary, $10,000 benefits.

Board Member: Charles Hordan, $14,000 compensation.

Compensation of Officers and Directors, $400,000.

Other Salaries and Wages, $1,084,714.

Pension Plan Contributions, $64,160.

Other Employee Benefits, $86,318.

American Farm and Trust

Total revenue, 1993, $22,744,704.

Total expenses $21,263,591.

Fund balances at end of year, $27,539,148.

Compensation of officers, $1,621,300.

Other salaries and wages, $4,057,727.

Pension plan contributions, $237,343.

Other employee benefits, $1,518,784.

Investments—securities, $15,182,446.

Total assets, $58,840,830.

Grants and conveyances of properties to government and private groups, $4,544,270.

Legal fees, $402,389.

Telephone, $328,335.

Travel and meetings expenses, $726,702.

[Letter from the Deputy Regional Director of the U.S. Fish and Wildlife Service to the Nature Conservancy dated August 30, 1985, showing systematic government request for TNC to buy private land. The government clearly agrees to pay TNC ''your overhead, financing, and handling charges in excess of the approved appraisal value.'' The information in this letter was not made known to private owners who sold to TNC. The practice continues]

U.S. DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Newton Corner, MA, August 30, 1985.

LA—Connecticut; Connecticut Coastal NWR.

DENNIS WOLKOFF,
The Nature Conservancy, Eastern Regional Office, Boston, MA.

DEAR DENNIS: We are appreciative of The Nature Conservancy's continuing effort to assist the Service in the acquisition of lands for the Connecticut Coastal National Wildlife Refuge. As a result of your assistance and cooperation approximately 90% of the acreage identified in the enabling legislation has received long term protection.

Our appraisal of the tract on Sheffield Island has been completed and we are currently awaiting funding prior to making an offer on the property. We understand that the proceeds from the eventual sale of this parcel to the Service will in turn, be used to purchase the 8-acre Milford Point tract.

Since the availability of additional funding is not currently known, we request that The Nature Conservancy continue their preservation efforts and acquire the Milford Point tract. We will make every effort to purchase the property when funds become available.

It is understood that our purchase price will be based on the Service approved value plus an amount, to be agreed upon, which will cover your overhead, financing, and handling charges in excess of the approved appraisal value. If we are not able to purchase this property within a reasonable period of time, it is further understood that The Nature Conservancy may recover its investment by a sale on the open market.

Your effort to purchase property on Milford Point and to hold for subsequent conveyance to the Service are greatly appreciated.

Sincerely yours,

_____ _____,
Deputy Regional Director.

[Letter from TNC legal counsel Philip Tabas to Robert Miller of the U.S. Fish and Wildlife Service showing the elastic payment policy of taxpayer money to a private nonprofit organization. Tabas boasts in a footnote that The Nature Conservancy is the ''Agency with The Most Complete File'' on Milford Point, indicating access to insider information. Miller was later hired by The Nature Conservancy at a high salary.]

THE NATURE CONSERVANCY,
EASTERN REGIONAL BLDG.,
Boston, MA, November 7, 1986.

ROBERT MILLER,
Chief, Realty Division, Fish and Wildlife Service, Newton Corner, MA.

DEAR BOB: Attached please find the so-called letter of intent for Milford Point. It gives you pretty broad authority to pay what we both agree to for the property, even ''. . . in excess of the approved appraisal value.'' Let's talk after you have had a chance to review your files.

I look forward to receiving the FWS appraisal on Milford Point which was done in January 1986 and any revisions thereof.

Best regards.

Sincerely,

PHILIP TABAS,
Legal Counsel, Eastern Region.

P.S. I guess TNC wins the ''Agency with The Most Complete File'' award on this one!

[Letter from TNC Director of Protection Camilla M. Herlevich to Al Bonsack of the U.S. Fish and Wildlife Service showing TNC billing the federal government for numerous expenses involved in a land sale. TNC states that, ''as is customary, the oil and gas rights will not go with the property.'']

THE NATURE CONSERVANCY,
SOUTHEAST REGIONAL OFFICE,
Chapel Hill, NC, December 23, 1988.

A. BONSACK,
U.S. Department of the Interior, Fish and Wildlife Service, Atlanta, GA.

RE: Big Pine Key (Granada Continuing Presbyterian Church), FL—TNC to USFWS.

DEAR MR. BONSACK: The Nature Conservancy acquired the above-referred tract at Big Pine Key on November 15, 1988. We would like to transfer the property to the United States Fish and Wildlife Service by January 31, 1989. Our costs through January 31, 1989 are $78,322.00. Costs would increase in an amount equal to prime plus one percent (1%) per annum times the purchase price for any period of holding after January 31, 1989. Current per diem cost is $23.00. Our costs for this transaction are, itemized as follows:

Purchase price	$73,000.00
Coop interest @ 11.5% 2.5 mos	1,748.00
Travel	50.00
Telephone	50.00
Postage	0.00
Appraisals/surveys	0.00
Title premium	310.00
Closing costs	127.00
Property taxes	846.00
Overhead @ 3% 73,000=	2,190.00
Total	78,322.00

As is customary, the oil and gas rights will not go with the property, although the Conservancy will restrict its mineral activity to subsurface methods.

If you would please indicate the acceptance of The Nature Conservancy's offer by having the appropriate person sign for the United States Fish and Wildlife Service in the space provided below and return to me. A copy is provided for your records.

Best regards,

CAMILLA M. HERLEVICH,
Director of Protection.

[Letter from TNC legal counsel Philip Tabas to Robert Miller of the U.S. Fish and Wildlife Service showing the solicitation of Miller's superiors in the national office to place one of TNC's properties higher on a government purchase priority list to avoid the oversight of a Congressman and ''make the job of securing Congressional funds for this project that much easier.'']

THE NATURE CONSERVANCY,
EASTERN REGIONAL OFFICE
Boston, MA. January 24, 1990.

ROBERT MILLER,
Chief, Reality Division, Fish and Wildlife Service, Newton Corner, MA.

DEAR BOB: * * *

Third, we recently saw the regional LAPS list and, as you may know, the James River Eagle project was ranked #78, I know, that there are logical inconsistencies in the LAPS list process, but this ranking of the James River project is likely to make it difficult for us to secure the support we need in Congress to get the money to fund this project. As you know, Congressman Sisitsky pointed to the LAPS list in the last round as the reason for his failure to support the project and we would like to avoid having to fight with him on that issue again this year. If there is anything you can do with the powers that be in your national office to revise the James River project to a higher ranking, it would make the job of securing Congressional funds for this project that much easier.

Thanks very much for your help on these matters. I look forward to catching up with you when you return from your travels. Best regards.

Sincerely yours,

PHILIP TABAS,
Attorney, Eastern Region.

STATE GOVERNMENT-NON-PROFIT LAND TRUSTS

Scenic Hudson, Inc.

Total revenue, 1993, $1,112,787.

Total expenses, $1,013,288.

Fund balances, $2,398,803.

Salaries and wages, $561,878.

Employee benefits, $51,115.

Investments—securities, $1,667,771.

Total assets, $3,799,224.

Executive Director, Klara Sauer, $72,000 salary, $3,600 benefits.

Land Preservation Director, Steven Rosenberg, $51,500 salary, $2,575 benefits.

Associate Director, Carol Sonderheimer, $49,000 salary, $2,450 benefits.

Environmental Director, Cara Lee Box, $33,897 salary, $1,695 benefits.

Waterfront Specialist, John J. Anzevino, $32,569 salary, $571 benefits.

Deferred grants and contributions $10,000 and over:

Lila Acheson and DeWitt Wallace Fund for the Hudson Highlands, $345,500.

Hudson River Foundation, $14,800.

Surdna Foundation, $26,762.

Compton Foundation, $20,000.

The Cohen Charitable Trust, $10,000.

Total deferred grants and contributions, $428,480.

Investments:

U.S. Treasury Notes, $462,259.

Bonds, $326,107.

Common stock, $644,339.

Preferred stock, $235,066.

Total, $1,667,771.

Scenic Hudson Land Trust Inc.

Land buying affiliate of Scenic Hudson, Inc.

Total revenue, 1993, $4,794,870.

Total expenses, $345,380.

Fund balances, $13,298,300.

Salaries and wages, $13,716.

Employee benefits, $1,001.

Total assets, $17,964,088.

Executive Director Klara Sauer of Scenic Hudson, Inc., is a director of Scenic Hudson Land Trust, Inc.

Foundation and trust grants received, $4,756,694.

Support and revenue designated for future periods: Lila Acheson and DeWitt Wallace Fund for the Hudson Highlands $3,228,095.

STATE GOVERNMENT-PRIVATE LAND TRUSTS

Scenic Hudson, Inc. and Scenic Hudson Land Trust, Inc., based in Poughkeepsie, New York, are operating a secretive land buying operation along the 148-mile Hudson River Valley corridor from New York City to Albany. Some operations are carried out in cooperation with Open Space Institute in Ossining, New York. The organizations are carrying out the plan of ''Conserving Open Space in New York State,'' approved by Governor Mario Cuomo in 1993, a document available only upon special request from the state and not of general knowledge. These organizations are beneficiaries of over $40 million from the Lila Acheson and DeWitt Wallace Fund (the Readers Digest fortune) for the Hudson Highlands.

Once Scenic Hudson holds title to local real estate, its officers and executives demand that municipalities take their ''non-profit'' purchase off the tax rolls—or face devastating lawsuits. The non-profits' financial clout and backing by New York elites gives them leverage against beleaguered municipalities that cannot afford extensive lawsuits.

Scenic Hudson, Inc. enjoys corporate support and invests in corporate stocks. Chevron awarded Scenic Hudson a $2,000 grant in May, 1994. A gift of 400 shares of Chevron common stock to Scenic Hudson on May 25, 1989, netted the non-profit $6,133.07 when sold on May 12, 1992. Scenic Hudson owns substantial oil stock: On August 16, 1990, SH purchased 400 shares of Texaco valued at more than $25,000; two weeks later they bought another 300 shares worth nearly $19,000; in June, 1993, they still owned the 700 shares of Texaco. On May 12, 1992, they bought 400 shares of Exxon ($24,014); on August 7, 1992, 400 shares of Royal Dutch Petroleum (Shell Oil) worth $35,498; on March 10, 1993, 800 shares of Sun America.

Scenic Hudson also acquired 700 shares of Phillip Morris on May 4, 1989, sold 100 of the shares October 13, 1992 at a $5,004.15 profit, and sold the remaining 600 shares in February and April, 1993, reaping $16,987.34. A gift of 600 shares of DuPont stock was reduced by sale of 200 shares on October 5, 1992 for a $5,322.09 profit; Scenic Hudson retained the 400 shares of DuPont at the 1993 tax reporting period. Scenic Hudson held Georgia-Pacific common stock for 15 months before selling it.

Wealthy donors enjoy tax breaks by giving appreciated stock to Scenic Hudson. On April 2, 1989, SH received 500 shares of British Petroleum worth $28,747.50 and sold it 16 months later at a capital gain of $41,563.11.

New York State has targeted for acquisition 157 private properties comprising hundreds of thousands of acres in Westchester, Putnam, Rockland, Orange, Sullivan and Ulster Counties. These properties, combined with the already vast state, county and federally-owned lands in the region, would create a tax free park stretching from the Hudson Highlands through the Adirondacks to the Canadian border, further impoverishing local communities.

DOCUMENTATION

All factual information in this report was taken from public information or published reports readily available to the journalist.

Most financial data were found in U.S. Internal Revenue Service Form 990 annual reports filed by the respective organizations under examination. Other sources include financial statements prepared by the environmental organizations and provided to the Secretary of State of New York, the Division of Consumer Affairs of the Commonwealth of Virginia and the Attorney General's Office of the State of California. Lists of investments were obtained from both of these sources, or from California Attorney General's Office filings on Form CT–2. Many organizations do not file their list of investments with any public agency. In such cases, the authors of this report requested such lists by telephone directly from the environmental organization in question. All organizations thus solicited for investment information refused to divulge it.

Information on Foundation Control of Environmental Groups came from tape recorded discussions among foundation staff and officers at the Environmental Grantmakers Association 1992 Annual Retreat at Rosario Resort in Washington State. Documentation of the Surdna Instance came from U.S. Forest Service timber harvest plans, Form 990 filings, California state filings, and internal documents discovered in public filings.

Major documentation of Non-Profit Land Trust abuses was obtained from the U.S. Fish and Wildlife Service through the Freedom Of Information Act. Additional documentation was obtained from individual land owners in personal interviews or through third-party correspondents.

The Center for the Defense of Free Enterprise is the sole author of this report, and is solely responsible for the accuracy of the data here presented.

Mr. MURKOWSKI. Mr. President, as I indicated, out of necessity, these organizations have to consume their causes, and Utah wilderness currently is one of their causes. We have seen their efforts in mining reform, just last week in grazing reform, and the week before the forest issue. Now they have turned their efforts to Utah wilderness.

I do not mind constructive input. It is invaluable in the development of quality legislation. It is good for everyone, but this type of big business, well-financed campaigns that they establish are really not constructive. It is a case of ''We're going to protect you from yourselves whether it is good for you or not, but we're going to do it at your own expense.''

Mr. President, I think it is time to get real.

I would like to chat a little bit about Sterling Forest, because while I support the proposal of my friend from New Jersey, it is not without some exceptions. The purpose of title XVI is to authorize the Secretary of the Interior to provide funding to the Palisades Interstate Park Commission in order to facilitate the acquisition of the Sterling Forest in New York. I am not sure what the status is, but I am sure my friend from New Jersey will tell us, if this bill goes through, in what status that land will be held.

The 17.5 million dollars authorized by this legislation states that funds may be transferred to the commission only to the extent that they are matched with funds contributed by non-Federal sources. So the State of New York and the State of New Jersey are going to have to, obviously, contribute funds.

The funds may only be used for the procurement of conservation easements along—this is where it gets interesting, Mr. President—along the Appalachian Trail. That is National Park Service administered but privately owned which runs through the Sterling Forest but not in the same watershed that they are currently trying to protect.

So, it is interesting to pick up that difference. In actuality, scarce Federal appropriated funds are being used to trigger the flow of appropriated funds from New York and New Jersey. While the protection of the States' watershed may be meritorious, there are higher priorities currently within the National Park Service that need to be addressed.

Notwithstanding my concerns, the Senator from New Jersey was accommodated, and I support his efforts in this regard because I recognize that he is from that State, he is held responsible by his constituents, and he ought to know what is best for his State and, as a consequence, I am going to support the Sterling Forest, as I have indicated to him. But it is technically not just a home run or a couple of free throws. The Federal funds may only be used for the procurement of conservation easements along the Appalachian Trail, which is Park Service administered but privately owned, which runs through the Sterling Forest but not in the same watershed that they are trying to protect.

So, Mr. President, we have a situation before us where this is really not a debate about the merit of adding 2 million acres of new wilderness to the national inventory. This is really a battle between some of the well-financed elitists and the people who live in the State of Utah.

Would the world be better off with 2 million acres of wilderness? I believe it would. Would we be better off with an additional 3 million acres that did not meet the definition of wilderness? I think not.

Unfortunately, the playing field does not happen to be level. We find ourselves being tied up by a group of elitists. This debate is really a difference of opinion between the well-financed elitist lobby who wants all or nothing and the rest of us who are looking for resource protection and balance and trying to represent the people of the affected States.

As I have indicated and the chart shows, this is a well-financed lobby. Environmentalism is big business, as the chart shows, and, as a consequence, it does show that environmental money does go for the purpose of protecting the environment, while at the same time it shows that little goes to achieve balance, compromise or resolution.

As I have indicated, the environmental community does need a cause for additional membership, for added dollars. As I have indicated, this week it is Utah wilderness, last week it was grazing, before that timber.

Let me reflect, finally, on how the people of Utah, as they look to the future of their State—a relatively large Western State, 52 million acres of land—proposes to increase the wilderness by some 2 million acres, increasing that to a special classification of wilderness which would be BLM wilderness of 2 million acres and Forest Service wilderness of 800,000 acres.

The overwhelming base of support, as evidenced by the statements from those in Utah, and the realization that here we are with a package that can meet its objective in adding wilderness to Utah, that can meet its objective with regard to the concerns of my friend from New Jersey, who, at least to this Senator, has established himself as perhaps the self-anointed savior of the West, but, again, I ask, who does he really represent with regard to this issue? Is it the big environmental groups that have no compassion, no understanding, no willingness to negotiate a reasonable settlement that has been identified time and time again as being in the interest of the people? And is this a continued attack on resource development on public land, whether it be grazing, timber, or mining? Is it going to be concessions next? Is this the attitude prevailing from this administration?

As we look at resource development in this country, we recognize that we are exporting dollars, we are exporting jobs overseas, and as we depend more and more on imports, our current balance-of-payment deficit is half of the cost of imported oil. Fifty-four percent of our oil is now imported. We are increasing our timber and wood fiber imports. We are losing high-paying, blue-collar jobs. Can we not, through science and technology, continue to develop our resources in a responsible manner? That is what the people of Utah are talking about, relative to the additional acreage that they want to use for their school system, for the education of their children.

It seems to me that we should listen to the people of Utah today, Mr. President. They are not extreme. They are not elitists. They are realists. They know what they need for their State. They have recommended 2 million acres of wilderness. It is a responsible compromise.

So, Mr. President, as we go through this debate throughout the day, and perhaps a portion tomorrow, I encourage all Members to look at this package, recognize it for what it is, an attempt to accommodate some 17 or 18, close to 20 States, with individual recommendations on land within their States, recognizing the significance of including the Presidio in this package and the realization that the trust that has been formed to manage the Presidio under the scope of this legislation is realistic, it will work, it will take the burden off of the Federal Government. Last, this legislation will meet the needs of the people of Utah.

MODIFICATIONS TO AMENDMENT NO. 3564

Mr. MURKOWSKI. Mr. President, I send a modification of my amendment to the desk. I ask that each of the measures be added at the appropriate place, and the titles and section numbers be renumbered accordingly.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. MURKOWSKI. Mr. President, it would add provisions for the Big Thicket in Texas, the Big Horn County school district in Wyoming, a right-of-way in Wyoming, the Tallgrass provisions in Kansas. I think that takes it up to nearly 60, Mr. President. I do not think further reading is required.

The PRESIDING OFFICER. The amendment is so modified.

The modifications follow:

At the appropriate place, insert:

TITLE —

SECTION 1. FINDINGS.

The Congress finds that—

(1) under the Big Thicket National Preserve Addition Act of 1993 (Public Law 103–46), Congress increased the size of the Big Thicket National Preserve through authorized land exchanges;

(2) such land exchanges were not consummated by July 1, 1995, as required by Public Law 103–46; and

(3) failure to consummate such land exchanges by the end of the three-year extension provided by this Act will necessitate further intervention and direction from Congress concerning such land exchanges.

SEC. 2. TIME PERIOD FOR LAND EXCHANGE.

(a) EXTENSION.—The last sentence of subsection (d) of the first section of the Act entitled ''An Act to authorize the establishment of the Big Thicket National Preserve in the State of Texas, and for other purposes'', approved October 11, 1974 (16 U.S.C. 698(d)), is amended by striking out ''two years after date of enactment'' and inserting ''five years after the date of enactment''.

(b) INDEPENDENT APPRAISAL.—Subsection (d) of the first section of such Act (16 U.S.C. 698(d)) is further amended by adding at the end the following: ''The Secretary, in considering the values of the private lands to be exchanged under this subsection, shall consider independent appraisals submitted by the owners of the private lands.''.

(c) LIMITATION.—Subsection (d) of the first section of such Act (16 U.S.C. 698(d)), as amended by subsection (b), is further amended by adding at the end the following: ''The authority to exchange lands under this subsection shall expire on July 1, 1998.''.

SEC. 3. REPORTING REQUIREMENT.

Not later than six months after the date of the enactment of this Act and every six months thereafter until the earlier of the consummation of the exchange or July 1, 1998, the Secretary of the Interior and the Secretary of Agriculture shall each submit a report to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate concerning the progress in consummating the land exchange authorized by the amendments made by Big Thicket National Preserve Addition Act of 1993 (Public Law 103–46).

SEC. 4. LAND EXCHANGE IN LIBERTY COUNTY, TEXAS.

If, within one year after the date of the enactment of this Act—

(1) the owners of the private lands described in subsection (b)(1) offer to transfer all their right, title, and interest in and to such lands to the Secretary of the Interior, and

(2) Liberty County, Texas, agrees to accept the transfer of the Federal lands described in subsection (b)(2),

the Secretary shall accept such offer of private lands and, in exchange and without additional consideration, transfer to Liberty County, Texas, all right, title, and interest of the United States in and to the Federal lands described in subsection (b)(2).

(b) LANDS DESCRIBED.—

(1) PRIVATE LANDS.—The private lands described in this paragraph are approximately 3.76 acres of lands located in Liberty County, Texas, as generally depicted on the map entitled ''Big Thicket Lake Estates Access—Proposed''.

(2) FEDERAL LANDS.—The Federal lands described in this paragraph are approximately 2.38 acres of lands located in Menard Creek Corridor Unit of the Big Thicket National Preserve, as generally depicted on the map referred to in paragraph (1).

(c) ADMINISTRATION OF LANDS ACQUIRED BY THE UNITED STATES.—The lands acquired by the Secretary under this section shall be added to and administered as part of the Menard Creek Corridor Unit of the Big Thicket National Preserve.

At the end of the amendment, add the following:

SEC. ___01. CONVEYANCE OF CERTAIN PROPERTY TO THE BIG HORN COUNTY SCHOOL DISTRICT NUMBER 1, WYOMING.

The Secretary of the Interior shall convey, by quit claim deed, to the Big Horn County School District Number 1, Wyoming, all right, title, and interest of the United States in and to the following described lands in Big Horn County, Wyoming: Lots 19–24 of Block 22, all within the town of Frannie, Wyoming, in the S½NW¼NW¼ and N½SW¼NW¼ of section 31 of T. 58N., R. 97 W., Big Horn County.

At the appropriate place, insert:

SECTION 1. RELINQUISHMENT OF INTEREST.

(a) IN GENERAL.—The United States relinquishes all right, title, and interest that the United States may have in land that—

(1) was subject to a right-of-way that was granted to the predecessor of the Chicago and Northwestern Transportation Company under the Act entitled ''An Act granting to railroads the right of way through the public lands of the United States'', approved March 3, 1875 (43 U.S.C. 934 et seq.), which right of way the Company has conveyed to the city of Douglas, Wyoming; and

(2) is located within the boundaries of the city limits of the city of Douglas, Wyoming, or between the right-of-way of Interstate 25 and the city limits of the city of Douglas, Wyoming,

as determined by the Secretary of the Interior in consultation with the appropriate officials of the city of Douglas, Wyoming.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file for recordation in the real property records of Converse County, Wyoming, a deed or other appropriate form of instrument conveying to the city of Douglas, Wyoming, all right, title, and interest in the land described in subsection (a).

At the appropriate place in the amendment, insert the following:

TITLE ____—TALLGRASS PRAIRIE NATIONAL PRESERVE

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Tallgrass Prairie National Preserve Act of 1996''.

SEC. ___02. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) of the 400,000 square miles of tallgrass prairie that once covered the North American Continent, less than 1 percent remains, primarily in the Flint Hills of Kansas;

(2) in 1991, the National Park Service conducted a special resource study of the Spring Hill Ranch, located in the Flint Hills of Kansas;

(3) the study concludes that the Spring Hill Ranch—

(A) is a nationally significant example of the once vast tallgrass ecosystem, and includes buildings listed on the National Register of Historic Places pursuant to section 101 of the National Historic Preservation Act (16 U.S.C. 470a) that represent outstanding examples of Second Empire and other 19th Century architectural styles; and

(B) is suitable and feasible as a potential addition to the National Park System; and

(4) the National Park Trust, which owns the Spring Hill Ranch, has agreed to permit the National Park Service—

(A) to purchase a portion of the ranch, as specified in this title; and

(B) to manage the ranch in order to—

(i) conserve the scenery, natural and historic objects, and wildlife of the ranch; and

(ii) provide for the enjoyment of the ranch in such a manner and by such means as will leave the scenery, natural and historic objects, and wildlife unimpaired for the enjoyment of future generations.

(b) PURPOSES.—The purposes of this title are—

(1) to preserve, protect, and interpret for the public an example of a tallgrass prairie ecosystem on the Spring Hill Ranch, located in the Flint Hills of Kansas; and

(2) to preserve and interpret for the public the historic and cultural values represented on the Spring Hill Ranch.

SEC. ___03. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Advisory Committee established under section ___07.

(2) PRESERVE.—The term ''Preserve'' means the Tallgrass Prairie National Preserve established by section ___04.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRUST.—The term ''Trust'' means the National Park Trust, Inc., a District of Columbia nonprofit corporation, or any successor-in-interest.

SEC. ___04. ESTABLISHMENT OF TALLGRASS PRAIRIE NATIONAL PRESERVE.

(a) IN GENERAL.—In order to provide for the preservation, restoration, and interpretation of the Spring Hill Ranch area of the Flint Hills of Kansas, for the benefit and enjoyment of present and future generations, there is established the Tallgrass Prairie National Preserve.

(b) DESCRIPTION.—The Preserve shall consist of the lands and interests in land, including approximately 10,894 acres, generally depicted on the map entitled ''Boundary Map, Flint Hills Prairie National Monument'' numbered NM–TGP 80,000 and dated June 1994, more particularly described in the deed filed at 8:22 a.m. of June 3, 1994, with the Office of the Register of Deeds in Chase County, Kansas, and recorded in Book L–106 at pages 328 through 339, inclusive. In the case of any difference between the map and the legal description, the legal description shall govern, except that if, as a result of a survey, the Secretary determines that there is a discrepancy with respect to the boundary of the Preserve that may be corrected by making minor changes to the map, the Secretary shall make changes to the map as appropriate, and the boundaries of the Preserve shall be adjusted accordingly. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service of the Department of the Interior.

SEC. ___05. ADMINISTRATION OF NATIONAL PRESERVE.

(a) IN GENERAL.—The Secretary shall administer the Preserve in accordance with this title, the cooperative agreements described in subsection (f)(1), and the provisions of law generally applicable to units of the National Park System, including the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1, 2 through 4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) APPLICATION OF REGULATIONS.—With the consent of a private owner of land within the boundaries of the Preserve, the regulations issued by the Secretary concerning the National Park Service that provide for the proper use, management, and protection of persons, property, and natural and cultural resources shall apply to the private land.

(c) FACILITIES.—For purposes of carrying out the duties of the Secretary under this title relating to the Preserve, the Secretary may, with the consent of a landowner, directly or by contract, construct, reconstruct, rehabilitate, or develop essential buildings, structures, and related facilities including roads, trails, and other interpretive facilities on real property that is not owned by the Federal Government and is located within the Preserve.

(d) LIABILITY OF LANDOWNERS.—Notwithstanding any other provision of law, no person that owns any land or interest in land within the Preserve shall be liable for injury to, or damages suffered by, any other person that is injured or damaged while on the land within the Preserve if—

(1) the injury or damages result from any act or omission of the Secretary or any officer, employee, or agent of the Secretary or of a person other than the owner, a guest of the owner, or a person having business with the owner; or

(2) the injury or damages are suffered by a visitor to the Preserve, and the injury or damages are not proximately caused by the wanton or willful misconduct of, or a negligent act (as distinguished from a failure to act) of, the person that owns the land.

(e) UNIT OF THE NATIONAL PARK SYSTEM.—The Preserve shall be a unit of the National Park System for all purposes, including the purpose of exercising authority to charge entrance and admission fees under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–6a).

(f) AGREEMENTS AND DONATIONS.—

(1) AGREEMENTS.—The Secretary may expend Federal funds for the cooperative management of private property within the Preserve for research, resource management (including pest control and noxious weed control, fire protection, and the restoration of buildings), and visitor protection and use.

(2) DONATIONS.—The Secretary may accept, retain, and expend donations of funds, property (other than real property), or services from individuals, foundations, corporations, or public entities for the purposes of providing programs, services, facilities, or technical assistance that further the purposes of this title.

(g) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than the end of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a general management plan for the Preserve.

(2) CONSULTATION.—In preparing the general management plan, the Secretary, acting through the Director of the National Park Service, shall consult with—

(A)(i) appropriate officials of the Trust; and

(ii) the Advisory Committee; and

(B) adjacent landowners, appropriate officials of nearby communities, the Kansas Department of Wildlife and Parks, and the Kansas Historical Society, and other interested parties.

(3) CONTENT OF PLAN.—The general management plan shall provide for the following:

(A) Maintaining and enhancing the tallgrass prairie within the boundaries of the Preserve.

(B) Public access and enjoyment of the property that is consistent with the conservation and proper management of the historical, cultural, and natural resources of the ranch.

(C) Interpretive and educational programs covering the natural history of the prairie, the cultural history of Native Americans, and the legacy of ranching in the Flint Hills region.

(D) Provisions requiring the application of applicable State law concerning the maintenance of adequate fences within the boundaries of the Preserve. In any case in which an activity of the National Park Service requires fences that exceed the legal fence standard otherwise applicable to the Preserve, the National Park Service shall pay the additional cost of constructing and maintaining the fences to meet the applicable requirements for that activity.

(E) Provisions requiring the Secretary to comply with applicable State noxious weed, pesticide, and animal health laws.

(F) Provisions requiring compliance with applicable State water laws and Federal and State waste disposal laws (including regulations) and any other applicable law.

(G) Provisions requiring the Secretary to honor each valid existing oil and gas lease for lands within the boundaries of the Preserve (as described in section ___04(b)) that is in effect on the date of enactment of this Act.

(H) Provisions requiring the Secretary to offer to enter into an agreement with each individual who, as of the date of enactment of this Act, holds rights for cattle grazing within the boundaries of the Preserve (as described in section ___04(b)).

(4) HUNTING AND FISHING.—The Secretary may allow hunting and fishing on Federal lands within the Preserve.

(5) FINANCIAL ANALYSIS.—As part of the development of the general management plan, the Secretary shall prepare a financial analysis indicating how the management of the Preserve may be fully supported through fees, private donations, and other forms of non-Federal funding.

SEC. ___06. LIMITED AUTHORITY TO ACQUIRE.

(a) IN GENERAL.—The Secretary shall acquire, by donation, not more than 180 acres of real property within the boundaries of the Preserve (as described in section ___04(b)) and the improvements on the real property.

(b) PAYMENTS IN LIEU OF TAXES.—For the purposes of payments made under chapter 69 of title 31, United States Code, the real property described in subsection (a)(1) shall be deemed to have been acquired for the purposes specified in section 6904(a) of that title.

(c) PROHIBITIONS.—No property may be acquired under this section without the consent of the owner of the property. The United States may not acquire fee ownership of any lands within the Preserve other than lands described in this section.

SEC. ___07. ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established an advisory committee to be known as the ''Tallgrass Prairie National Preserve Advisory Committee''.

(b) DUTIES.—The Advisory Committee shall advise the Secretary and the Director of the National Park Service concerning the development, management, and interpretation of the Preserve. In carrying out those duties, the Advisory Committee shall provide timely advice to the Secretary and the Director during the preparation of the general management plan under section ___05(g).

(c) MEMBERSHIP.—The Advisory Committee shall consist of 13 members, who shall be appointed by the Secretary as follows:

(1) Three members shall be representatives of the Trust.

(2) Three members shall be representatives of local landowners, cattle ranchers, or other agricultural interests.

(3) Three members shall be representatives of conservation or historic preservation interests.

(4)(A) One member shall be selected from a list of persons recommended by the Chase County Commission in the State of Kansas.

(B) One member shall be selected from a list of persons recommended by appropriate officials of Strong City, Kansas, and Cottonwood Falls, Kansas.

(C) One member shall be selected from a list of persons recommended by the Governor of the State of Kansas.

(5) One member shall be a range management specialist representing institutions of higher education (as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))) in the State of Kansas.

(d) TERMS.—

(1) IN GENERAL.—Each member of the Advisory Committee shall be appointed to serve for a term of 3 years, except that the initial members shall be appointed as follows:

(A) Four members shall be appointed, one each from paragraphs (1), (2), (3), and (4) of subsection (c), to serve for a term of 3 years.

(B) Four members shall be appointed, one each from paragraphs (1), (2), (3), and (4) of subsection (c), to serve for a term of 4 years.

(C) Five members shall be appointed, one each from paragraphs (1) through (5) of subsection (c), to serve for a term of 5 years.

(2) REAPPOINTMENT.—Each member may be reappointed to serve a subsequent term.

(3) EXPIRATION.—Each member shall continue to serve after the expiration of the term of the member until a successor is appointed.

(4) VACANCIES.—A vacancy on the Advisory Committee shall be filled in the same manner as an original appointment is made. The member appointed to fill the vacancy shall serve until the expiration of the term in which the vacancy occurred.

(e) CHAIRPERSON.—The members of the Advisory Committee shall select 1 of the members to serve as Chairperson.

(f) MEETINGS.—Meetings of the Advisory Committee shall be held at the call of the Chairperson or the majority of the Advisory Committee. Meetings shall be held at such locations and in such a manner as to ensure adequate opportunity for public involvement. In compliance with the requirements of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall choose an appropriate means of providing interested members of the public advance notice of scheduled meetings.

(g) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum.

(h) COMPENSATION.—Each member of the Advisory Committee shall serve without compensation, except that while engaged in official business of the Advisory Committee, the member shall be entitled to travel expenses, including per diem in lieu of subsistence in the same manner as persons employed intermittently in Government service under section 5703 of title 5, United States Code.

(i) CHARTER.—The rechartering provisions of section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. ___08. RESTRICTION ON AUTHORITY.

Nothing in this title shall give the Secretary authority to regulate lands outside the land area acquired by the Secretary under section 6(a).

SEC. ___09. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of the Interior such sums as are necessary to carry out this title.

Mr. MURKOWSKI. Mr. President, I have concluded my remarks. I think the Senator from New Jersey may want to be heard from. If not, there are a couple more of us.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. BRADLEY. Mr. President, I thank the distinguished Senator from Alaska for his statement, and I thank the distinguished Senators from Utah for their strong advocacy of one of the provisions in this bill. I know how much they care about this legislation. I know how long they have worked on it. We have a basic disagreement, which I will try to explore in as much depth as I can for the next—I do not know how long it will take, but I want to do it with comprehensive explanations so they can then respond to what I have said.

I would only make one point with regard to this bill as a package. As one Senator, I am prepared to have virtually every one of the 33 titles, maybe with 2 or 3 exceptions, moved through the Senate right now. I do not oppose those sections. What I have a problem with is the Utah wilderness bill, which I will get to, to explain. So I want the Senate to know that all of the other provisions in this bill I have no objection to passing today on voice vote with the exception of two or three, maybe four maximum, of the titles in the underlying bill.

It is clearly the chairman's prerogative to put these together in a package. I am not sure, if I were someone who was interested in a particular provision—I might say that this bill has several provisions that I want for my State—that it would be the wisest course if the President actually does veto this package. We could get down several months only to find that the President has vetoed not only Utah land, the wilderness bill, but he has vetoed all of the other smaller provisions that are totally noncontroversial that could move through the Senate today and, in some cases, through the House easily.

I think that ought to be established. I think the wiser course here would be to detach from this package the Utah wilderness bill and to have some more time to talk about that, and then move the other elements of this bill. I know there are a number of Senators who are interested in their particular provisions. I have no objection to moving them.

What I would like to do if I could this morning is take my time to really talk a little bit about the history of public lands. I would like to focus on Federal lands in the United States and in Utah. I would like to focus on the economic development pressures in Utah. I would like to talk about sustainable development. I would like to put this bill in the context of how we got here, and how the bill does in relation to the concept of sustainable development. Then I would like to talk about the effect on the rest of the country, and why I think that the Utah wilderness bill is clearly a national bill in a very, very deep sense. I say that with great respect for the knowledge and the commitment of the Senators from Utah, whom I know care as deeply about their State as any Senator in this body cares about his or her own State. So I make these comments with respect for them and at the same time with a very profound disagreement.

Mr. President, the idea that America has public land, public patrimony that belongs to all of us, really began in 1778, when the small State of Maryland led a protest against those States that had made vast claims of territory west of the Appalachian Mountains, our original frontier.

Under their royal charters, Virginia had laid claim to territory reaching to the Mississippi and up to what is now Michigan, and Massachusetts claimed much of what remained in the then United States. The Senators, Congressmen, the statesmen from Maryland had a different idea. They said that the land, which was the defining feature of the new Nation, should be owned and used in common. And Maryland refused to sign the Articles of Confederation until this idea of common land won respect.

By 1802, the young Nation had taken 233 million acres for the public good between the Thirteen Colonies and the Mississippi River, and with the Louisiana Purchase, and over the next 51 years, the common domain grew to more than 1.4 billion acres of public land. While the Nation came together around Maryland's idea of public land, the question of what to do with it remained.

The fundamental conflict between divisions expressed by Thomas Jefferson and Alexander Hamilton dominated this debate, as it did so many others. Jefferson believed that land should be put in the hands of small farmers even if it meant giving it away, while Hamilton believed that land sales could be the steadiest source of income for the Nation.

With the oppressive debt from the Revolutionary War, the Hamilton view prevailed. And the principle for most of the first half of the 19th century was that ''lands were to be sold, and the proceeds appropriated toward shrinking or discharging the debts.'' That was a quote. But the land being what it is,

Jefferson was also correct in his prediction that Americans looking for open space ''would settle the lands in spite of everybody.''

Land sales never made up more than 10 percent of the Federal revenue because people simply laid claim to the lands, moved onto the lands. With the passage of the Preemption Act of 1841, the Jeffersonian view prevailed, giving the land away, in hope that it would extend across the continent a nation of small farmers.

The Homestead Act followed in the 1860's with its promise of 160 acres for a family, a blessing in the fertile ground of the Great Plains—160 acres. Beyond the 100th meridian, the north-south line running roughly from Minot, ND, to Laredo, TX, the 160 acres was almost useless. As Senator William Borah said of the Homestead Act, ''The Government bets 160 acres against the filing fee that the settlers cannot live on the land for 5 years without starving to death.'' Indeed, only 35 percent of the claims ever lived up to full ownership, with the rest left to be assembled in very large parcels.

Just as selling the land did not fulfill Hamilton's vision, giving it away did not live up to Jefferson's vision of a country of independent, self-sufficient young farmers passing their modest legacy of land from generation to generation, renewing themselves by tilling the land. Neither vision, the sale of the land nor giving it away, really lived up to either of the Founders' idea.

Instead, mining interests laid the first claim to the land. Every single major mining strike in the history of the West—gold in California, Colorado, and Montana, silver in Idaho, Nevada—was made on public land. Then ranchers who had quickly exhausted the capacity of the public land of the high plains, moved West, taking vast acreage of thin, fragile grassland in the northern range and fencing it in to keep homesteaders out.

Mr. President, about this time Americans finally began to really look at their land. The reports of the great surveyors, Ferdinand V. Hayden, George M. Wheeler, and John Wesley Powell, these reports came East, along with the photographs of William Henry Jackson and the paintings of Thomas Moran. Tales of great geysers and Powell's vivid descriptions of a canyon opening like a beautiful portal to a region of glory led to a popular campaign to protect something of this legacy.

The creation of Yellowstone National Park, the first national park, in 1872, was a moment of great national pride. The truer reflection of our view toward our national lands, our public lands, in that same year was the passage of the General Mining Act of 1872, setting fees of $2.50 an acre for a permanent mining claim, an error at the time and an outdated disgrace today.

As the new century approached, the parks movement accelerated and the country finally escaped the old question, ''Should we sell it or should we give it away?'' In 1891, the National Forest System was created. By 1907, nearly 10 percent of the Nation's land had been rescued from the cycle of transfer and destruction. The great barbecue, as the historian C. Vernon Parrington called the abuse of the land in the 19th century, had come to an end, but the struggle had really only begun.

Miners, ranchers, farmers, and timber interests began a long fight to reclaim the unlimited gold, silver, copper, grasslands, water, and tall trees which had been given away for so long that they had convinced themselves that they had earned them. In Charles Wilkinson's phrase, the ''Lords of Yesterday,'' the interests and ideas that pull us back toward the 19th century, grew and grew in Washington, especially after Theodore Roosevelt left the White House and Gifford Pinchot left the Interior Department.

In 1920, the Mineral Leasing Act gave oil companies access to petroleum reserves on public lands, even national forests. But the Teapot Dome scandal led President Hoover to ban the oil reserves from exploitation. And the dust storms of the 1930's, which blackened the skies from New Mexico to the Dakotas as a result of overgrazing and overfarming, led to the passage of the Taylor Grazing Act of 1934 which closed 142 million acres of public land and was called ''the Magna Carta of conservation.'' The New Deal economist Rexford Tugwell declared ''the day on which the President signed the Taylor Act * * *. laid in its grave a land policy which had long since been dead and which walked abroad only as a troublesome ghost within a living world.''

Tugwell's analysis was seriously premature. The land policy of the 19th century has not yet been buried. Indeed, it lives on in this bill, in the grazing bill, and in several others before this Congress in this year.

The advocates of a return to the free-for-all of the past used their power in Congress and the appealing image of the brave, solitary westerner—an image at odds with reality then and now—to lead the assault on this protective impulse to protect the land.

Senator Patrick McCarran of Nevada accused the Grazing Service of seeking ''to legislate the trailblazers of the West out of existence,'' and launched what one historian called ''the lengthiest, most concerted, and in some respects, the most successful attempt made in the 20th century by one person to force a reinterpretation of land policy more in accordance with the wishes of the using interests.'' I repeat, ''the using interests.''

McCarran succeeded in turning the bureaucracy in favor of the using interests. He abolished the Grazing Service and merged it with another large agency, creating the Bureau of Land Management. The Bureau of Land Management was given so many responsibilities—leasing of oil, gas, coal, oil, shale, and geothermal sites. Management of hard rock mining claims on its own land, plus on the lands of the national forests, management of 8 million acres of commercial forests, wetlands and fishable streams, thousands of archaeological sites as well as grazing, all of these responsibilities, so much given that McCarran and his backers reasonably assumed that the agency would become ''Unconvincing Goliath,'' in the words of Prof. Sally Fairfax.

By 1973, the BLM had plainly abandoned the task of protecting grazing lands from the next Dust Bowl. Only 16 percent of its rangeland was in good condition. The 341 million acres managed by the BLM are often called the leftover lands or the lands nobody wanted. They are what remains of the 2.1 billion acres that had not been sold, given away, or set aside as national park or national forest.

The BLM does not have the clear sense of mission of the Forest Service or the Park Service. Indeed, in the 1950's, its nickname was the ''Bureau of Livestock and Mining.'' It gives a sense of what the Agency thought its lands were most valuable for in those days. Yet, those lands include some of the most breathtaking and fragile places in the Nation: The Potosi Mountains of Nevada; Glacier Peak in Washington; Mount Lester in Wyoming; California's Lake Ediza; and in Utah, the Valley of Dirty Devil, the Kaiparowits Plateau, Grand Staircase, Escalante Canyon, the Henry Mountains, and many others in the State of Utah. These are lands that if we sacrifice their quiet peace for a short-term economic gain, it will be to the lasting regret—the lasting regret—of many Americans.

Let me just frame that by focusing on one of these areas. The Kaiparowits Plateau in southern Utah, an extraordinary place, is one of the most remote places in the United States. I would like to quote from what one person said about that. His name is Charles Wilkinson, a professor at the University of Colorado. He says:

> Kaiparowits, the interior of the Colorado Plateau, itself the interior of the nation, is not just for coal. Few people come to this southern Utah plateau because modern conveniences are so distant, traditional beauty so scarce, normal recreational opportunities so limited. Precipitation measures ten to twelve inches a year. There are just two or three perennial streams, and they carry little water. One dirt road, usable by passenger cars, runs up to Escalante. Otherwise, it is all jeep trails. Piñon-juniper stands offer almost no cover from the sun. Cross-country backpacking is for experts only. You have to scour the topographic maps, plan your trip with care (being sure to hit the springs), and stock to your plan. Even a short hike is a challenge. From a distance, Kaiparowits looks flat on top but in fact it is up-and-down, chipped-up, confusing. You can get lost, snakebit, or otherwise injured. There's no one to call.
>
> Kaiparowits is, in a word, wild—''wilderness,'' as Raymond Wheeler put it, ''right down to its burning core.'' Eagles, hawks, and peregrines are in here, especially in the wind currents near the cliffs, and so are bighorn sheep, trophy elk, and deer. Archaelologists have recorded some 400 sites

but there are many more—there has been lttle surveying, except near some of the mine sites. From Kaiparowits you are given startling Plateau vistas in all directions, vivid views more than 200 miles if the winds have cleared out the haze, views as encompassing as those from the southern tip of Cedar Mesa, the east flank of Boulder Mountain, the high LeSals, DeadHorse Point, long, stretching expanses of sacred country. If you climb the rocky promontories on top of Kaiparowits, you can see off to Boulder Mountain, the Henrys, Black Mesa, Navajo Mountain, the Kaibab Plateau, the Vermilion Cliffs.

The languid stillness of Kaiparowits turns your mind gently and slowly to wondering about time, to trying to comprehend the long, deep time all of this took, from Cretaceous, from back before Cretaceous, and to comprehend, since Lake Powell and the seventy-story stacks of Navajo Generating Station also now play part of the vista, how it is that our culture has so much might and how it is that we choose to exert it so frantically, with so little regard of the time that you can see, actually see, from here. Perhaps somehow by taking some moments now, here, here in this stark piñon-juniper rockland place, here in this farthest-away place, a person can nurture some of the fibers of constancy and constraint that our people possess in addition to the might. The silence is stunning, the solitude deep and textured.

Kaiparowits makes you decide on the value of wildness and remoteness. Kaiparowits is where the dreams for the West collide. Coal, jobs growth. Long vistas, places to get lost in, places to find yourself in.

The BLM wild lands teach us, also, about the people who once lived and worked and loved and worshipped for such a long time in what has been called BLM land for such a short time.

Last year, my son Seth, then twenty, and I took a long, home-from-college trip to the canyon country. We hiked most of one day up to our calves in a creek that over the course of some seven million years has cut a thousand feet down through the fiery, aeolian Wingate Sandstone and the layers of rock above it.

In a rare wide spot in the canyon, behind a cluster of junipers, we found a panel of pictographs on the Wingate. The artisan painted this row of red and white images—supernatural and life-size—two thousand years ago, perhaps more. The three stolid figures had wide shoulders, narrow waists. We could see straight through the round staring eyes, and the eyes could see through us. We called it ''Dream Panel.''

It would be so contemptuous of time to deal away Kaiparowits and Dream Panel. Perhaps the states would protect these and other wild places of national worth as well as they are protected now. But do we want to risk it?

Mr. President, until the 1960's, none of the public lands were fully protected for mining, automobiles, construction, and other uses. The concept of wilderness did not exist, not only on the BLM lands, but even in the national parks and forests.

As a way of preserving public land, the idea of wilderness really owes its origin to Arthur Carhart, a landscape architect hired by the Forest Service in 1919 and sent to design a road encircling Trappers Lake in Colorado's San Isabel National Forest. Instead of laying out the road, he bombarded his bureaucratic supervisors with memos urging that they abandon the project and retain some area ''to which the lover of the outdoors can return without being confronted by a settlement, a country store, telephone pole, or other sights of civilization.'' After Carhart built a friendship and alliance with Aldo Leopold, the great naturalist and author of ''A Sand County Almanac,'' the Forest Service accepted his idea and made Trappers Lake the first development project it had ever denied because of the threat to the natural integrity of the land.

The legacy of Carhart and Leopold fell to Robert Marshall, a slightly eccentric man, who during college decided to walk 30 miles in every State of the Union, covering that distance in a single day in each State. Once he covered 62 miles in a day. Well, Marshall joined the Forest Service in 1930 and advocated not just protection of some land as wilderness, but the importance of sheer size—vast tracts of wilderness rather than small parks in every State. He compared wilderness to the ''Mona Lisa'' and he said, ''If you cut up the 'Mona Lisa' into little pieces one inch square and distribute them among the art galleries of the world so millions might see it, where hundreds now see it, neither the millions nor the hundreds would get any genuine value.''

The point here is that wilderness has a size factor that is itself valuable. Although Marshall rose to a high position in the Forest Service, his greatest legacy came when he left to found the Wilderness Society in 1935. The society came into its own with the successful fight against a plan to build two major dams on the grounds of Dinosaur National Monument in Utah. Instead of moving from fight to fight against this development or that, the society developed the idea of permanently classifying some portion of the public lands to be protected from development. When Senator Hubert Humphrey introduced such a bill in 1957, not only the commercial interests and the western Senators and Congressmen, but even the Park Service and Forest Service were flatly opposed. Above all, they were offended by the idea that citizens from the areas affected should participate in the decisions about what should be protected.

Senator Arthur Watkins of Utah argued that a permanent wilderness designation would ''hamstring economic development,'' but at the same time, like opponents of the Yellowstone in the 1870's, he insisted that ''Millions of acres are already preserved in the wilderness state and probably always will be.''

The bill which finally passed in 1964 contained the following definition of wilderness:

A wilderness, in contrast to those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and the community of life are untrammeled by man, where man himself is a visitor who does not remain.

That is the definition of wilderness in the 1964 act. It ordered the agencies that manage Federal land to review their own holdings and recommend those that qualify for wilderness designation—wilderness, a ''community of life untrammeled by man, where man himself is a visitor who does not remain.''

But this review omitted the over 300 million acres managed by the BLM. Those lands came under the purview of the Wilderness Act only in 1976. At that time BLM was given 15 years to review its own holdings and recommend those to be protected. However, Mr. President, that was in 1976. It was not long before James Watt took the reins of the Department of the Interior and in the long tradition of deliberately crippling the bureaucracy at BLM moved the deadline up from 1991 to 1984—one would assume not in an effort to protect the land quickly but to overwhelm the agency and destroy the review process. In other words, what was supposed to take 15 years of careful, painstaking, accurate analysis of public land under the control of BLM with designation of specific wilderness was now contrasted into a very short time. And it is the legacy of that action that brings us to where we are today in consideration of the Utah lands bill.

The Wilderness Act, if it is allowed to work as intended, can be the final step in our escape from the lords of yesterday—the compulsion to transfer lands and to let their soil and mineral resources, their trees and their vistas to be exploited for short-term gain rather than preserved for future generations. Bernard DeVoto urged us to ''maintain portions of the wilderness untouched, so that a tree will rot where it falls, a waterfall will pour its curves without generating electricity, a trumpeter swan may float on uncontaminated water—and moderns may at least see what their ancestors knew in their nerves and in their blood.''

That is what is possible, if the Wilderness Act is allowed to work.

Mr. President, what about the Federal lands generally in the United States and in Utah? The Federal Government currently owns approximately 650 million acres, or nearly 30 percent of the 2.3 billion acre land area of the United States. However, this is far less than the Government has owned in the past. Since 1775 the Federal Government has acquired through purchase and war over 1.8 billion acres, and at various times in U.S. history has held title to nearly 80 percent of the Nation's total area. Nearly two-thirds of the land once owned by the Federal Government has been transferred to the States, or to private interests.

Where did the land come from? Well, the original 13 and the move over to the Mississippi is about 236 million acres. If you add the Louisiana Purchase, you add 529 million acres. If you take the Oregon compromise, you add 183 million acres. If you take the secession from Mexico at the end of the Mexican-United States war, you add 338 million acres. If you take the Alaska purchase, you add 378 million acres.

Those are the main places that the land came from.

How were the Federal lands disposed of? During the 19th century a number of Federal laws encouraged transfer of Federal lands to homesteaders; as I said, earlier, the Homestead Act of 1862 to miners, the Mining Act of 1872, and to railroads and to others. In general, the purpose of the act was to encourage development and settlement of the West. Lands were also sold to raise money and granted to States for specific purposes—funding for education, for example.

As a result of the land acts, over 1.1 billion acres have been transferred out of Federal ownership in the following ways. Homesteaders got 287 million acres. Railroad companies got 94 million acres. As a frame of reference, that is the equivalent of all of the land of Washington and Oregon given to railroad companies. Military bounties got 61 million acres, and grants to States were around 328 million acres. Those were the largest chunks of who got the land—the homesteaders, the railroad companies, military, and States.

Altogether, private interests have acquired title to 69 million acres of Federal lands through patents associated with either extraction of minerals or fossil fuels.

So that is where the Federal lands went.

Who manages these public lands? Four agencies administer 96 percent of the Federal land. For conservation, preservation, or development they are the National Forest Service, the Bureau of Land Management, the Fish and Wildlife Service, and the National Park Service. The majority of lands managed by these agencies are in the West, which is ironically the most urbanized part of the country in terms of per capita.

In 1891, as I pointed out, Congress granted the President the authority—now repealed—to establish forest reserves from the public domain.

In 1906 and 1907, President Theodore Roosevelt more than doubled the acreage of the forest reserves which resulted in Congress limiting the authority of the President to add to the forest system.

Here is one of the more interesting images that I have ever come across. Teddy Roosevelt came to office, and he kept a big chunk of national forest claiming it for national protection. He did that essentially by his Executive power. And then Congress passed an amendment saying that no further Presidential reservations would be permitted unless they were approved by Congress. There was a date by which that was to go into effect. And the story is that the night, or two, before the law was supposed to go into effect, Teddy Roosevelt was in the White House with Gifford Pinchot, his great national forester. They had the maps of all of the West laid out, and by Executive order he cut out of the maps prior to the law going into effect vast acreages that he had then preserved.

At present, the National Forest System includes 155 national forests covering 187 million acres, 20 national grasslands with 4 million acres, and 103 other units such as land utilization projects and research and experimental areas with less than 500,000 acres.

So that is the National Forest System.

The BLM, Bureau of Land Management, again as I said earlier, was created in 1946 as a result of the merger of the General Land Office and the Grazing Service, and the BLM currently manages about 268 million acres, about a third of which is in Alaska. Its lands are used for multiple purposes including grazing and wilderness.

So in addition to the National Forest Service and the Bureau of Land Management is the National Wildlife Refuge System. Following Pelican Island in 1903, the number of refuges continued to grow, and in 1966 the National Wildlife Refuge System was established under the management of the Fish and Wildlife Service of the Department of the Interior, and the Fish and Wildlife Service manages 494 refuges covering 91 million acres.

The National Park Service. The National Park Service manages 368 million units including 55 national parks. The basic mission of the National Park Service is to conserve, preserve, protect, and interpret the natural, cultural, and historic resources of the Nation for the public. To a considerable extent, the Service also contributes to meeting the public demand for certain types of outdoor recreation opportunities. Scientific research is another activity encouraged by the Service in units in the National Park System.

Then the final body is the National Wilderness Preservation System which was established by the Wilderness Act of 1964 and today contains nearly 104 million acres in 44 States.

So these are the four principal land management agencies of the United States. They administer a total of 621 million acres of which 104 million acres or 17 percent is wilderness.

So what about the State of Utah, the public lands of Utah? Of the land that makes up Utah, frankly, along with Nevada, California, and parts of New Mexico, Arizona, Colorado, and South Dakota, totaling 334 million acres, approximately 52 million acres came into Federal ownership when it was ceded to the United States by Mexico in 1848 at a cost of $16 million, roughly.

In 1896, having agreed forever to abandon polygamy, Utah was granted statehood. At that time, in exchange for giving up plural marriage, and because Utah did not receive internal improvement and swampland grants, the Federal Government granted 14 percent of Utah territory's land area to the State. That was substantially more than the 6 to 7 percent that the omnibus States of North Dakota, South Dakota, Montana, and Washington received just 5 years earlier. These land grants were allocated to specific activities, and I ask unanimous consent that this chart be printed in the RECORD.

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

Purpose	*Acreage*
School	5,844,196
Public buildings	64,000
University	156,080
Agricultural college	200,000
Irrigation	500,000
Insane Asylum	100,000
School of Mines	100,000
Deaf and dumb institution	100,000
Reform school	100,000
Institution for the blind	100,000
Miners' hospital (Act Feb. 20, 1929)	50,000
Normal School	100,000

Mr. BRADLEY. Remaining Federal lands currently constitute approximately 32 million acres in Utah or 62 percent of the State. That is what most people in United States do not understand, and that is why when the Senator from an eastern State, particularly one as densely populated as New Jersey, stands up to speak about this subject, they frequently say, ''Well, you don't understand what it means to have 60 percent of your State owned by the Federal Government.''

Indeed, New York State has only 1 percent, Michigan has 9 percent, Nevada has 90 percent, and Utah has 62 percent. Four Federal agencies dominate, and very little land in Utah has been designated as wilderness. In fact, out of the 32 million acres, about 800,000 of those acres have been currently designated as wilderness. The bulk of the land, 22 million acres, is managed by the BLM. Next highest is the Forest Service with about 8 million acres, and the National Park Service about 2 million acres. However, approximately 3.2 million acres in Utah which have not received wilderness designation are currently managed as wilderness. Official wilderness, 800,000 but 3.2 million acres now being managed as wilderness.

What about economic development, the pressures in Utah on economic development? The issue before us is not just what to do with the public lands in Utah, the lands owned by all the taxpayers, but also what is the best path for Utah's future. Utah's economy is being transformed. I am sure the Senators from Utah can speak to this with much more knowledge and probably much more direct interest, so my comments are in the way of observation.

The State is rapidly urbanizing and policies which reflect the old patterns of agriculture and extractive industries have little or nothing to do with the current economic realities. For example, from 1979 to 1993, Utah jobs in mining and agriculture declined by 5,000 while jobs outside these sectors increased by 360,000. In 1993, less than 1 job out of 100 was associated with mineral extraction during a period of rapid expansion in the State economy. The entire spectrum of extractive industries from minerals and agriculture to forestry and wood products has been in

relative decline since the 1960's and contributes just one-eighth as much income as do service industries to the State income. Even worse, many extractive industries such as mining are subject to boom and bust conditions and resulting economic instability.

A study by Prof. Thomas Power, chairman of the department of economics at the University of Montana, found that extractive industries such as agriculture and mining are playing a decreasing role in Utah's economy and that ''wilderness protection does not in any significant way threaten the ongoing development of the Utah economy.''

Wilderness protection is not a threat to the Utah economy. In fact, Power finds that the most likely economic effect of additional wilderness protection will be positive, not negative. While alternative economic uses of wilderness are marginal and primarily the product of speculative mineral activities, additional wilderness designation is linked with more predictable economic activity, the kinds associated with a high quality natural environment which is increasing in demand across America.

Utah's population has also undergone rapid expansion in the last 25 years. While the population as a whole in the United States increased by 29 percent, Utah enjoyed an 80-percent jump. Much of this was directly attributable to the attraction of the State's largely unspoiled environment. For example, St. George grew by 35 percent just in the last 5 years largely due to retirees moving in from California, and I can understand why. It is a beautiful, beautiful place—not so far from the Zion National Park.

Utah's greatest asset is its unique natural beauty, a beauty which draws tourists from around the world. According to Power,

> Lands with wilderness qualities are a relatively scarce resource that has significant alternative uses that satisfy important human needs and desires. . . Wildlands provide a broad range of benefits that make the lives of Utah residents more satisfying and fulfilling in at least the same way that most of their purchases in commercial markets do.

In the competition to attract new businesses and residents, the quality of natural and social environments will be particularly important. Power views wilderness designations themselves as a sort of advertisement that the natural beauty of the State will remain available for future generations.

Preservation of public lands also has direct and measurable economic benefits. Tourism has grown to be Utah's most important industry. Spending by travelers in Utah accounts for roughly 69,000 jobs and the $3.35 billion they spend generates some $247 million in direct tax impact for State and local governments in Utah. The Governor's Office of Planning and Budget expects the State's tourism industry to continue to be one of the fastest growing segments of Utah's economy.

Utah's special attractions lured about 15 million tourists including 1 million foreigners to the State in 1994. Visitation to the State's dozen national parks has increased more than 20 percent in the past 5 years; there has been a corresponding increase in visitation to the surrounding BLM lands, most of which would not be protected under S. 884. In some of the counties with lands under consideration for inclusion in the wilderness system, tourism provides over 60 percent of total jobs.

Wilderness designation has little of the claimed negative effects cited by its most vigorous opponents. When 3.2 million acres were set aside in the wilderness study areas through the BLM's inventory process, agriculture accounted for 1.3 percent of the income earned in Utah. Ten years later the figure was virtually the same. The protection afforded by wilderness management in the study areas had made no change in Utah's agricultural economy.

The same neutral or beneficial effect is also true for grazing. According to a University of Arizona study published in the Journal of Range Management, in designated wilderness in Arizona, forage allocation for grazing has actually increased. And wilderness designation allows the continuation of existing grazing uses.

But even if designation had a significant impact on grazing, the Federal grazing lands in Utah currently contribute just eight hundredths of 1 percent of the total State income.

With mining, too, the impact of wilderness designations is less than might be assumed. Since lands currently being mined are not suitable for wilderness, designation will not result in any losses of existing mining jobs.

Oil and gas drilling are also declining contributors to the State's economy. Utah has the second highest drilling cost per barrel for any State containing significant oil and gas reserves, as a result of difficult access and complex geology. Small decreases in global oil prices have phased-out exploration and production in many parts of Utah.

Utah's demonstrated coal base is significantly smaller than Montana, Wyoming's, Colorado's, and even North Dakota's. Significant advances in longwall mining technologies has increased productivity in Utah's underground coal mines, thereby decreasing the size of coal mining work forces. Thus, while productivity is at its highest in history, coal industry employment has decreased steadily.

Then there is uranium. Huge deposits of uranium ore have been opened in Australia and Canada and Russian uranium may also be coming on to the United States market. U.S. production is more likely to come from the lowest-cost uranium reserves in Wyoming, New Mexico, and northern Arizona, not from wilderness deposits in Utah.

As these figures show, extractive industries are not going to provide, I think, a stable future for the State, that is, simply looking at the data, looking at the materials, looking at where the economic growth has come, looking at where the employment has come. One might conclude, simply looking at the data, that extractive industries are not going to provide a stable future for the State of Utah.

Statistics for Washington County, which is Utah's fastest growing, total and per capita personal income are rising in the region as a direct result of growth in the service sector.

The conservation of 3.2 million acres by the BLM as wilderness study areas in 1980 did not devastate the affected county economies. Growth that occurred in each of these counties through the 1960's and 1970's continued through the 1980's and 1990's despite the negative economic effects caused by the drop in energy prices.

Yet even with the decline in extractive industries and their decreasing impact on job creation, S. 884 was put together to reflect the old economic thinking and old economic patterns with boundaries set to accommodate a series of new extractive developments which threaten currently pristine areas. These include a proposal for a large tar sands mining development on the edge of Glen Canyon National Recreation Area and in the Book Cliffs; a 3,000 megawatt coal-burning power plant in the heart of the Kaiparowits Plateau—as I said earlier, one of the three or four largest undeveloped areas in the lower 48 States—coal strip mining south and west of Bryce Canyon National Park; a petroleum and carbon dioxide gas extraction field in the headwaters of the Escalante River, involving as many as 97 production wells and 11 four-story compressor plants; chaining of thousands of areas of forests, some of which would be visible from Bryce Canyon National Park; and, even construction of a railroad. One tar sands project alone, in the Dirty Devil area, would entail the drilling of 35,000 injection and recovery wells, the construction of at least 100 miles of associated roads, 30,000 acres of soil disturbed, 14,000 acres of vegetation stripped away, and 2,000 archaeological sites disturbed or destroyed. In order to support these projects, hundreds of miles of new roads to gain access and new facilities to feed and house workers would be needed.

The bill itself includes damaging language which allows unprecedented incompatible uses even in supposedly protected areas. These include allowing jeeps, motorcycles, and other off-road vehicles on remote dirt tracks, low-level military overflights which disturb wilderness solitude and even future dams, pipelines, and communications antennas in some areas. Accommodating these proposed uses, no matter how speculative or damaging, was the principal reason many important areas were dropped from consideration for wilderness designation under S. 884. Boundaries seemed to be altered and entire regions omitted in order to permit new, large damaging projects which would fuel yet another cycle of economic boom and bust.

Unfortunately, these projects proposed for the Colorado Plateau look familiar. They are the same types that have failed in the past because of unfavorable world commodity prices, lack of demand, or simply the high cost of doing business in a remote and forbidding area. While it is unlikely that most of them would ever be completed or be economically viable, even preliminary site work, such as roadbuilding, would destroy their wilderness qualities forever.

So, that is what I see is the economic circumstance in Utah. The extractive industries declining both as a percent of the State economic product and the numbers in employment, and this bill going in the direction of trying to keep that future available, to the great detriment of the fastest growing areas, the service sector, and in particular tourism, that is growing every year as more people want to come and see and experience these remarkable lands on the Colorado plateau and in the Basin Range.

The way to look at Utah's future, from my own view, and this is just my view, and the role that this bill will play in that future, is not from an absolutist perspective, however, not from an absolutist perspective that elevates environmental values above economic growth. Development is not wrong, and it has a place in both the publicly held and private lands of Utah. The principle that it must apply, in my view, is that of sustainable development.

(Mr. DEWINE assumed the chair.)

Mr. BRADLEY. Sustainable development is not pure abstraction, but a real plan for action with a specific definition. The definition endorsed by the President's Council on Sustainable Development, in a report issued last month, is as follows:

Sustainable development means:

> To meet the needs of the present without compromising the ability of future generations to meet their own needs.

It is a concept with an imperative behind it that is much like the imperative to balance the Federal budget, only much broader. It brings together the idea of a growing economy in which every adult has the opportunity to earn a living and support a family with the promise of a healthy life and a high quality of life for this and future generations.

What does sustainable development mean in the American West? Charles Wilkinson, a law professor and historian of Western lands, puts it well. He says:

> Good science, good laws, good economics, and good communities come together in the idea of sustainability. At its core are the responsibilities lodged in the idea of intergenerational equity which [has been described] as the principle that ''every generation receives a natural and cultural legacy in trust from its ancestors and holds it in trust for its descendants.'' Development cannot wear the land and waters down but rather must maintain their vigor. A working policy of sustainability encompasses a practical and phased-in, but still rigorous and comprehensive, program of conservation so that consumption can be reduced. But the obligation to provide for the next generations also includes the duty to maintain a vital economy. Sustainability, then, affirmatively recognizes the need for development. . .
>
> The first step in approaching sustainability is to identify exactly what must be sustained—the ''natural and cultural legacy'' that we have received and must pass on. Traditional extractive development in the West has focused only on the specific resources being extracted. Water projects, for example, were designed to meet only the demand for water, by which was meant water as a commodity—for mining, farming and ranching, energy development, and industrial, municipal, and domestic use. Any other benefits, such as the blue-ribbon trout stream on the Navajo Dam on the San Juan River, were purely secondary and often accidental. Avoidance of negative effects, such as loss of the salmon runs, was largely a matter of luck, as when the Army Corps of Engineers' fish ladder at Bonneville Dam on the Columbia actually turned out to be workable. The overriding goal was to create commodity benefits, which were viewed as being nearly infinitely sustainable in those simpler times. . .
>
> But our thinking has evolved. In many national forests, a broader view of sustainability is not being achieved. Only the specific resources being extracted—commercial timber —is being renewed. Other parts of the forest, which must be taken into account to achieve true sustainability, are in jeopardy. The health of certain fish and wildlife populations. Soil on steep slopes. The recreation economy. Species diversity. The ancient forests. Views. Beauty. Glory. Awe. Sustainability is measured not by board feet but by the whole forest.

Unless you disagree with the concept of sustainable development, that we owe our descendants the legacy we have received from our ancestors, it is imperative to compare the Utah wilderness bill with this idea. Before I go into great detail about the specifics of the bill, I want to briefly consider the question, Does the bill live up to the idea of sustainable development?

First, the bill elevates one set of resources above all others, both within and without the areas designated wilderness. Grazing, mining, timber sales and commercial development are protected. The wilderness designation boundaries creep carefully around the sites of planned development. The wilderness value is secondary and incidental to the other aims, and appears to be almost accidental. All evidence suggests, as I will show later, that the ''using interests'' of Utah, and their friends at the BLM, seem to have asked the question: ''What areas don't we want for mining and development?'' before they asked ''What areas do we want protected for the future?''

Second, the uses that are given priority are not those which will lead Utah to a sustainable, prosperous future. Minerals, timber, water, and grasses are not infinite resources, and cannot be sustained without limits. Mining and agriculture add up to about $800 million of the total income of the State. That is down from $1.1 billion in 1980 and steadily declining. The rest of the Utah's economy, all that earned from other sources, has grown from $20 to $30 billion in the same time. So mining and agriculture, from $1.1 billion to $800 million, the rest of the economy growing from $20 billion to $30 billion at the same time. In extractive industries, it costs more and more to bring fewer and fewer returns as resources are exhausted. The economic values of tourism, quality of life, nonextractive industries, such as software development, high technology, grow and grow as more is invested in them.

Third, the bill not only fails to protect the natural legacy for future generations, it affirmatively denies them the right to protect it for themselves, and that is the section on managing it for suitability for wilderness.

Fourth, there is yet another component which Wilkinson describes as part of sustainable development in the West: the idea that a community can best determine for itself how to preserve its legacy for its children. He writes:

> After identifying all economic, environmental, cultural and abstract (or spiritual) elements that need to be sustained, [I envision] a community coming together; identifying problems; setting goals—a vision—for a time period such as twenty or forty years; adopting a program to fulfill those goals; and modifying the program as conditions change.

The process that led to this bill was the opposite of this idea. Instead, an agency in Washington, crippled by politics and captive of interests, decided on its own which elements needed to be sustained. It ignored, denounced, and shouted down the county commissioners and citizens who had other thoughts. Finally, the process brought us a plan that cannot be altered if conditions change.

So now, Mr. President, I want to put the bill in some context. I have already spent some time this morning talking about the history of public lands in our country and how the Federal Government's stewardship of our Nation's environmental heritage has evolved over the years. I think this history provides the context within which to address the situation that faces us today: how do we achieve a balanced, reasonable plan for conserving America's natural heritage while providing opportunity for economic growth and development across our public lands? This is the challenge we face today as we consider the Utah Public Lands Management Act.

This bill—I have not seen all of the changes in the modification that was sent to the desk, so I would add a couple other hundred thousand acres here or there—but this bill would designate between 1.8 and 2 million acres of wilderness in Utah. It would release approximately 20 million BLM acres of land that are not designated as wilderness areas. It would allow the State to exchange land with the Federal Government. It would deny Federal reserved water rights on lands designated as wilderness. It would provide new management directions for the designated wilderness areas, some of

which are exceptions to the standards established in the Wilderness Act of 1964 that would allow military overflights and allow motorized access. It will allow motor boat access in designated areas. The legislation, in my view, fails to strike the balance between using our natural resources, which is the right of all U.S. citizens as stakeholders in a common heritage, and abusing natural resources which are the shared heritage of the entire people of the country.

This legislation designates too little of Utah's spectacular landscape as wilderness. Of the almost 22 million acres of BLM land in Utah, only about 1.8 to 2 million, less than 10 percent, would be designated as wilderness. Vast tracts of America's most magnificent public lands would be left open to development; the wilderness that is designated by the act would be managed in a manner contrary to the protections afforded by the Wilderness Act, and the unprecedented inclusion, now modified somewhat, of hard release language would attempt to bar the rest from forever being protected by the shield of wilderness designation.

Before I begin to talk about the specific shortcomings of the bill—and there are several serious flaws that I want to call to the attention of the Senate—I would like to take a moment to sketch the history of public lands management in Utah since the adoption of the Wilderness Act in 1964, because I think that history paints a clear picture of how we arrived at our present dilemma.

In 1964, Congress enacted what Charles Wilkinson called one of our Nation's noblest, most future-looking innovations. The Wilderness Act of 1964 established the National Wilderness Preservation System and marked the first time any government had ever legislated in favor of wild lands. Today more than 125 other nations protecting more than half a billion acres have followed the lead of the United States in establishing protection for their wilderness acres.

However, the 1964 act did not include, as I said earlier, Bureau of Land Management lands; only national forest, parks, wildlife refuges were covered under the protective umbrella of the act. However, in 1976, in response to concerns raised by citizens in southwestern Utah, Congress finally called for a wilderness study of all BLM lands nationwide. Each BLM State office was directed to inventory all roadless areas with wilderness characteristics. Following on the heels of the inventory, each State office was directed to study, hold hearings, and recommend—after giving full weight to all issues, including economic concerns—which areas in the inventory should be defined as wilderness areas. Every State complied with this directive with the exception of Utah.

BLM officials in Utah failed to produce an initial comprehensive inventory of roadless areas with wilderness characteristics in their State. Instead, they embarked on a course that I think mirrors the debate we have here today. In 1980, after only a 1-year period of study, the Utah BLM eliminated nearly 20 million acres from wilderness consideration. In one fell swoop, the BLM removed an area of land that was five times the size of my own State of New Jersey from wilderness consideration. This move left just 2.6 million acres protected, which was later increased to 3.2 million acres after appeals by Utah conservationists. Finally, in 1991, the Utah BLM delivered its final recommendation of lands to be designated wilderness areas—and that figure was a mere 1.9 million acres. This low-ball figure was derived as a result of the BLM inventory process that was, I think, much too sensitive to the developmental interests.

The history of the BLM inventory is crucial, and it is a crucial part of the story of public lands in Utah. We need to understand that Utah's BLM wilderness inventory was not an unbiased, scientific study, but it was the result of a highly politicized process. The inventory work done in the 1970's and 1980's was politically driven, and the results were seriously flawed. The flawed product, with its recommendations of 1.9 million acres to be designated as wilderness is replicated in the bill S. 884 we are considering today.

Criticism of the BLM inventory process has come from all corners, with the most striking group being BLM employees involved in conducting the inventory.

In response to these criticisms, in August 1980, just prior to the BLM's final inventory decision, Terry Sopher, the national director of the BLM wilderness program, traveled to Utah to investigate charges that the inventory had been misdirected for some reason or another. Sopher reported that, ''Based on what we had seen, there was an egregious violation of policies.'' Sopher returned to the District of Columbia to recommend that the inventory be redone. However, that recommendation and that effort was halted after the 1980 election.

A decade and a half later—go forward a decade and a half; that was 1980—1995, BLM employees were still voicing strong criticisms of the way the inventory process was conducted. On July 7, 1995, Janet Ross, who worked as a BLM employee on the BLM official inventory work in Utah, held a press conference with the former BLM national director, Jim Baca, and coordinator, Keith Corrigan. All three told the press that BLM's wilderness inventory excluded wilderness for reasons that were not exactly clear.

Ms. Ross, now director of the Four Corners School of Outdoor Education located in southern Utah, said,

> It is my experience and professional judgment that we did not perform and were not allowed to perform a competent wilderness inventory. The result was that substantial wilderness-quality acreage was arbitrarily excluded from further study and proper consideration.''

Utah newspapers following the inventory process were also extremely critical of the inventory process. Following the inventory work, in August 1982, the Salt Lake City Desert News editorialized against the BLM's work. It wrote, ''* * * there was much Utah land that should have been considered for possible designation as wilderness, but the BLM 'just' did not study it.''

Additionally, in the 1980's, Utah citizens filed a series of legal challenges with the Interior Board of Land Appeals against the BLM's inventory, appeals which covered 925,000 acres in 29 roadless areas. In 1983, the administrative court responded with a stunning indictment of the BLM's work in the largest appeal of its kind in the history of the court. The Utah BLM had been in error, the board ruled, on 90 percent of the lands in question. Citizens were unable to challenge all of the wilderness areas the BLM dropped during the inventory because they faced a 30-day deadline, and a single one of the appeals often required filings that were 2,000 pages, several hundred photographs, and over 100 affidavits.

The belief that the BLM inventory process was seriously flawed was shared by congressional committees that held oversight hearings on the process. In 1984 and 1985, House Public Lands Subcommittee Chairman John Seiberling held a series of oversight hearings to investigate charges that the Utah BLM's inventory was flawed. After the investigation, Seiberling told reporters, ''They've left out areas that obviously qualify for wilderness * * * their position is absolutely absurd.''

Spurred on by the realization that the Utah BLM's erroneous work would result in millions of acres of wild lands being subject to the possibility of development, Utah citizens conducted their own inventory. The citizens' work took years, requiring thousands of hours of field work. Unlike the BLM, these citizens walked every one of the roadless areas on foot and determined that there were actually 5.7 million acres of remaining wilderness. Their work was published in a 400-page book entitled ''Wilderness at the Edge.'' There was a bill that their proposal recommended that was introduced in 1989 by Congressman Wayne Owens. When he left the House, Representative MAURICE HINCHEY reintroduced H.R. 1500.

Now, Mr. President, now that I have had the opportunity to chronicle the controversy that has surrounded the development of this legislation, I want now to discuss the specific flaws in the bill. S. 884 suffers from several major flaws, each of which merits serious consideration.

First, and most alarming, is the hard release language. Not only the 4 million acres which Utahans seek immediate designation, but also the additional 16 million acres of Utah BLM lands. As I heard the modification, the

bill has been modified, and it has been improved. The change is helpful, but I will argue later why that change is not sufficient, and how it is in its present structure, a back-door way for doing the exact thing that the original bill had intended to do, while at the same time doing it a little more skillfully.

Second, the bill leaves nearly 4 million acres of America's Red Rock Wilderness open for development. These 4 million acres, some of our most magnificent national treasures, landscapes that would no longer be protected for our future generations, include Fish and Owl Creek Canyons on the east side of Cedar Mesa, that is the home to 1,500-year-old Anasazi cliff dwellings; the wild country of the Kaiparowits Plateau that I talked about earlier; the heart of the Dirty Devil canyon system; the slopes of the Beaver Dam Mountains; the White Canyon, with its important habitat for desert bighorn sheep and lands adjacent to Zion National Park; and countless others in the basin range region. I will save for another day the discussion of the basin range region.

Third, the bill transfers a large chunk of the Kaiparowits Plateau Wilderness out of Federal ownership to the State of Utah for the development of a coal mine, with no regard for its outstanding actual quality or value.

The Kaiparowits, as I described earlier, is inhabited by a wide variety of wildlife species, including mule deer, mountain lions, coyotes, foxes, and over 210 species of birds. Several areas on the Kaiparowits contain examples of the marine and terrestrial fossils found nowhere else in the world. If the Kaiparowits were to become State land, the national public would have no voice in how the land is managed.

Mr. President, S. 884 would designate no wilderness in the half-million-acre Kaiparowits region of south central Utah between a slice of Fifty Mile Mountain on the east and a sliver of Paria River on the west. Instead, more than 50,000 acres in the heart of this omitted region would be turned over to the State of Utah to facilitate coal development.

Fourth, the bill expressly denies a water right to wilderness areas designated by this act. In the two most recent BLM wilderness bills enacted—for California and Arizona, and I think also in Nevada—Congress reserved a quantity of water sufficient to fulfill the purposes of the act, which is protecting lands designated as wilderness areas. This bill would deny the right to water for lands that are protected under this act, thereby preventing protected lands from having the right to the very water which gives it life. Ironically, one of the reasons for granting wilderness protection to desert wild lands in Utah is to shelter relatively rare riparian ecosystems. Protecting the lands which contain the habitat of species that live on the banks of rivers and lakes without protecting the water which sustains these same systems is shortsighted, to say the least.

Fifth, the bill includes provisions permitting the State of Utah to exchange State land within or adjacent to wilderness areas for Federal lands in other locations, so long as the lands exchanged are of approximate equal value. Taken at face value this would benefit both parties. However, Sylvia Baca, Deputy Assistant Secretary, Land and Minerals Management, at the Department of Interior has testified that ''equal value'':

> * * * is clearly not the case when the specific tracts shown on the map are reviewed. The tracts proposed to be obtained by the State have high economic value for mineral, residential, or industrial development. The fair market value of the lands may be 5 to 10 times more than the value of the lands that would be transferred to the Federal Government.

Mr. President, S. 884 also permits partial exchanges that would allow the State to acquire desirable Federal land in exchange for whatever land the State wants to give up. The State gets to arrange, in other words, both sides of the transaction. It identifies both the lands it wants to dispose of and the lands it wants to acquire. The Federal Government must approve the transaction, once again, provided the lands are of approximate equal value.

Sixth, this bill makes broad exceptions to the Wilderness Act of 1964, dangerous precedents, which the act affords protections that preserve the unique and spectacular wilderness qualities of public lands. These exemptions would allow and in some circumstances even encourage new nonwilderness activities in designated wilderness areas.

For example, passage of this bill would restrict the Secretary of Interior's authority to control motorized vehicles in wilderness, even on new routes; allow new dams to be constructed under the guise of modifying existing small spring catchments; allow new water users to dry up wilderness streams; allow the construction of permanent buildings and roads and wilderness under the guise of interpreting cultural resources; allow the military to construct new communication sites in wilderness; and include special unnecessary overbroad language permitting low-level military flights and the establishment of new special-use airspace over wilderness; and provide livestock permittees an argument for special treatment on allotments in wilderness.

Mr. President, those are what I consider to be the major flaws in this bill. I know that some of my colleagues will argue that preservation of Utah's unique national heritage is a matter best left to the State's own delegation with its considerable wisdom and considerable talent. In this case, I have to disagree. Wilderness is a gift we give to our children and grandchildren, a gift that once destroyed can never be reconstructed. The children of New Jersey deserve it, as much as the children of California or Colorado.

As a Southwestern poet, Ann Weilern Walka, has written of southern Utah, this beautiful, vast, unique area of the world:

> Why not acknowledge that there is something here more important to our beleaguered society than a marginal mine, an overgrazed permit? A great American myth is embodied in wild lands, and it is myth, ultimately, that holds people together.
>
> The bits of this continent, too formidable to penetrate by road the last of what drew our ancestors to North America, be it ten or ten thousand years ago, an opportunity to breathe deep and re-imagine their lives. The scraps of Eden still afford us awe in an age of cynicism, steady us when human affairs are dizzyingly complicated, reaffirm our eroding sense of American innocence and courage.
>
> Places like these, places to get lost, to become grounded, to meet our Maker, to rediscover our forebears' resourcefulness and grit, to take heart, are promised in our most abiding stories.

I might close my opening statement with a quote from the Oakland Tribune that reminds us that ''The battle over public lands in the West is a battle between two philosophies: one that says untouched land is inherently valuable to all Americans, from those who use it for solitude and recreation to those who simply enjoy knowing that there are still pockets of nature left on the continent; and one that says all lands, including those owned by the public, should be put to work in one way or the other.'' These public lands belong, I believe, to the former group, and so do I.

I yield the floor.

Mr. HATCH. Mr. President, I have been intrigued by the comments and remarks of my colleague from New Jersey. But I have to say that during the course of this debate, we are going to show a number of those remarks to be in error. Let me mention a couple of things right off the top of my head. He mentioned the beauties of the Kaiparowits Plateau, which I have tramped on and been around.

I might add that, in this bill, if you include just Fifty Mile Mountain in that area and the Paria-Hackberry area, you are talking about 220,628 acres out of that area that are going into wilderness. The implication is that we are not doing anything about wilderness. My gosh, almost 221,000 acres. With the Dirty Devil area, which was mentioned, we are designating more than 75,000 acres. We are talking about 2 million acres here. Since the BLM began studying this issue almost 18 years ago, more than than $10 million has been spent, countless hearings held, town meetings scheduled—many efforts to bring people together. The affected county people are upset, many not wanting any acres at all in wilderness. Then, there is the other extreme wanting 5.7 million acres.

The BLM, looking at it all, said that the only acres that even came close to qualifying for true wilderness are 3.2 million. That is the study area. Nobody in their right mind expected that whole

study area to become wilderness. Everybody knows that once it is designated wilderness, it is used only basically for backpacking. You can walk on it, and that is about it.

The people of Utah and everybody else would be basically frozen out from using any mechanization, including a bicycle, on the property. So even if you assume that the whole 3.2 million acres might qualify for wilderness and that the entire amount should be taken, that still is all there would be. These people who are so extreme want 5.7 million acres.

Keep in mind, the definition of wilderness is this. Section 2 of the Wilderness Act of 1964 says: ''A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the Earth and its community of life are untrammeled by man and where man himself is a visitor who does not remain.''

Further, it is defined as:

An area of undeveloped Federal land retaining its primeval character and influence without permanent improvements or human habitation, which is protected by man so as to preserve natural conditions and one, which generally appears to have been affected primarily by the forces of nature with the implants of man where it is substantially unnoticeable; two, has outstanding opportunities for solitude or primitive and unconfined type of recreation; three, has at least 5,000 acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; four, may also contain ecological, geological, or other features of scientific, scenic, or historical value.

Furthermore, it said that you cannot put mechanization on this land. We in Utah understand wilderness. I was one of the pivotal people in getting it passed a number of years ago, along with Senator Garn and Congressman HANSEN. We passed 800,000 acres of Forest Service. There was a lot of screaming and shouting then. Today, virtually everybody admits that was a wonderful bill. It has worked well. We are proud of it. We are proud of our wilderness in Utah. We do not want people from other States coming in and accusing us of raping the land or robbing the people of the country as a whole, or taking away their rights, when we understand our land and we know it. We have been there and we have walked over it and we have driven many of these areas.

Frankly, it does make sense to me for those who come into our State demanding 5.7 million acres when the total study area was only 3.2 million. They should listen to a leading BLM figure, Mr. James Parker, the former Associate and Assistant Director of BLM, former BLM State director for Utah, who stated in testimony before the Senate Subcommittee on Forest and Public Land Management on S. 884, the following:

Based on my personal experience with, and review of, the detailed reports and analysis prepared by the professional staff of BLM and other entities of the Department of Interior, I believe that S. 884 is appropriate and that it includes most of the areas that truly deserve to be designated as wilderness in Utah. I believe the acreage figure is both credible and in line with what meets the criteria for wilderness designation. I also believe that it meets both the spirit and intent of the Wilderness Act of 1964, and the proposed designations fit well into the overall management scheme provided for by FLPMA for management of the public lands.

This is the first time I have heard these indications, except from the most extreme people, that the BLM is an organization that is not tremendously concerned about the environment. It has always been environmentally oriented in our State. With regard to the BLM Utah State process, Mr. Parker said:

The process was open to every citizen of the United States, it was well defined, the criteria well-documented, appeals and protest rights were all publicized and used by groups and individuals on both sides of the issue, and extensive documentation was completed for all aspects of the process. Undoubtedly, this is one of the longest running, most expensive, and most intensive public involvement efforts in the history of Utah.

On the factual aspect of public involvement of this process, Mr. Parker provided the following information:

During the 15 years it took to complete this wilderness process in Utah, more than 16,000 written comments were received, analyzed, and incorporated into the decision process. More than 75 formal public meetings and hearings were held by BLM, and hundreds of face-to-face discussions and workshops were conducted. Thousands of pages of documentation were prepared, printed, and distributed for public review and comment, and countless briefings were held and questions responded to. For the draft environmental impact statement alone, 16 separate hearings were conducted, over 700 people testified, and over 6,000 people commented in writing. The resulting EIS fills 10 large books and consists of 7 volumes, plus analysis of public input and agency response.

Let me make the point that the people arguing against us, have produced a beautiful book that contains their recommendation. It is done in this book here. That is their work. I give them credit for it. It is a beautiful book and there is a lot of good information. But this is just part of the study of the Federal Government and the BLM. Here are some more parts of the study, from the Geological Survey on through. That is what we have gone through, not just the study in the interests of a few, but the interests of everybody.

I am glad that we have done that. The fact is there has been a lot of study there. There has been some suggestion here that the BLM development process was flawed. Let us see what Mr. Parker had to say. We are not quoting some liberal, environmentally-oriented professor from Colorado who does not even live in Utah. We are talking about the head of the Utah State BLM Office.

I came to the conclusion that, while it was not a perfect process, it was carried out in a very open, professional, and orderly manner. The criteria had been adhered to and procedures had been followed.

Just look at it right here.

There was extensive documentation of the decision process.

Just look at it. It is enough to blow your mind.

There had also been a great deal of oversight in testing the decisions by higher levels of the organization, the Department of the Interior, and by special interest groups on both sides of the issue through the appeals and judicial challenges. I believe that the professional staff of BLM and the other agencies involved—

It was not just BLM; there are a number of Federal agencies involved in all these studies.

involved in both Utah and in the headquarters level in Washington. . .

Let us get with it. People here in Washington are not going to let us make mistakes here. The people out there are not going to let us make mistakes. Both areas are environmentally oriented, almost to the extreme in some areas. But Mr. Parker says:

I believe that the professional staff of BLM and the other agencies involved in both Utah and at the headquarters level in Washington and elsewhere did a very credible job in carrying out the mandate of the law.

In the process pursued by the Utah congressional delegation to develop S. 884—remember, this is the head of BLM in Utah, former Associate and Assistant Director of BLM and former BLM State Director for Utah on this process pursued by our Utah congressional delegation—Mr. Parker stated,

I believe the recent process used by the delegation and the Governor was not only appropriate but was a rather gracious gesture—

I have to tell you it was. But let me continue.

given the extent of previous public involvement in the numerous opportunities that have existed over the past 17 years for individuals and groups to become involved in and to impact the process.

Regarding the future use of lands that are not designated in our wilderness bill, S. 884, Mr. Parker continues:

All of the public lands in Utah are covered by land use plans. Some of the plans are not as current as they might be but they do provide protection for the resources. These plans, along with other laws and regulations, provide many options for land managers to use to protect the land and their resources. While allowing for appropriate authorized use and enjoyment of the public lands, no lands in Utah would be unprotected, nor will they be open to uncontrolled development if they are not designated as wilderness.

That says it all. These lands are not going to be ripped off. These lands are not just automatically developed. There are not going to be shopping centers everywhere. The fact is they will be subject to the environmental rules and laws in existence today. Mr. Parker also has written the following in a recent newspaper article about H.R. 1500, the bill which apparently our colleague from New Jersey supports as well as people who have never stepped foot in Utah, who have never looked at it, and who do not understand our State. I might add they include many

environmental organizations that are very sincere in what they are doing, but on this issue they are sincerely wrong:

This ill-conceived proposal—

Mr. Parker is talking about H.R. 1500, the environmental bill that would have 5.7 million acres—

This ill-conceived proposal includes in its boundaries private homes and buildings, cultivated fields, chained areas, thousands of acres of private and school trust lands, and other areas that cannot be designated as wilderness. It also includes hundreds of miles of roads.

In this study book of theirs we have placed a tab demonstrating where there exist many miles of roads. They try to say these roads are abandoned or not used, and so forth—some of them may be. The fact of the matter is that hundreds of miles of roads have been included in their proposed wilderness areas. We have gone over many of those areas. A lot of it is low-lying sagebrush land along highways. That is how ridiculous this is. Mr. Parker goes on to say:

Also included are—

Mr. Parker criticizing H.R. 1500, the environmental bill or I should say the environmentally extreme bill.

Also included are oil and gas wells, hundreds of mineral leases and mining claims, rights of ways, et cetera, all of which would conflict with wilderness designation. Many of the areas in the proposal lack the 5,000-acre minimum specified by the Wilderness Act and are ''cherry stemmed'' in the extreme leaving narrow necks of land that would make them totally unmanageable as wilderness.

That is what a lot of this stuff is. I would prefer to go with these things. I do not always agree with what the Federal Government has done in all of these wilderness studies, but we have spent millions getting to the point where we brought people together from all over the State of Utah and, frankly, from all over the country, to achieve what we have been trying to do.

So you have a study area of 3.2 million acres that is well studied, well documented. It is misleading to indicate that the BLM did not do its job here. In fact, we thought that it did too good of a job. Many people in Utah did.

After reviewing the 3.2 million acres, the BLM in its final recommendation, after all of this work, concluded that we should have 1.9 million acres. That would be the right figure. This bill as originally filed proposed 1.8 million acres, 100,000 acres less than the 1.9 million that the BLM called for. To accommodate our colleagues here in the Senate, because we know that our colleagues are sincere in wanting more wilderness acres, we have gone from 1.8 to 2 million.

Let us take a look at what 2 million acres equals, just so people realize how vast this amount is, and why we are so upset that certain groups are coming into our State and telling us what we can and cannot do in our own State. And, all this after Senator BENNETT, I, and the Members of Congress in the House have worked on this issue for, in my case, 20 years, to get to this point where we can resolve this matter. I should point out that both sides on this issue are mad at us most of the time—those who do not want any acreage and those who want everything, like our friend from New Jersey. The affected counties wanted just over 1 million acres, that is all. They did not want any more, and in some area they did not want that, to be honest with you. They really want zero, especially in the mainly affected counties. But, at the most, we finally got them to agree to 1 million acres.

To those who never have budged from 5.7 million acres, not one acre, we propose an amount of 2 million acres, which is 100,000 above that recommended by the BLM. Look at what it means. Just so you get the idea of how vast this is. Two million acres is equal to 100 percent of the whole State of Delaware—they only have 1.2 million acres in Delaware; 63 percent of the whole State of Connecticut, which is only 3 million acres; 41 percent of Senator BRADLEY's New Jersey—in other words, our 2 million acres is almost half of his State—he has 4.8 million acres in New Jersey; 41 percent of the whole State of Massachusetts; 35 percent of the whole State of New Hampshire; and 34 percent of the whole State of Vermont.

I think people ought to stop and look at this. We live in Utah. We believe it is the most beautiful State in the Union. We do not think there is any question about it. We think many people will confirm that. We think all States have much beauty in them. But the fact of the matter is that after all these years of study, all of these years of conflict, and all these years of having both sides mad at the congressional delegation, with some wanting none and always the environmentalists wanting at least 5.7 million, if not more, since Wayne Owens originally filed the bill in 1988, it is time to settle this matter. Representative Owens' bill totaled 5.2 million, by the way, as I recall. The New York Congressman, who at the time he filed his bill had never stepped foot inside of Utah, introduced a measure to designate 5.7 million acres, and that becomes the battle cry for these people. It is an extreme battle cry.

At the outset, my colleagues should understand one very important fact. We in Utah love our State. We love and cherish our land, which is comprised of some of the most beautiful and picturesque scenery in the world. I am going to get into it in just a few minutes as to what we are doing.

When we talk about the Kaiparowits Plateau, we have 220,000 acres in there, and of the other areas cited by my friend from New Jersey, there are 75,000 acres of the Dirty Devil, and 16,000 acres of the Fish and Owl Creek. Even this proposal is being criticized as well.

Mr. President, I really cannot say how disappointed I am that some of the Members of this body have chosen not only to oppose the Utah wilderness provisions of this bill but also to engage in such questionable debate about it.

My friend from New Jersey, Senator BRADLEY, issued a press release on Friday announcing that he would try to block the Utah wilderness legislation from passing. He has a right to do that if he wants to. Actually, for those of us involved, this is not big news. The Senator from New Jersey has done a pretty good job of blocking it so far, as well as most of the rest of the bills in this amendment, since last April. It is because he has that Chairman MURKOWSKI has included our wilderness bill in this overall package, knowing that it is the just thing to do. It just seems to me that this press release is a public way of throwing down the gauntlet and, believe me, I am sincerely sorry for that. The Senator from New Jersey has announced that he intends to take down legislation that is critical to our State. What am I supposed to do? What would any Member of this body do if he or she found himself or herself in our shoes? If anyone here does not know the answer to that question, he or she does not belong in the Senate.

I have heard all the rhetoric about Utah land belonging to the Nation as a whole. And it may surprise some of my colleagues to hear that to a certain degree I agree with that. I believe certain problems and concerns affecting some States must be shared nationally. But let us get one thing straight. The impact of this legislation, and in fact the adverse impact of failing to pass this bill, is going to fall on Utahns only—not on New Jerseyites, but on Utahns. It will not matter to a citizen of New Jersey or Florida or Wisconsin that a small town in rural Utah like Kanab, UT, dies a slow death because its land has been locked up, unjustly locked up. It will not matter to the average Illinoisan that the town of Summit, UT, faces a water crisis because existing water rights have not been respected in the second driest State in the Union.

Just who do my colleagues think is going to bear the heaviest consequences of our decision with respect to the Utah wilderness issue? In all honesty, this press release sounds like it could have been written by the lobbyists for the National Resources Defense Council. I simply cannot believe Senator BRADLEY would have personally approved its content. It says that ''The current Senate Utah wilderness legislation would direct that 20 million acres of Utah lands can never be designated as wilderness in the future.''

Now, where on Earth did this come from? Neither the original bill that Senator BENNETT and I filed nor the substitute says any such thing. Moreover, the BLM has never even identified 20 million acres of land as wilderness worthy, as I have pointed out earlier. This figure represents 91 percent of the BLM's total landownership in Utah.

(Mr. KYL assumed the chair.)

Mr. HATCH. My friend from New Jersey, Senator BRADLEY, knows the difference between the BLM inventory and the study areas, which is why I really do not believe he really approved of this press release. He goes on to say that ''If the bill becomes law, it would permit the transformation of these lands from pristine wilderness to strip mines, roads and commercial development.''

Now, Mr. President, these statements are patently untrue. Someone in the Senator's office has been grossly misled, and unfortunately these untruths are being distributed to the press as though they are truths. In essence, these are the facts. First, the upper number of acreage involved in this debate is over 5 million, not 20 million. Second, nowhere in our bill does it say that no more wilderness can ever be designated in the future.

Third, the land not designated as wilderness is still managed and controlled by the Federal Government in accordance with Federal land policy laws and regulations. I feel very safe in saying that there will be no environmentally irresponsible activity taking place on these lands now or in the future.

Fourth, there has not been a new strip mine in Utah in many years, even decades, and there will not be even after this bill passes. Yet the opponents of this bill know that using the term ''strip mine'' conjures up all sorts of horrible images. Its use in this debate is simply not justified.

In the same press release from Senator BRADLEY's office, he states that he will continue fighting for legislation to protect 17,500 acres along the New Jersey-New York border, the so-called Sterling Forest bill. The Senator from New Jersey is quite correct that the Sterling Forest bill passed the Senate without an objection. As public lands policy, I do not think the Sterling Forest bill was perfect, but I did not stand in the way of its passage. The Senators from New Jersey, New York, and surrounding areas wanted it. They represent their States. This legislation, the Sterling Forest legislation primarily affects New Jersey. If both Senators from New Jersey believe this legislation is in the best interest of their State and the country, I am going to defer to their judgment. Ditto the legislation for the Presidio and the Taos Pueble land exchange and the Arkansas-Oklahoma land exchange, et cetera, et cetera.

So I am a little annoyed, when Senator BENNETT and I propose legislation that has the support of our Governor, our legislature, our Utah association of counties, our educators throughout the State, and thousands of individual Utahns, that we are being second-guessed by Senators who do not represent this State.

Keep in mind, look at how much acreage we are putting in and how it relates to the States in the northeast where a lot of the complaints are coming from. The fact is that we are being sandbagged not so much by our colleagues but by a well-orchestrated and well-financed campaign staged by huge, huge national environmental lobbies who are pursuing their own national agenda.

Guess what. Their agenda is too much for the rural areas of my State. It would overwhelm them. We cannot support their agenda. And guess what else. The citizens of rural Utah and their local representatives cannot even afford to fight back. The National Resources Defense Council ran a half-page ad in the Washington Post that cost I believe $54,000. Good grief. For that amount Kane County School District could pay three schoolteachers. And that is only one of dozens of full-page ads in newspapers in this area and I guess other areas as well.

Actor Robert Redford has been a spokesperson for the environmentalists. I admire Bob Redford's convictions, but let us face it; what TV station would not want an interview with Robert Redford? The deck is surely stacked against rural Utah. It is an area small in population and small in financial resources and big in tourism, and they have to provide the tax base to provide for all the emergency services—the helicopter services, the hospital services, the law enforcement services, et cetera—in some areas where they just do not have the moneys to do it.

I urge my colleagues not to let these Utahns become victims of election-year politics, and I hope the President is not trying to show how committed he is to the environment on the backs of rural Utahns. I suggest to my friends in these other States that you are going to have peculiar problems in your States that you are going to have to deal with and you are going to have to have good-faith help from other Senators here to be able to resolve them. And we will try to help you resolve them as we Utah Senators always have.

If we allow our rural States to be abused in this manner, if we allow this to happen, then the integrity of this body will have been brought to a new low. We will have allowed the Senate to become a blatant instrument for electioneering. While I am not so naive as to think that political speeches will not be given or that politics does not play a part, I cannot remember a time when the interests of a specific State on a parochial issue were sacrificed in that way. So I really urge my colleagues to support the Utah wilderness provisions in the substitute amendment offered by Senator MURKOWSKI.

Let me, at this point, have printed the press release, so people can read it for themselves. I ask unanimous consent that the press release from Senator BRADLEY's office be printed in the RECORD at this point.

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

[For immediate release: Mar. 22, 1996]

BRADLEY PREPARING TO BLOCK ENVIRONMENTALLY DESTRUCTIVE UTAH WILDERNESS BILL

WASHINGTON, DC.—Senator Bill Bradley (D–NJ) said today he's ready to take the floor on Monday and point out all of the problems with the Utah Wilderness Bill, if it is offered as part of an omnibus lands package.

''The battle to preserve America's wilderness legacy has been joined. The Utah Wilderness bill is so bad for the environment that I will pursue any possible way of stopping it. It contains unprecedented anti-environmental language that must be debated at length,'' Bradley said.

Bradley pointed out that the current Senate Utah Wilderness legislation would direct that 20 million acres of Utah lands can never be designated as wilderness in the future. If it becomes law, it would permit the transformation of these lands from pristine wilderness to strip mines, roads and commercial development.

''It is unfortunate that this bad Utah wilderness provision is being folded into a package with less controversial and much needed legislation such as the already-passed Sterling Forest measure and a bill for the Presidio in the San Francisco Bay area. If passed with the Utah wilderness legislation, the package would set a horrible precedent by making drastic changes to our precious lands policies.''

''It isn't right to swallow a pill that would be poison to so much of America's great western lands just because it is sugar-coated with some good smaller preservation bills. Our public lands belong to all Americans, whether they live in Utah or New Jersey. They should never be given away to a few special interests,'' Bradley stated.

As for Sterling Forest, the Senator was firm in his refusal to give up on the measure that would protect 17,500 acres along the New York-New Jersey border. He pointed out that Sterling Forest has already passed the Senate without a single objection, and is awaiting action in the House of Representatives.

''If Sterling Forest is included in a bill along with this destructive Utah Wilderness measure, I believe President Clinton will veto it. If we are to save Sterling Forest, we must stop the packaging of these bills, which is no more than an attempt to get us to accept a bad public lands bill by wrapping it up in shiny paper.'' Senator Bradley said.

Mr. HATCH. Mr. President, much has been made about Utahns and how they feel about these issues. But my colleagues might say they do not know what Secretary Babbitt has to say about our proposal. That makes 100 of us, because, frankly, I do not know. I do not know what specific problems the Secretary has with our bill. I do not know what his specific thinking is on the water language, the military overflight section, the section dealing with cultural and archeological sites found within designated areas on the State's school trust land exchange, proposed in the bill. I do not know how he might modify them. Honestly, I do not know.

I have used the term AWOL, absent without leadership, on this floor in recent months to describe the administration's efforts in addressing our drug problem. This strategy of criticizing without putting anything positive on the table was also evident during consideration of the budget. It seems to be typical of the Clinton administration across the board.

To date, the Interior Department has not even sent us the letter in which Secretary Babbitt says he will recommend a veto of the omnibus package if the Utah wilderness bill is included. I suppose the Secretary assumed that we would have the privilege of reading his letter in the newspaper, which of course we have. I do not know why the Secretary has not tried to work with us in order to come to an agreement on the many critical issues contained in this measure. We have been working on it, just this measure alone, for the last 20 years; but, in particular, writing it for the last 15 months. The Secretary has not attempted to contact me or to have his staff contact my staff to discuss how certain boundaries for designated areas might pose management problems for his agency, the application of wilderness criteria, the special management directives, or any other concerns he has with this legislation.

It is true that last July, during the Energy Committee's hearing on our bill, Sylvia Baca, the Deputy Assistant Secretary for Land and Minerals Management for the Department of Interior, presented testimony on behalf of the Department and the Secretary on the bill as it was introduced. She included the following statement in her written testimony: ''If the bill were presented to the President in its current form, Secretary Babbitt would recommend that he veto it.'' What is even more amazing to me is that Ms. Baca's explanation for this position is based on the Interior Department's noninvolvement in the wilderness issue. The Department admitted that it has been AWOL on this issue, which is so important to our State.

When Senator CRAIG asked her why the Department did not agree with the 1991 BLM recommendation for wilderness and why there was no attempt by the current administration to modify it, here was her response:

> Mr. Chairman, first of all I would like to point out that the Interior Department did not think that wilderness legislation was going to come forward. We did not come here today with a specific wilderness acreage number. I explained earlier that is because we have not been involved in the wilderness issue.

The Secretary has done nothing but criticize. He has offered nothing in the way of constructive suggestions for improving the bill. This can only mean he intended to recommend a veto without regard to what the bill was going to say. This strikes me very much as a knee jerk approach to protecting the environment, and it is as bad as those who say we should have no environmental protection at all—and there are plenty in my State who would like that position.

But we have had to be responsible here. We are the people who have had to handle this issue. We have been blasted by both sides, both extremes on this issue, for the last 20 years—but certainly the last few years in particular.

Fortunately, my colleagues in the Senate have been more helpful and more sincerely interested in resolving this matter. They have offered constructive suggestions for changes, many of which we have incorporated in this bill, many of which have changed some of the areas criticized by the distinguished Senator from New Jersey. Apparently he has not read the bill yet, at least the substitute, but I hope he will.

The bill before us today is not the same bill that was discussed last July. The bill we are debating today is a much changed bill. I am not sure it is better, but for those on the other side of this issue, on the environmental side, it is a better bill. It is fair. It is reasonable. And, above all, it is balanced. And we are trying to bring together everybody in Utah, not just one side of the equation.

The Secretary now thinks this issue of such import that he is threatening a veto of this entire package of public land legislation. This does not square with Ms. Baca's testimony that the Department has just been too busy to focus on wilderness. We in Utah have been focusing on it for 2 decades. We have forged ahead in the 104th Congress, to attempt to resolve this issue once and for all. I would like to have the Secretary with us, I really would. I would have been pleased to work with him every step of the way. I really would.

I know Senator BENNETT feels the same way. But, even as other Senators have offered amendments in the Energy Committee and during informal discussions, Secretary Babbitt is content to be silent except for a veto threat. His position today is the same as it was in July, when Ms. Baca testified for the Clinton administration. This is a little like a country threatening the use of nuclear weapons without bothering to tell the world why it is attacking.

It is time to move ahead with this legislation. The question of wilderness in Utah has gone on long enough. It has been studied to death. We are tired of it. It is time to designate new wilderness in Utah and to remove millions of acres from the regulatory limbo that they have been in. Let us give them legal status as wilderness, or responsibly manage them for other uses. I hope the Secretary will determine this is an important objective, because it is.

Let me answer the question many of my colleagues have posed to me over the past few years and certainly in recent months and that is: Where are the citizens of Utah on this issue? Over the last several days we have seen advertisements in the Washington Post, Washington Times, Rollcall and the Hill magazine, claiming several things. First, there is the claim that 3 out of 4 Utahns support the so-called citizens proposal, that would designate 5.7 million acres of land as wilderness.

Second, it is claimed that Americans are opposed to our program by a margin of 9 to 1.

This first statement refers to the process the Utah congressional delegation and Governor Leavitt followed last year to obtain input from our local citizens. During our statewide regional hearings we requested that any further comments and proposals on the wilderness issue be submitted in writing or by telephone to Governor Leavitt's office. The Governor's office made a tally of these letters and phone calls. The inaccurate claims made in these newspaper advertisements by the opponents of this bill stem from the summary report developed by Governor Leavitt's office on these additional calls and letters. Rather than explain this discrepancy to my colleagues, I have asked Governor Leavitt to tell us in his own words the truth about the comments and calls in his office. His letter says this:

> DEAR SENATOR HATCH: As you know, there has been substantial confusion about the public sentiment in Utah concerning the BLM wilderness issue. Please accept this letter as an explanation of the public response which my office received with respect to this issue. Personnel in the Governor's Office of Planning and Budget read, recorded, and responded to each of the 3,031 individual letters which were received last year and also categorized the 551 individual public testimonies received at the public hearings held in Utah last spring and summer.
>
> In examining this information, 51% of these letters and testimonies were in favor of no wilderness designation whatsoever or something less than the 5.7 million acre proposal.
>
> Certain groups throughout the state have publicly stated that support for 5.7 million acres of wilderness has ranged from 70% at a minimum, to upwards of 75%. In Utah and throughout the country, these numbers have been quoted in numerous newspaper stories and in various correspondence, yet no one has ever contacted my office for verification of the numbers. As is evident by the above numbers, this is most definitely a misrepresentation of actual public sentiment.
>
> In addition, there have been numerous surveys conducted on the wilderness issue over the last year. These surveys show that those respondents supporting 5.7 million acres have ranged from 19% to 36% depending on how the survey was structured and the way in which questions were asked. In these same surveys, 29% to 60% favored 2 million acres or less, also depending on survey structure and format of questions.
>
> It is important that lawmakers in Washington have factual information when making decisions as important as this. The information supporting the numbers I have offered is all on file in the Governor's Office of Planning and Budget and available for anyone with questions or concerns. Thank you for your commitment to this issue and for the work you have done in the pursuit of the resolution of the wilderness debate.

Mr. President, this letter is clear enough. The figure utilized by the opponents of our measure misconstrues the information tallied by the Governor's office. It is interesting to note, this figure has mysteriously risen during this debate. First I saw a report that indicated the figure was 68 percent. Then it went to 70 percent. These recent adds have it at 73 percent, and one ad indicated it was 3 out of 4 Utahns, or 75 percent. Where are they getting these numbers?

The second statement that Americans oppose the Utah wilderness bill by a ratio of 9 to 1 comes from a straw vote conducted by USA Weekend. This feature in many of the weekend's Sunday papers asked me to present my position on wilderness opposite Robert Redford, the well-known Utahn who owns the Sundance ski resort, which is located by the way, among some of the most beautiful acres in the world.

At the conclusion of the article, the editors asked readers to write, phone or e-mail their votes for which position they supported.

Similar to the barrage of advertisements, letters and phone calls and mailers my colleagues are receiving, the USA Weekend was bombarded with responses. In fact, the responses were 9 to 1 against the wilderness proposal.

But USA Weekend was careful to point out that this is not a scientific poll. It was self-selected, which is a nice way of saying that people could vote early and often. The results of this call-in were, of course, skewed by those who responded to the urgings of national environmental organizations that they call in. In fact, just one of these groups, the Wilderness Society, has almost four times as many members as I have constituents. Think about that, four times as many members as Senator BENNETT and I have constituents in our whole State. To their credit, they can mobilize these members at a moment's notice, which is what they have been doing on this matter for months—for years now—but certainly over the past few weeks and certainly during that particular USA Weekend article.

Let us talk about real polls.

Dan Jones & Associates, Utah's most prominent and well-respected pollster, who has a tremendous record for accuracy, has conducted several surveys on this matter. Last April, he conducted a poll for Representative WALDHOLTZ, which revealed the following: Survey for Representative WALDHOLTZ, April 26, 1995—Dan Jones & Associates: 36 percent were for 1.2 million acres; 24 percent for 2.0 million acres. We are a little over 2 million acres in the substitute bill that is in the substitute amendment. 23 percent of those polled wanted 5.7 million acres. In other words, a lot more people were for 1.2 million acres or 2.0 million acres than there were for the 5.7 million acres, which received only 23 percent; 17 percent of those polled were not reported.

Later in the year, in May 1995, Dan Jones conducted a poll for the Wilderness Education Project, and the results were generally the same: 21 percent preferred 1 million acres; 16 percent for 1.2 million acres; 20 percent for 1.9 million acres; 15 percent for 2.8 million acres; 19 percent for 5.7 million acres. It actually had gone down; 8 percent did not know.

In June of last year, Dan conducted a poll for the Deseret News, which had the following results: 4 percent for zero acres, which means 4 percent did not want any wilderness at all in Utah; 18 percent were for 1 million acres; 26 percent for 1.8 million acres; 36 percent for 5.7 million acres; 7 percent for other, and 8 percent did not know. The highest percentage it has ever been for 5.7 million acres has been 36 percent, and then only after a massive publicity and advertising campaign done by these environmental organizations who have more money than anybody in Utah, certainly more than anybody on our side, and certainly more than the poor little people in these rural areas. The rural people, for the most part, do not want any or at least want very little acreage, but they have agreed to 1 million acres. And, now reluctantly they have gone along with the delegation—some of them have gone along with the delegation—for the 2 million acres but are very upset about it.

In addition to these polls, KUTV Channel 2 and the Coalition for Utah's Future conducted a poll in May. Their results were similar to the Dan Jones polls. This survey was conducted from May 5 to 17, 1995, by Valley Research: 5 percent for zero acres; 12 percent for 1 million acres; 12 percent for 1.9 million acres; 10 percent for 2.9 million acres; 23 for 3.2 million acres; and 31 percent for 5.7 million acres; 8 percent do not agree with any.

The summary of these polls is twofold. First, a majority of respondents in almost every poll, except for the respondents in the KUTV/Coalition poll, favored a designation of 2 million or fewer acres. In the Waldholtz poll, it was 60 percent; Deseret News, 48 percent; wilderness education was 57 percent.

Second, the 5.7 million acre proposal was not supported by a majority of respondents in any poll: Waldholtz, 23 percent; KUTV, 31 percent; Deseret News, 36 percent; wilderness education, 19 percent.

So, if my colleagues are looking for a definitive answer on how the majority of Utahns feel when it comes to a final acreage figure on BLM designation, these are the more reliable numbers. They are from reputable sources, polling organizations that use scientific methods, from both the left and the right.

I think a far more accurate assessment of where Utahns stand on this issue should be a letter that we recently received, Senator BENNETT and I, dated March 22, last Friday. This letter is on behalf of 300 of Utah's top officials—Democrats, Republicans, moderates, liberals, conservatives—300 of the elected officials in Utah, the vast majority of them:

DEAR SENATOR: You recently received a letter dated March 15, 1996 from a group of twenty calling themselves "The Coalition of Utah Elected Officials," asking the "Utah Congressional Delegation to withdraw S. 884 and reconsider the direction they have taken on wilderness." The letter states, "most Utahns oppose S. 884." It further states that "most local people consider this to be stridently anti-environmental legislation, not the carefully balanced package the Utah Congressional Delegation has been claiming it to be.

The letter goes on to say this:

These statements are not only preposterous—but blatantly untrue. The facts are that most Utahns do not want large amounts of acreage designated as wilderness in Utah. We the undersigned Democrats and Republicans strongly support Senators Hatch and Bennett in their balanced approach to Utah wilderness.

In reality, the Utah State Senate endorsed the provisions contained in the Hatch-Bennett proposal unanimously (27 to 0)—I might add that the leader of the AFL–CIO in Utah, a member of the Utah State Senate, voted in support of this resolution. . .

While the Utah State house voted 62 to 6, or 92 percent in favor. Across the State, elected commissioners in 27 of 29 counties support this bill. As this letter indicates, over 90 percent of Utah's elected county leaders support the Utah wilderness proposal now before the Senate.

Early in 1995, the Governor of Utah and all members of the Utah Congressional Delegation specifically tasked the elected county officials in each county where wilderness is being proposed, to hold public hearings and from those public hearings, develop a proposal for wilderness designation on the Bureau of Land Management lands in the affected counties. Numerous public hearings were held in every county where lands were proposed for wilderness designation. The county officials then designated their proposals for designating lands as wilderness from the public hearings. In every county where lands were proposed for wilderness designation, the county officials made their recommendations based on what they heard at the hearings. Many county officials recommended more acreage than they knew their citizens wanted, but they knew they had to do so in order to make a bill acceptable to Congress. Some of those county officials have paid a dear political price for their recommendations.

I can certainly affirm that.

After the county officials made their recommendations, the Governor and Congressional Delegation held five regional hearings around the State. The environmental community, both in and outside Utah, was well organized and paid its partisans to testify. They even rented buses and vans to transport these people from location to location.

And I can testify to that. We had almost the same people at every location, demanding to testify, saying the same things each time, and making it look like they had more numbers than they really did.

The testimony they gave was based on emotion and not the requirements of the Wilderness Act itself. Their testimony ignored the professional recommendations of the BLM which based its proposals on the criteria of the 1964 Wilderness Act.

The Governor and Congressional Delegation then developed what is now title XX of omnibus package S. 884. Many in Utah believe it contains too much acreage. It represents more than was recommended by the elected county officials who held the local public hearings. It represents more than the State legislature has recommended at least twice in the last 4 years by nearly unanimous votes.

The people of Utah live in a State with approximately 67 percent Federal land ownership and another 13 percent State ownership, but managed under the Federally enacted

State Enabling Act. Utah already has millions of acres in five National Parks, two National Recreation Areas, four National Monuments, 13 Forest Service wilderness areas, and BLM areas of Critical Environmental Concern. The unelected State Director of the BLM manages more of Utah than does its elected Governor.

The BLM wilderness debate in Utah has dragged on for more than 15 years at a cost to taxpayers of over $10 million. We believe it is time to end the debate, pass the balanced Hatch-Bennett proposal and bring some peace and stability to people of Utah who must live daily with results of this debate. We the undersigned are a few of the elected officials in Utah who support Title XX of this bill. We want it passed and enacted into law.

As I said, there are 300-some Democrat and Republican elected officials who have endorsed this letter. I ask unanimous consent that this letter and the attachments thereto be printed in the RECORD.

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

THE TRUTH ABOUT UTAH WILDERNESS

MARCH 22, 1996

DEAR SENATOR: You recently received a letter dated March 15, 1996 from a group of twenty calling themselves ''The Coalition of Utah Elected Officials,'' asking the ''Utah Congressional Delegation to withdraw S. 884 and reconsider the direction they have taken on wilderness.'' The letter states that ''most Utahns oppose S. 884.'' It further states that ''most local people consider this to be stridently anti-environmental legislation, not the carefully balanced package the Utah Congressional Delegation has been claiming it to be.''

These statements are not only preposterous, but blatantly untrue. The facts are that most Utahns do not want large amounts of acreage designated as wilderness in Utah. We the undersigned Democrats and Republicans strongly support Senators Hatch and Bennett in their balanced approach to Utah wilderness.

In reality, the Utah State Senate endorsed the provisions contained in the Hatch-Bennett proposal unanimously (27–0), while the Utah State House voted 62–6, or 92% in favor. Across the state, elected commissioners in 27 of 29 counties support this bill. As this letter indicates, over 90% of Utah's elected county leaders support the Utah wilderness proposal now before the Senate.

Early in 1995, the Governor of Utah and all members of the Utah Congressional Delegation specifically tasked the elected county officials in each county where wilderness was being proposed, to hold public hearings and from those public hearings, develop a proposal for wilderness designation on Bureau of Land Management (BLM) Lands in the affected counties. Numerous public hearings were held in every county where lands were proposed for wilderness designation. The county officials then developed their proposals for designating lands as wilderness from the public hearings. In every county where lands were proposed for wilderness designation, the county officials made their recommendations based on what they heard at the hearings. Many county officials recommended more acreage than they knew their citizens wanted, but they knew they had to do so in order to make a bill acceptable to Congress. Some of those county officials have paid a dear political price for their recommendations.

After the county officials made their recommendations, the Governor and Congressional Delegation held five regional hearings around the state. The environmental community, both in and outside of Utah was well organized and paid its partisans to testify. They even rented busses and vans to transport these people from location to location. The testimony they gave was based on emotion and not the requirements of the Wilderness Act itself. Their testimony ignored the professional recommendations of the BLM which based its proposals on the criteria of the 1964 Wilderness Act.

The Governor and Congressional Delegation then developed what is now Title XX of omnibus package, S. 884. Many in Utah believe it contains too much acreage. It represents more than was recommended by the elected county officials who held the local public hearings. It represents more than the State Legislature has recommended at least twice in the last four years by nearly unanimous votes.

The people of Utah live in a state with approximately 67% federal land ownership and another 13% state ownership, but managed under the federally enacted State Enabling Act. Utah already has millions of acres in five National Parks, two National Recreation Areas, four National Monuments, thirteen Forest Service wilderness areas, and BLM Areas of Critical Environmental Concern (ACEC). The unelected State Director of the BLM manages more of Utah than does its elected Governor.

The BLM wilderness debate in Utah has dragged on for more than 15 years at a cost to taxpayers of over $10 million. We believe it is time to end the debate, pass the balanced Hatch-Bennett proposal and bring some peace and stability to the people of Utah who must live daily with results of this debate. We the undersigned are a few of the elected officials in Utah who support Title XX of this omnibus bill. We want it passed and enacted into law.

Sincerely,

John Hansen, Millard County Auditor; Linda Carter, Millard County Recorder; Ed Philips, Millard County Sheriff; LeRay Jackson, Millard County Attorney; John Henrie, Millard County Commissioner; Donovan Dafoe, Mayor, Delta Utah; Merrill Nielson, Mayor, Lynndyl, Utah; Phil Lovell, Mayor, Leamington, Utah; B. DeLyle Carling, Mayor, Meadow, Utah; Terry Higgs, Mayor, Kanosh, Utah; Mont Kimball, Councilman, Konosh, Utah; Roger Phillips, Councilman, Konosh, Utah; Robert Decker, Councilman, Delta, Utah; Gary Sullivan, Beaver County Commissioner; Ross Marshall, Beaver County Commissioner.

Chad Johnson, Beaver County Commissioner; Howard Pryor, Mayor, Minversville Town; Louise Liston, Garfield County Commissioner; Clare Ramsay; Garfield County Commissioner; Guy Thompson, Mayor, Henrieville Town; Shannon Allen, Mayor, Antimony Town; John Matthews, Mayor, Cannonville Town; Julee Lyman, Mayor, Boulder Town; Robert Gardner, Iron County Commissioner; Thomas Cardon, Iron County Commissioner; Worth Grimshaw, Mayor, Enoch City; Dennis Stowell, Mayor, Parowan City; Norm Carroll, Kane County Commissioner; Stephen Crosby, Kane County Commissioner; Viv Adams, Mayor, Kanab City; Scot Goulding, Mayor, Orderville Town.

Gayle Aldred, Washington County Commissioner; Russell Gallian, Washington County Commissioner; Gene Van Wagoner, Mayor, Hurricane City; Chris Blake, Mayor, Ivins Town; Rick Hafen, Mayor, Santa Clara City; Paul Beatty, Mayor, New Harmony Town; Terrill Clove, Mayor, Washington City; David Zitting, Mayor, Hildale City; Ike Lunt, Juab County Commissioner; Martin Jensen, Piute County Commissioner; Joseph Bernini, Juab County Commissioner; J. Keller Christensen, Sanpete County Commisssioner; Eddie Cox, Sanpete County Commissioner; Ralph Okerlund, Sevier County Commissioner; Meeks Morrell, Wayne County Commissioner; Stanley Alvey, Wayne County Commissioner; Kevin Young, Mayor, Mona, Utah.

Steve Buchanan, Mayor, Gunnsion, Utah; Roger Cook, Mayor, Moroni, Utah; Mary Day, Millard County Treasurer; James Talbot, Millard County Assessor; Marlene Whicker, Millard County Clerk; Lana Moon, Millard County Commissioner; Tony Dearden, Millard County Commissioner; Ken Talbot, Mayor, Hinkley, Utah; Elzo Porter, Mayor, Oak City, Utah; Keith Gillins, Mayor, Fillmore, Utah; Barry Monroe, Mayor, Scipio, Utah; C. R. Charlesworth, Mayor, Holden, Utah; Vicky McKee, Daggett Clerk Treasurer; Bob Nafus, Councilman, Konosh, Utah; Roger Phillips, Councilman, Konosh, Utah.

Chad Johnson, Beaver County Commissioner; James Robinson, Mayor, Beavuer City; Mary Wiseman, Mayor, Milford City; Maloy Dodds, Garfield County Commissioner; Jean Seiler, Mayor, Tropic Town; Laval Sawyer, Mayor, Hatch Town; Wade Barney, Mayor, Escalante, Utah; Elaine Baldwin, Mayor, Panguitch, Utah; Roy Urie, Iron County Commissioner; Bill Weymouth, Mayor, Kanarraville Town; Harold Shirley, Mayor, Cedar City; Constance Robinson, Mayor Pro-Tem, Paragonah; Joe Judd, Kane County Commissioner; Garaldine Rankin, Mayor, Big Water.

Eric Brinkerhoff, Mayor, Glendale Town; Orval Palmer, Mayor, Alton Town; Jerry Lewis, Washington County Commissioner; Daniel McArther, Mayor, City of St. George; A. Morley Wilson, Mayor, Enterprise City; Raymond Jack Eves, Mayor, LaVerkin City; David Everett, Mayor, Toquerville Town; Brent DeMille, Mayor, Leeds Town; Joy Henderlider, Mayor, Virgin Town; Gordon Young, Juab County Commissioner; Paul Morgan, Piute County Commissioner; Don Julander, Piute County Commissioner; Robert Bessey, Sanpete County Commissioner; Tex Olsen, Sevier County Commissioner; Peggy Mason, Sevier County Commissioner; Bliss Brinkerhoff, Wayne County Commissioner; Bob Steele, Mayor, Nephi, Utah; Connie Dubinsky, Mayor, Levan, Utah; Kent Larsen, Mayor, Manti, Utah; Chesley Christensen, Mayor, Mt. Pleasant, Utah.

Lawrence Mason, Mayor, Aurora, Utah; Eugene Honeycutt, Mayor, Redmond, Utah; James Freeby, Mayor, Sigurd, Utah; Orlin Howes, Mayor, Junction, Utah; Sherwood Albrecht, Mayor, Bicknell, Utah; Dick Davis, Mayor, Lyman, Utah; Mike Milovich, Carbon County Commissioner; Pay Pene, Grand County Council; Bart Leavitt, Grand County Council; Lou Colisimo, Mayor, Price City; Roy Nikas, Councilman, Price City; Paul Childs, Mayor, Wellington, Utah; Bill McDougald, Councilman, City of Moab; Terry Warner, Councilman, City of Moab; Richard Seeley, Councilman, Green River City; Karen Nielsen, Councilwoman, Cleveland Town.

Gary Petty, Mayor Emery Town; Dennis Worwood, Councilman, Ferron City; Brenda Bingham, Treasurer, Ferron City; Ramon Martinez, Mayor, Huntington City; Ross Gordon, Councilman, Huntington City; Lenna Romine, Piute County Assessor; Tom Balser, Councilman, Orangeville City; Richard Stilson, Councilman, Orangeville City; Murene Bean, Recorder, Orangeville City; Carolyn Jorgensen, Treasurer, Castle Dale City; Bevan Wilson, Emery County Commissioner; Donald McCourt, Councilman, East Carbon City; Murray D. Anderson, Councilman, East Carbon City; Mark McDonald, Councilman, Sunnyside City; Ryan Hepworth, Councilman, Sunnyside City; Dale Black, Mayor, Monticello City.

John Black, Councilman, Monticello City; Grant Warner, Mayor, Glenwood, Utah; Grant Stubbs, Mayor, Salina, Utah; Afton Morgan, Mayor, Circleville, Utah; Ronald Bushman, Mayor, Marysvale, Utah; Eugen Blackburn, Mayor, Loa, Utah; Robert Allred, Mayor, Spring City, Utah; Neil Breinholt, Carbon County Commissioner; Bill Krompel, Carbon County Commissioner; Dale Mosher, Grand County Councilman; Den Ballentyne, Grand County Councilman; Frank Nelson, Grant County Councilman; Steve Bainghurst, Price City Councilman; Joe Piccolo, Price City Councilman; Tom Stocks, Mayor, City of Moab; Judy Ann Scott, Mayor, Green River City; Art Hughes, former Councilman, Green River.

Gary Price, Mayor, Clawson Town; Marvin Thayne, Councilman Elmo Town; Dale Roper, Mayor, Town of Ferron; Garth Larsen, Ferron Town Council; Paul Kunze, Recorder, Ferron Town; Don Gordon, Huntington City Councilman; Jackie Wilson, Huntington City Council; Howard Tuttle, Councilman, Orangeville City; Dixon Peacock, Councilman, Orangeville City; Roger Warner, Mayor, Castle Dale City; Kent Peterson, Grand County Commissioner; Randy Johnson, Grand County Commissioner; L. Paul Clark, Mayor, East Carbon City; Darlene Fivecoat, Councilwoman, East Carbon City; Barbara Fisher, Councilwoman, East Carbon City; Grant McDonald, Mayor, Sunnyside City.

Nick DeGiulio, Councilman, Sunnyside City; Bernie Christensen, Councilwoman, Monticello City; Mike Dalpiaz, Helper City; Lee Allen, Box Elder County Commissioner; Royal K. Norman, Box Elder County Commissioner; Jay E. Hardy, Box Elder County Commissioner; Darrel L. Gibbons, Cache County Councilman; C. Larry Anhder, Cache County Councilman; Guy Ray Pulsipher, Cache County Councilman; James Briggs, Daggett County Commissioner; Sharon Walters, Daggett County Commissioner; Chad L. Reed, Daggett County Commissioner; Curtiss Dastrup, Duchesne County Commissioner; Larry Ross, Duchesne County Commissioner; John Swasey, Duchesne County Commissioner; Dale C. Wilson, Morgan County Commissioner.

Jan K. Turner, Morgan County Commissioner; Jeff D. London, Morgan County Commissioner; Kenneth R. Brown, Rich County Commissioner; Blair R. Francis, Rich County Commissioner; Keith D. Johnson, Rich County Commissioner; Ty Lewis, San Juan County Commissioner; Bill Redd, San Juan County Commissioner; Mark Maryboy, San Juan County Commissioner; Sheldon Richins, Summit County Commissioner; Thomas Flinders, Summit County Commissioner; Jim Soter, Summit County Commissioner; Teryl Hunsaker, Tooele County Commissioner; Gary Griffith, Tooele County Commissioner; Lois McArther, Tooele County Commissioner; Odell Russell, Mayor, Rush Valley, Utah; Cosetta Castagno, Mayor, Vernon, Utah; Frank Sharman, Tooele County Sheriff.

Glen Caldwell, Tooele County Auditor; Donna McHendrix, Tooele County Recorder; Gerri Paystrup, Tooele County Assessor; Valerie B. Lee, Tooele County Treasurer; H. Glen McKee, Uintah County Commissioner; Lorin Merill, Uintah County Commissioner; Lewis G. Vincent, Uintah County Commissioner; Laren Provost, Wasatch County Commissioner; Keith D. Jacobson, Wasatch County Commissioner; Sharron J. Winterton, Wasatch County Commissioner; David J. Gardner, Utah County Commissioner; Jerry D. Grover, Utah County Commissioner; Gary Herbert, Uintah County Commissioner; Gayle A. Stevenson, Davis County Commissioner; Dannie R. McConkie, Davis County Commissioner; Carol R. Page, Davis County Commissioner.

Leo G. Kanel, Beaver County Attorney; Monte Munns, Box Elder County Assessor; Gaylen Jarvie, Daggett County Sheriff; Camille Moore, Garfield County Clerk/Auditor; Brian Bremner, Garfield County Engineer; Karla Johnson, Kane County Clerk/Auditor; Richard M. Baily, Director, Administrative Services; Lamar Guymon, Emery County Sheriff; Eli H. Anderson, District 1, Utah State Representative; Peter C. Knudson, District 2, Utah State Representative; Fred Hunsaker, District 4, Utah State Representative; Evan Olsen, District 5, Utah State Representative; Martin Stephens, District 6, Utah State Representative; Joseph Murray, District 8, Utah State Representative; John B. Arrington, District 9, Utah State Representative; Douglas S. Peterson, District 11, Utah State Representative.

Gerry A. Adair, District 12, Utah State Representative; Nora B. Stephens, District 13, Utah State Representative; Don E. Bush, District 14, Utah State Representative; Blake D. Chard, District 15, Utah State Representative; Kevin S. Garn, District 16, Utah State Representative; Marda Dillree, District 17, Utah State Representative; Karen B. Smith, District 18, Utah State Representative; Sheryl L. Allen, District 19, Utah State Representative; Charles E. Bradford, District 20, Utah State Representative; James R. Gowans, District 21, Utah State Representative; Steven Barth, District 26, Utah State Representative; Ron Bigelow, District 32, Utah State Representative; Orville D. Carnahan, District 34, Utah State Representative; Lamont Tyler, District 36, Utah State Representative; Ray Short, District 37, Utah State Representative; Sue Lockman, District 38, Utah State Representative; Michael G. Waddoups, District 39, Utah State Representative.

J. Reese Hunter, District 40, Utah State Representative; Darlene Gubler, District 41, Utah State Representative; David Bresnahan, District 42, Utah State Representative; Robert H. Killpack, District 44, Utah State Representative; Melvin R. Brown, District 45, Utah State Representative; Brian R. Allen, District 46, Utah State Representative; Bryan D. Holladay, District 47, Utah State Representative; Greg. J. Curtis, District 49, Utah State Representative; Lloyd Frandsen, District 50, Utah State Representative; Shirley V. Jensen, District 51, Utah State Representative; R. Mont Evans, District 52, Utah State Representative; David Ure, District 53, Utah State Representative; Jack A. Seitz, District 55, Utah State Representative; Christine Fox, District 56, Utah State Representative; Lowell A. Nelson, District 57, Utah State Representative; John L. Valentine, District 58, Utah State Representative.

Doyle Mortimer, District 59, Utah State Representative; Norm Nielsen, District 60, Utah State Representative; R. Lee Ellertson, District 61, Utah State Representative; Jeff Alexander, District 62, Utah State Representative; Jordan Tanner, District 63, Utah State Representative; Byron L. Harward, District 64, Utah State Representative; J. Brent Hammond, District 65, Utah State Representative; Tim Moran, District 66, Utah State Representative; Bill Wright, District 67, Utah State Representative; Michael Styler, District 68, Utah State Representative; Tom Mathews, District 69, Utah State Representative; Bradley T. Johnson, District 69, Utah State Representative; Keele Johnson, District 71, Utah State Representative; Demar ''Bud'' Bowman, District 72, Utah State Representative; Tom Hatch, District 73, Utah State Representative.

Bill Hickman, District 75, Utah State Representative; Wilford Black, District 2, Utah State Senator; Blaze D. Wharton, District 3, Utah State Senator; Howard Stephenson, District 4, Utah State Senator; Brent Richard, District 5, Utah State Senator; Stephen J. Rees, District 6, Utah State Senator; David L. Buhler, District 7, Utah State Senator; Steve Poulton, District 9, Utah State Senator; L. Alma Mansell, District 10, Utah State Senator; Eddie P. Mayne, District 11, Utah State Senator; George Mantes, District 13, Utah State Senator; Craig A. Peterson, District 14, Utah State Senator; LeRay McAllister, District 15, Utah State Senator.

Eldon Money, District 17, Utah State Senator; Nathan Tanner, District 18, Utah State Senator; Robert F. Montgomery, District 19, Utah State Senator; Joseph H. Steel, District 21, Utah State Senator; Craig L. Taylor, District 22, Utah State Senator; Lane Beattie, District 23, Utah State Senator; John P. Holmgren, District 24, Utah State Senator; Lyle W. Hillyard, District 25, Utah State Senator; Alarik Myrin, District 26, Utah State Senator; Mike Dmitrich, District 27, Utah State Senator; Leonard M. Blackham, District 28, Utah State Senator; David L. Watson, District 29, Utah State Senator.

Mr. HATCH. Just last Sunday we read comments that one large newspaper in the State has editorialized against this. That is true. There is no doubt that they are very sincere in what they are doing. We have respect for them. But the other large newspaper, the other large major newspaper in Utah—we have five that are quite large—but the other major large paper in Utah that has written on this said, ''Let's get off dead center on the Utah

wilderness debate.'' This is the Deseret News editorial. I will just read a little bit of it and then put it in the RECORD as well.

Politics is supposed to involve the art of compromise. But that sensible notion seems to be lost on some members of Congress when it comes to deciding how much public land in Utah should be designated as wilderness.

Consequently, unless some key figures in Washington can be persuaded to change their minds, more federal foot-dragging seems likely even though this controversy has persisted for two decades without a final decision.

The latest development centers on Senator Bill Bradley of New Jersey. Bradley so strongly opposes the 1.8-million-acre proposal drafted by Utah's Republican-dominated congressional delegation that he may seek to scuttle an omnibus parks bill containing it even though such a move would thwart a pet project of his to protect the Sterling Forest along the New York-New Jersey border.

If the Utah proposal survives that challenge, Interior Secretary Bruce Babbitt is threatening to recommend that President Clinton veto it.

But then there's nothing particularly new about the extent and intensity of the emotions aroused by the Utah proposal and the opposing plan offered by environmentalist groups, which insist that 5.7 million acres be designated as wilderness.

Washington is supposed to resolve such controversies, not let them fester. For that to happen, more flexibility is in order—which is exactly what the Utah congressional delegation has been doing. Last year it backed off from some provisions objectionable to the environmentalists involving roads, motorboats, and industries. Now there are indications some members of the delegation may be willing to designate more land as wilderness beyond the additional previously agreed to [which we have].

More than the whole State of Delaware; 63 percent of Connecticut; 41 percent of my friend's State of New Jersey; 41 percent of Massachusetts; 35 percent of New Hampshire; 34 percent of Vermont. That is what our proposal amounts to as compared with other States.

But what flexibility, if any, is there on the part of the environmentalists? Though continuing to speak about the need for compromise, they doggedly insist that their 5.7 million proposal is a compromise.

In sorting through the tangled and overheated controversy, Congress needs to keep a few points firmly in mind.

First, there is no such thing as a Utah wilderness bill that will not antagonize some major segments of the population.

Second, claims that most Utahns want more wilderness are based on self-serving interpretations of polls whose results are at best mixed and somewhat confusing.

Third, the wilderness proposal being pushed by Utah's congressional delegation is an attempt to reach a reasonable middle ground between the 5.7 million acres demanded by the environmentalists and the little or no new wilderness acreage demanded by many officials and citizens alike in rural Utah.

Fourth, the 1.8-million-acre proposal—with its various modifications and additions—is in line with the original recommendation from the Bureau of Land Management. Only years later did the BLM start waffling, opting for what it thought the Clinton administration wanted rather than for what the agency really thought was best.

Fifth, as long as Congress declines to act, the BLM will continue to manage 3.2 million acres of Utah as if it were wilderness—but for no better reason than that this is the amount of land the agency studied for possible wilderness designation. That is more acreage than many Utahns want as wilderness.

To let the dispute over Utah wilderness drag on year after emotion-filled year without a formal and final decision is a sorry reflection on some of this Nation's key figures. They were sent to Washington to act, not temporize. A decision in the direction of the proposal of the Utah delegation would be better than one in the direction of the environmentalists. But whichever way the vote goes, let us bring this long debate to an end and get on to other matters.

Mr. President, I ask unanimous consent that the full editorial be printed in the RECORD.

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

[From the Deseret News, Mar. 23, 1995]

LET'S GET OFF DEAD CENTER ON UTAH WILDERNESS DEBATE

Politics is supposed to involve the art of compromise. But that sensible notion seems to be lost on some members of Congress when it comes to deciding how much public land in Utah should be designated as wilderness.

Consequently, unless some key figures in Washington can be persuaded to change their minds, more federal foot-dragging seems likely even though this controversy has persisted for two decades without a final decision.

The latest development centers on Sen. Bill Bradley of New Jersey. Bradley so strongly opposes the 1.8-million-acre proposal drafted by Utah's Republican-dominated congressional delegation that he may seek to scuttle an omnibus parks bill containing it even though such a move would thwart a pet project of his to protect the Sterling Forest along the New York-New Jersey border.

If the Utah proposal survives that challenge, Interior Secretary Bruce Babbitt is threatening to recommend that President Clinton veto it.

But then there's nothing particularly new about the extent and intensity of the emotions aroused by the Utah proposal and the opposing plan offered by environmentalist groups, which insist that 5.7 million acres be designated as wilderness.

Washington is supposed to resolve such controversies, not let them fester. For that to happen, more flexibility is in order—which is exactly what the Utah congressional delegation has been doing. Last year it backed off from some provisions objectionable to the environmentalists involving roads, motorboats and industries. Now there are indications some members of the delegation may be willing to designate more land as wilderness beyond the additions previously agreed to.

But what flexibility, if any, is there on the part of the environmentalists? Though continuing to speak of the need for compromise, they doggedly insist that their 5.7-million-acre proposal is a compromise.

In sorting through this tangled and overheated controversy. Congress needs to keep a few points firmly in mind.

First, there is no such thing as a Utah wilderness bill that won't antagonize some major segments of the population.

Second, claims that most Utahns want more wilderness are based on self-serving interpretations of polls whose results are at best mixed and somewhat confusing.

Third, the wilderness proposal being pushed by Utah's congressional delegation is an attempt to reach a reasonable middle ground between the 5.7 million acres demanded by the environmentalists and the little or no new wilderness acreage demanded by many officials and citizens alike in rural Utah.

Fourth, the 1.8-million-acre proposal—with its various modifications and additions—is in line with the original recommendation from the Bureau of Land Management. Only years later did the BLM start waffling, opting for what it thought the Clinton administration wanted rather than for what the agency really thought was best.

Fifth, as long as Congress declines to act, the BLM will continue to manage 3.2 million acres of Utah as if it were wilderness—but for no better reason than that this is the amount of land the agency studied for possible wilderness designation. That is more acreage than many Utahns want as wilderness.

To let the dispute over Utah wilderness drag on year after emotion-filled year without a formal and final decision is a sorry reflection on some of this nation's key figures. They were sent to Washington to act, not temporize. A decision in the direction of the proposal of the Utah delegation would be better than one in the direction of the environmentalists. But whichever way the vote goes, let's bring this long debate to an end and get on to other matters.

Mr. HATCH. Mr. President, I am going to ask unanimous consent that the following also be inserted: a letter from the Governor, Mike Leavitt; a letter from the speaker of the Utah House of Representatives and the president of the Utah State Senate, along with a resolution adopted last year by the Utah State Legislature. I also put in the RECORD a letter signed by over 300 elected officials we received just this morning; a letter from the Utah Parent Teacher Association; a letter from the Utah State Board of Education; a letter from the Utah Farm Bureau; and a resolution from the board of trustees of the School and Institutional Trust Lands Administration.

Mr. President, I ask unanimous consent that all of those be printed in the RECORD.

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

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, UT, March 14, 1996.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: Utah is a beautiful and unique state. It comprises 55 million acres of diverse landscapes ranging from high alpine ranges of the Rocky Mountains, red rock wonderlands of the Colorado Plateau, deserts of the Great Basin and rich river valleys. We Utahns feel blessed with what we have been entrusted to care for.

These beautiful lands are attracting millions of visitors and tens of thousands of new residents annually. Due partly to this attraction, Utah is also experiencing an era of robust economic growth. During this time of growth and prosperity it is more evident than ever before that it is our responsibility to preserve and carefully manage these diverse landscapes and eco-systems for current

and future generations of Utahns and all Americans.

Of Utah's 55 million acres, some 37 million acres, or over 67%, is owned or controlled by the Federal Government. Most of these federal lands are managed by the Forest Service, National Park Service and Bureau of Land Management. Much of this public land is already preserved for future generations. Two million acres have been set aside as National Parks, Monuments and Recreation Areas. Another one million acres have been set aside as National Forest Wilderness or as wildlife refuges. However, we do believe that an additional 2 million acres should be protected for America's future.

Wilderness is certainly one important way in which we can and should protect land for the future. However, it is not the only way. Other means of protection include designation as: Areas of Critical Environmental Concern, Wild and Scenic Rivers, Natural Areas, Primitive Areas or withdrawals for specific purposes. Also, the State of Utah has cooperated with organizations such as the Nature Conservancy, the Rocky Mountain Elk Foundation and private land trusts to preserve state and private lands for wildlife habitat and watershed. We believe that land preservation and management must utilize all available tools and be a cooperative process among all federal, local and state agencies as well as involving the general public.

I believe we can all agree that Wilderness is one important tool for protecting public land. How much land should be protected as Wilderness is more difficult. The process of determining how much BLM land in Utah should be preserved as Wilderness has taken more than 17 years, at a total cost of more than $10 million in federal dollars. Many more millions, yet unquantified, have been spent by state and local governments, businesses and the general public. Literally hundreds of hearings have been held and thousands upon thousands of comments written, read and heard.

During the last year along more than 50 public meetings were held in Utah. Seven public meetings were attended by me and members of Utah's Congressional Delegation. Also, two field hearings were held in Utah by the House Subcommittee on National Parks, Forests and Lands. I have received more than 22,000 comments on the issue in my office alone.

What is evident from the discussion over the last year and the last 17 years is that all Utahns care deeply about the land. Yet, there is and will always be a great divisiveness in the eyes of the public on how much Wilderness should be designated. Most citizens of rural Utah, where these lands are located, are strongly opposed to any Wilderness. Yet some citizens of Utah's urban areas would like to protect an additional 5.7 million acres.

Over the last year, Utah's Congressional Delegation and I have attempted to develop a Wilderness proposed which balances these differing points of view. The result is S 884, ''Utah Public Lands Management Act of 1995,'' which has been introduced by Senators Orrin Hatch and Robert Bennett. Senators Hatch and Bennett have worked long and hard with me and many Utahns of diverse opinions to develop this proposal. They deserve a great deal of credit for their diligence.

S 884 is an honest approach to resolving this issue and proposes over 50 Wilderness areas. The bill includes Utah's ''Crown Jewels,'' which are such well known areas as Grand Gulch, Desolation Canyon, San Rafael Swell, Escalante Canyons, Westwater Canyon and Parunuweap Canyon. S 884 includes areas which represent numerous ''eco-systems'' including: high mountain ranges, river canyons, red rock desert and unique areas in Utah's West Desert.

The Utah Congressional Delegation and I have committed considerable time and resources to this process. This bill reflects our commitment to the importance of what is fair, balanced and good for the citizens of Utah and the United States. It will not please either extreme but presents the best solution for Utah and the nation and has the support of the mainstream citizens of our state. As the Governor of the great State of Utah, I fully support S 884 which designates two million acres of BLM land in Utah as Wilderness, an area larger than the State of Delaware. With these lands protected as Wilderness, we as a state will move forward to properly managed and protect all of Utah's diverse public lands in cooperation with federal land agencies. I respectfully encourage you to support S 884.

Sincerely,

MICHAEL O. LEAVITT,
Governor.

UTAH STATE LEGISLATURE,
Salt Lake City, Utah, February 14, 1996.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: As legislative leaders, we want to reaffirm the position taken by the Fifty-first Legislature of the State of Utah as it relates to the amount of BLM land designated as wilderness in Utah.

HCR 12, Resolution Supporting Wilderness Designation, by Representative Bradley Johnson, states very clearly the process by which wilderness was to be identified and quantified. That process was followed, and the local political entities acted very responsibly when they recommended that a little more than 1 million acres receive wilderness status.

The addition of acreage bringing the total amount to be added to the wilderness proposal to 1.8 million was an unsettling surprise. Yet, in a spirit of compromise, this total amount would be acceptable. We believe the addition of any more acreage, however, would be an affront to the citizens of this state and the process put in place that made the original recommendation. Furthermore, we believe the addition of more land would be tantamount to rhetoric which is without a rational or factual basis.

The Fifty-first Legislature has spoken clearly on BLM wilderness designation. To lock up more land to an uncertain future in a state where 80 percent of the land area is subject to some form of government restriction and control is a policy which lacks sensitivity and foresight. This policy blind spot is simply inappropriate. To shackle future generations in this state with the unbendable restrictions wilderness designation imposes is nothing more than a ''takings'' of the hopes and dreams of Utahns whose heritage and economic roots are tied to these lands. These lands are not threatened and wilderness designation will not provide any additional protection that is already provided for by law governing the management of these lands.

For more than 100 years, there has been a harmony between the land and the land user. A dependence on the part of both has grown up with a healthy mutual respect. Questionable science has been injected into the wilderness decision-making process by those who are disjointed and removed from the land they claim to befriend.

We reaffirm our position on wilderness designation articulated in the last legislative session and as that you consider it to be the position of the State of Utah. If we can be helpful and answer your questions in addressing your concerns relative to this issue, we would be most amenable to doing what is necessary so that your decision is made with the very best, accurate information.

Sincerely,

MELVIN R. BROWN,
Speaker.

R. LANE BEATTIE,
President.

LAWS OF UTAH—1995

H.C.R. 12

Whereas the Bureau of Land Management (BLM) has issued its final Environmental Impact Statement and recommended designating approximately 1.9 million acres of land in Utah as wilderness;

Whereas the state is willing to cooperate with the United States government in the designation process and in protecting Utah's environment;

Whereas designating lands as wilderness affects many communities and residents of the state by permanently prohibiting certain kinds of economic development;

Whereas a federal reservation of water could serious affect the potential for development in growing areas of the state;

Whereas the designation of wilderness would depreciate the value of state inholdings and adjacent state lands, reducing an important source of revenue for the education of Utah's schoolchildren;

Whereas it is the state's position that there should be no net loss of state or private lands and no increase in federal ownership as a result of wilderness designation;

Whereas lands that may be designated as wilderness are subject to existing rights and uses under current law, such as mining, timber harvesting, and grazing;

Whereas the BLM has extensively studied public lands in Utah for the purpose of determining suitability for wilderness designation;

Whereas it is vitally important for Utah to maintain the ability to develop its mineral resources, such as the Kaiparowits Coal Field, for the economic and financial well being of the state, its trust lands, and counties;

Whereas much of Utah's municipal, industrial, and agricultural water supply comes from public lands, requiring continued management and maintenance of vegetation, reservoirs, and pipelines, and

Whereas the definition of wilderness lands established by Congress in 1964 Wilderness Act should be used to determine the designation of wilderness lands:

Now, therefore, be it *RESOLVED* that the Legislature of the state of Utah, the Governor concurring therein, encourage the Congress to enact at the earliest possible opportunity a fair and equitable Utah wilderness bill regarding BLM lands, with the Legislature's and Governor's support of the bill contingent upon its containing the following provisions:

(1) that any BLM lands designated as wilderness must meet the legal definition of wilderness lands as contained in the 1964 Wilderness Act;

(2) that all lands not designated as wilderness be released from Wilderness Study Area status and that the BLM be directed to manage those released lands under multiple use sustained yield principles and be prohibited from making or managing further study area designations in Utah without express authorization from Congress;

(3) that no reserve water right be granted or implied in any BLM wilderness bill for Utah inasmuch as federal agencies are able to apply for water through the state appropriations system in keeping with the 1988 opinion of Solicitor Ralph W. Tarr of the United States Department of the Interior;

(4) that federal agencies be required to cooperate with the state in exchanging state lands that are surrounded by or adjacent to or adversely affected by wilderness designation for federal lands of equivalent value; and additionally, because designation of wilderness lands is a federal action, that federal funds be appropriated to pay for appraisals of state lands and federal lands to be exchanged;

(5) that every effort be made to ensure that there be no net loss of state or private lands and no increase in federal ownership as a result of wilderness designation in Utah;

(6) that the designation of wilderness not result in the creation, either formally or informally, of buffer zones and management zones around, contiguous, or on lands affected by wilderness designation;

(7) that all valid existing rights and historical uses be allowed to be fully exercised without undue restriction or economic hardship on lands designated as wilderness as provided in the Wilderness Act of 1964; and

(8) that management of vegetation, reservoirs, and similar facilities on watershed lands designated as wilderness be continued by state or private means.

Be it further *RESOLVED* that the Legislature and the Governor conclude that elected county officials, after extensive public input, should develop the wilderness proposals and the conditions for acceptable designation of wilderness lands within their respective counties, with the aggregate of these respective county recommendations constituting the basis of the state proposal for BLM wilderness designation in Utah. The county officials should be consulted regarding any changes to their respective county recommendations.

Be it further *RESOLVED* that copies of this resolution be sent to President Clinton, the President of the United States Senate, the Speaker of the House of Representatives, the Secretary of the Interior, the directors of both the state and federal offices of the Bureau of Land Management, and Utah's congressional delegation.

UTAH CONGRESS OF
PARENTS AND TEACHERS, INC.
Salt Lake City, UT, March 20, 1996.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: Utah PTA encourages your support of S. 884, Utah Public Lands Management Act of 1995. This bill impacts the school of our state. Federal land designations capture school trust lands which were set aside at statehood to support Utah schools because 69% of our state is untaxed. Historically, promises to trade the captured land for land outside those designations have not been honored. We support S. 884 because the bill:

provides a responsible wilderness designation;

provides a process of equitable compensation to the school children;

provides for responsible water development under existing state laws.

We strongly oppose H.R. 1500, America's Redrock Wilderness Act of 1995 because the bill:

captures over a million acres of the school children's land without any provision for exchange;

designates wilderness lands that do not meet the Congressional definition of wilderness;

is not supported by the Utah Congressional delegation.

We rely on your commitment to the future generations of the school children of Utah by supporting S. 884.

Sincerely,

LINDA M. PARKINSON,
President.
PAULA M. PLANT,
Legislative Vice President.

UTAH STATE OFFICE OF EDUCATION,
Salt Lake City, UT, March 20, 1996.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: I strive to be an advocate for children, as I am sure you do also. I am concerned that Utah's school children stand to lose critical resources which would fund their education under H.R. 1500.

Therefore, I urge your support of S. 884. This legislation includes provisions to protect the school trust lands within Utah. It is vital that these lands be capable of producing income which in turn supports the public education of Utah's children.

Utah receives minimal federal dollars for education when compared to other states. At the same time, we have more children per taxpayer to educate than any other state.

Please align your position on the side of the children. Vote in favor of S. 884.

Sincerely,

JANET A. CANNON,
Member, Utah State Board of Education.

UTAH FARM BUREAU FEDERATION,
Salt Lake City, UT, October 27, 1995.

Re S. 884.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: This letter is to reaffirm the support of the Utah Farm Bureau Federation for Senate Bill 884, the Utah Wilderness bill introduced by you and Senator Bennett, with a companion bill in the House. The Utah Farm Bureau Federation has nearly 22,000 member families, spread across the entire state with members in every single county of the state. It is responsibly estimated that there are about 93,000 citizens of Utah in these 22,000 families. A large majority of the farms and ranchers in Utah are members of Farm Bureau. Also, we have members who are not currently farming or ranching, but who may be absentee owners of farms or ranches or who are sons and daughters or grandsons and granddaughters of active farmers.

The basic provisions of this bill have been the subject of widespread discussion among our members. Some would have liked an even smaller total acreage than the 1.8 million in the bill. But we recognize this is a good compromise between the radical 5.7 million acre bill proposed by some groups, and the ''zero wilderness'' position of some.

We are particularly pleased with the release language, the effort to protect vitally important water rights, the protection against de-facto buffer zones, and the overall attempt in the bill to comply with the original intent of Congress in the 1964 Wilderness Act. Above all, it is critically important that we end this long, divisive and very costly debate over what is and what is not formally designated wilderness in Utah. Public lands are absolutely essential to the economic viability of rural Utah. We need to get this issue settled.

We compliment you and other sponsors of this legislation. We assure you of our support and urge every effort to obtain passage of the bill.

Sincerely,

C. BOOTH WALLENTINE,
Executive Vice President and Chief Administrative Officer.

RESOLUTION No. 95–05

Whereas, legislation currently pending in Congress, H.R. 1745 and S. 884, would designate wilderness areas on Bureau of Land Management lands in the State of Utah; and

Whereas, the designated wilderness areas would encompass school and institutional trust lands; and

Whereas, said legislation provides for the exchange of the included school and institutional trust lands for other lands owned by the federal government outside of the designated wilderness areas; and

Whereas, the federally-owned lands are currently subject to leasing under the federal Mineral Leasing Act (30 U.S.C. §§180 et seq.); and

Whereas, the federal Mineral Leasing Act provides that the State of Utah shall receive fifty per cent (50%) of the revenues from the leasing or production of minerals on those lands; and

Whereas, the valuation which the School and Institutional Trust Lands Administration has placed upon the lands to be exchanged has taken into account the rights of the state of Utah under the Mineral Leasing Act; and

Whereas, federal and state laws do not currently allow the School and Institutional Trust Lands Administration to sell the mineral estate; and

Whereas, the proposed language in the federal bills would make the obligation to share revenue a valid existing right applicable to all subsequent owners, should the School and Institutional Trust Lands Administration no longer own the mineral estate; and

Whereas, the trust is seeking to acquire the targeted federal lands listed in the federal bills because of the potential for development; and

Whereas, the Board of Trustees desires to ensure that, based upon the valuation provided by the School and Institutional Trust Lands Administration and accepted by this Board as of the date of this resolution, the State of Utah receives revenues from the production of minerals on the lands which become school trust lands as result of the exchange provided for in H.R. 1745 and S. 884.

Therefore, be it *Resolved*, That, subject to the condition that the lands to be exchanged with the federal government as part of the directed exchange currently included in H.R. 1745 and S. 884 are of approximately equal value, as approved by this Board, such valuation taking into account the right of the State of Utah to receive fifty per cent (50%) of the revenue from the production of minerals that are leased pursuant to the federal Mineral Leasing Act (30 U.S.C. §§180 et seq.), the Board of Trustees of the School and Institutional Trust Lands Administration supports the inclusion of language in H.R. 1745 and S. 884 which provides for the distribution of fifty per cent (50%) of the proceeds resulting from the production of leased minerals on the lands acquired by the state, which minerals would have been covered by the federal Mineral Leasing Act (as amended through the date of enactment of H.R. 1745 and S. 884) if the lands had been retained in federal ownership. The Board also supports language in H.R. 1745 and S. 884 which provides that;

1. the proceeds shall be collected by the Administration and distributed, after deduction of a pro rata share of administrative costs, to the state of Utah;

2. disputes concerning the collection and distribution of the revenue shall be resolved pursuant to Utah state law;

3. that such obligation to collect and distribute proceeds shall end if the trust no longer owns the mineral estate; and

4. the collection and sharing of the proceeds from timber production shall also be shared in accordance with current applicable law.

The language supported by the Board is attached hereto and incorporated herein by

this reference, consisting of the Committee Draft of H.R. 1745 and amendments proposed by this Board.

Adopted this 20th day of November, 1996.

Ruland J. Gill, Jr., Chair, Board of Trustees of the School and Institutional Trust Lands Administration.

Mr. HATCH. Mr. President, I have taken a long time here, but, frankly, this needed to be said. I realize that many people on the other side of the issue are very sincere people. I happen to believe in the environment myself. But I also know if we do not worry about human beings, there will not be an environment in the end, because sooner or later someone is going to rise up and an extremist on the other side is going to take control if we act like you cannot have balance on these matters.

All the sincerity in the world does not make it right. I think we have done a very good job of crafting a bill here that brings the vast majority of all people together, while leaving the extremists still screaming at us; but even they will die down once the bill is passed, just like the two ends of the extremist spectrum who moaned and groaned about the Utah Forest Service wilderness proposal.

We went through this with that bill, too, when we came up with 800,000 acres. Once it was passed, the screaming basically went away. Everybody understood that it was a good bill. Today, people are bragging about it all over Utah. The elected leaders and environmentalists are because we did a good job. I was here. I worked on it. I worked on it with Senator Garn and Congressman HANSEN, and others. The fact is, we worked hard to get it done. That is what we have done here. I hope our colleagues will give some credibility to that.

Perhaps the most misunderstood aspect of this bill has been the so-called release language. Let me take a moment to explain this in greater detail. The release language in the bill would release those public lands not designated wilderness by this legislation from any further wilderness study or review by the BLM. In other words, they would fall back into the pool of lands the BLM manages for various purposes but without the official status of wilderness. It would still be managed by the BLM. We would still be subject to the environmental rules and regulations. It just would not be wilderness, which means that it would not be land that only backpackers could walk on. There would be some reasonable use of the land, but very, very stringently controlled by the BLM.

This is an important point. The land is still managed by the BLM. It does not go into private hands. Some would have you believe we are going to build a shopping center on every acre of that land.

Under section 603 of the Federal Land Policy and Management Act of 1976, the Secretary of the Interior studies those roadless areas of 5,000 acres or more and roadless islands of public lands for their wilderness characteristics and reports to the President on the suitability or nonsuitability for each designation of wilderness. The President submits a recommendation to the Congress, and a designation of wilderness shall become effective only if as approved by an Act of Congress.

There was supposed to be a beginning of the study process—initiated by the BLM—and an end. The Wilderness Act of 1964, together with FLPMA, provides the recipe for designating wilderness. This was not a process designed to go on in perpetuity, causing the BLM or the Forest Service to manage lands as if they were wilderness forever, which is what we have been living with in Utah.

Our bill follows the plan for designations set out under these laws. It is a plan that allows lands to be protected for their wilderness values and character and at the same time brings closure and finality to the process.

The conception of releasing lands not chosen for wilderness designation has never been controversial. The Congress has made it through countless bills to designate wilderness in the time I have been a Senator. Each time a bill is passed into law, the lands not designated were released. That is the normal process. Why is release in this bill such a lightning rod issue? I suspect it is because the lands in the study areas have been managed as wilderness for almost 20 years. In addition, the lands included in H.R. 1500, the so-called environmentalist bill—or at least, the environmentalist extreme bill—have been managed as de facto wilderness in recent years.

All it takes for all of this land to be de facto wilderness is to let this process go on forever. Face it, it is hard to let something go once you have it. Environmentalists are loath to pass legislation designating less land in the wilderness than what is already basically wilderness now or de facto wilderness. I am not unsympathetic to their motives, but I disagree with the result. It holds millions of acres in legal limbo, some think illegal limbo; our people in Utah feel illegal limbo.

Our bill contains release language that would have prevented BLM land managers, the on-the-ground professionals, from being able to manage nondesignated lands for their wilderness value and character.

Our concern was the Federal managers would continue to manage land as wilderness even though Congress has made a conscious decision that certain land did not have the wilderness characteristics and values meriting formal designation. We included the term ''nonwilderness'' multiple use in our bill which we believed would accomplish this goal.

As my colleagues know, that phrase in and of itself caused more concerned to be expressed about our bill than possibly any other section in our bill. In fact, it led to a lively debate last December during the full committee markup on our bill.

That was then. This is now.

In today's proposal before this body that term has been eliminated. Our release provision has been modified substantially. The new release language which is contained in the substitute amendment is simple and straightforward. It simply states that the BLM lands located in Utah have been properly studied for their wilderness characteristics, and that those not designated as wilderness by our bill need not be studied or pursued any further by the Secretary.

In addition, these lands will be managed for the full range of multiple use as defined in section 103(C) of FLPMA in accordance with land management plans adopted by the BLM pursuant to section 202 of the Federal Land Policy and Management Act of 1976.

What this says to the Federal managers is that, now that wilderness has been designated, assuming this bill passes, the balance of the land should be managed under existing laws and regulations where appropriate. It is not a signal to the mythical lineup of bulldozers to start their engines, as some might say, because it simply does not leave these lands unprotected.

I repeat, it will not leave nondesignated lands open for unrestrained and uncontrolled development. There are other designations available to the BLM other than wilderness to protect our natural resources from this occurring. These designations are proposed, examined and eventually undertaken through the land use planning process outlined in section 202 of FLPMA.

To give comfort to those who remain convinced that our language will not afford these lands the protection they deserve, let me recount the criteria to be reviewed by the Secretary when developing and revising land use plans. In subsection (c) of section 202, the Secretary shall:

(1) use and observe the principles of multiple use and sustained yield;

(2) achieve integrated consideration of physical, biological, economic, and other sciences;

(3) give priority to the designation and protection of areas of critical and environmental concern;

(4) rely on the inventory of the public lands, their resources and other values;

(5) consider present and potential use of the public lands;

(6) consider the relative scarcity of the values involved and the availability of alternative means and sites for realization of those values;

(7) weigh long-term benefit to the public against short-term benefits;

(8) provide for compliance with applicable pollution control laws, including State and Federal air, water, noise or other pollution standards or implementation plans; and

(9) coordinate the land use inventory, planning, and management activities for such lands with other Federal departments and agencies and of the States and local government within which the lands are located.

Just look at these Bureau of Land Management special designations to which we will be subject to. It is not that the lands are going to be just

opened up for any kind of use. Look at the list of these various things they will be subject to.

Subsection (f) directs the Secretary to provide an opportunity for Federal, State, and local governments and the general public to comment upon and participate in the formulation of plans and programs relating to the management of public lands.

Certainly my colleagues would agree that there is no better way to manage these nondesignated lands than by the book and in accordance with FLPMA. There is not any better way. That is what our release language does. It provides they be managed the way FLPMA says they will be managed.

In Utah, all of the public lands are covered by land use plans developed pursuant to section 202 of FLPMA. I understand some of the plans in Utah are not as current as they might be; but, nevertheless, they provide protection for the resources, particularly those not designated as wilderness. Within each plan, the BLM will consider the resources present in an area and what protection they need.

Last week, I asked the Utah State BLM director to provide me with a summary of those special designations that can be developed through the land use planning process for Federal managers to protect specific resources.

I have produced these two charts that list those special designations and a brief summary of what each designation is for. These designations include:

Areas of critical environmental concern—for those areas that have special unique or rare values;

Outstanding natural areas—to protect unusual natural characteristics for education and recreational purposes;

Visual resources management designations—that are utilized to maintain a landscape that appears unaltered, to retain the existing character of a landscape, and to manage activities that may lead to modifications in that landscape;

Coal management designations—indicating where coal leasing and development can occur and the types of methods that can be used. I might mention in that regard, Utah is the Saudi Arabia of coal. By the way, it is environmentally sound, high-moisture content, low-sulfur content coal that will be necessary to keep the rest of the country environmentally clean.

Continuing with the designations:

Designations for locatable energy and nonenergy leaseable minerals—indicating in what areas the mining laws are open or closed;

Off-highway vehicle designations—I am only listing a few—indicating where such use is open and closed.

These are just a few of the special management designations available to the local BLM manager that can be used to protect this country's resources and our State's resources.

If a designation is made and a particular activity is inconsistent with this designation, it will not occur. The only ''golden arches'' dotting the protected Utah landscape will be the ones covered by the elements over centuries.

While I may not always agree with them, I have faith that our local BLM managers will use these designations in the proper way after establishing their merit through the proper public process.

Again, the substitute bill does not exempt nondesignated wilderness lands from being designated in any of these categories. There are also designations that can be made by Congress or the Secretary of the Interior to establish systems of national importance and to include components within these national systems. The Utah State BLM office provided a list of these authorities, which I have produced on another chart.

These designations include: national wild and scenic rivers, national conservation areas, national outstanding natural areas, critical habitat areas, national historic landmarks, and national scenic areas, just to mention a few. There are others, as well, on the list. There is a wide latitude available to Congress and the Secretary to utilize these designations in a manner befitting the resources and the management scheme they mandate to protect them in their true character.

In addition to all of these designations, there is a plethora of environmental laws and regulations to which the management of our public lands must adhere.

Again, I asked the Utah State BLM Director to provide me with a list of those Federal laws—and I am only talking about Federal laws, not State laws; we have a lot of State laws, too. These are Federal laws that involve BLM activities, to which the BLM managers, as they manage the Federal lands, must adhere. Look at these. We have discussed many of these authorities so far. But, my colleagues need to consider all of these legislative authorities that involve BLM.

An abbreviated list of these laws is located on the two charts I have produced here. I emphasize that these lists are not full lists. I have listed these legislative authorities which I thought were more pertinent to this debate than others. I have not prioritized them in any particular fashion, other than to place them in groups according to their particular management emphasis. I will mention a few that are on this list for the benefit of my colleagues. I understand Senator MURKOWSKI has submitted this list for the RECORD in his remarks, but I will mention a few. These include:

FLPMA; National Environmental Policy Act, or NEPA; Clean Air Act; Federal Water Pollution Control Act, or Clean Water Act; Safe Drinking Water Act; Solid Waste Disposal Act; Resource Conservation and Recovery Act; Superfund; Mining Law; Mineral Leasing Act; Federal Coal Leasing Amendments; Surface Mining Control and Reclamation Act, or SMCRA; Energy Policy Act of 1992;

Public Rangelands Improvement Act; Endangered Species Act; Wild and Free-Roaming Burro Act; Act for protecting Bald and Golden Eagles; Toxic Substances Control Act; Migratory Bird Conservation Act; Federal Insecticide, Fungicide, an Rodenticide Act; Water Resources Development Act; Soil and Water Resources Conservation Act; National Historic Preservation Act; Wild and Scenic Rivers Act; Wilderness Act; Archaeological Resource Protection Act; and Antiquities Act.

This is just to mention a few. It is mind boggling. I am sure my colleagues will agree that this is a ''Who's Who'' list of environmental laws, and the activities that occur on public lands not designated wilderness by our proposal will be subject to each and every one.

I will repeat what I said a moment ago in relation to this list of environmental laws. Our bill does not exempt nondesignated wilderness lands—any of those lands released for regulated multiple use under the bill—from any provision, contained in any of these laws and their corresponding regulations.

Our release language does contain a sentence that has raised questions. This sentence says: ''Such lands shall not be managed for the purpose of protecting their suitability for wilderness designation.'' What does this mean? This means that Federal managers will not manage a tract of land for the purpose of its possible inclusion by Congress within the National Wilderness Preservation System.

As my colleagues will note from the chart listing the special designations available for BLM managers, ''Future wilderness designation'' is not listed because it does not exist. There is no designation or direction from Congress to the agency, outside of section 603(c) of FLPMA, that says you should manage land for the purpose of its future designation as wilderness. There is no such rule or law.

But we have told the agency that we want lands protected for their unique geographical and geological traits, for their special and rare topographical values and qualities, historical values, and so forth.

The way to do this is through the existing authorities and designations available to the BLM.

This sentence in the substitute does not foreclose a Federal manager from managing an area of land to protect its wilderness character. This sentence does not prohibit a BLM district manager from managing an area of land for its wilderness values. Statements to the contrary are false.

And, more importantly, it does not foreclose a future Congress from revisiting this issue and designating additional lands as wilderness. We cannot bind a future Congress, and we do not in our bill.

During last year's markup on our bill, there was lively discussion regarding our release language. On two separate votes, the committee voted to keep our release language in the bill.

However, it was clear from the statements made at the markup, and shortly thereafter to me and Senator BENNETT, that committee members hoped we would address the issues that they raised during the markup.

We have done that with this language. As I said, the term ''nonwilderness'' multiple use has been removed, and there is no language preventing the agency from managing lands to protect their wilderness character.

I want to thank all the members of the Senate Energy Committee, particularly Senators JOHNSTON and BUMPERS and MURKOWSKI, for their constructive criticism of our original language and for their suggestions for ways to amend it. The amendment offered by Senator JOHNSTON at the December markup of the committee provided the impetus for this change.

I must say I agree wholeheartedly with the comment Senator JOHNSTON made prior to the vote on his amendment. He said that the effect of his amendment would be to ''do away with what is a present practice, which is also offending, which is managing for the purpose of some future designation as wilderness.''

That also is the effect of our language. We think it is a worthwhile effect.

Now, I know I have taken enough time. But this is an important issue—one of the most important issues in my whole time in the U.S. Senate. I am hopeful that our colleagues will help Senator BENNETT and myself to get this through. Should it be that they do not, it is going to come back and come back and come back again because we have to get this problem solved in our State.

Frankly, I do not mean to disparage anybody who feels otherwise about this, as there are very sincere people on both extremes of this issue. We have tried to achieve a compromise in the middle, where the vast majority of people can agree. I think people of good will who realize what we are trying to do will agree. I think we have given reason for every one of our colleagues here to consider the hard work we have done and the pain we have been through, and the efforts that we have made to get this done.

In that regard, I want to pay particular tribute to my colleague and my friend from Utah, Senator BENNETT. When he was on this committee, he did yeoman work with other members to apprise them of this matter. Since he has not been on the Energy Committee, he has worked very close with his former colleagues on that committee to help get this done. We have worked side by side, and we are going to continue working side by side. We both have tried to be reasonable in every way in this Congress as we serve here in the Senate. We are going to continue to try and be reasonable.

I want to pay tribute to him because he has been a voice of reason on this issue—an intelligent voice of reason. I personally believe that, when this passes, he will deserve a great deal of the credit, as will our dear friend and colleague, Congressman HANSEN, in the House, who has carried this proposal very strongly over there. Some in the media have said that this cannot pass the House. That is not true. If we pass it, it will pass the House whenever the vote comes.

I hope our colleagues will give some consideration to the efforts we have made, the good faith that we have shown, and the fact that we believe we are representing our State and the Nation in the very best way on this very critical issue to us. This is a very, very important Utah wilderness bill.

I yield the floor.

Mr. CAMPBELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Mr. President, I would like to start by saying how much I admire Senators HATCH and BENNETT for working on this bill—particularly Senator HATCH, who has worked on some form of this bill for almost two decades. Having worked 10 years on the Colorado wilderness bill, I know of the difficulty of doing it, because they are all highly charged, emotional debates.

I think the American public may not quite know what they want with a balanced budget amendment or with health care, but, believe me, they all know what they want when it comes to their land. All of them own the public lands, the areas in or without wilderness, either one. But some want to hunt on it, or run their off-road vehicles on it, and some want to graze on it, and some want to fish or take pictures, or dig for gold and use timber. And they would like everybody else off of it.

Coming from a western State, the Presiding Officer certainly knows the difficulty we get between the special interest groups, who understand that it belongs to everybody, but would prefer that their particular interest gets a priority in using that public land. But it does not happen that way.

For 3½ hours, we have been talking about one section of this bill, really—the title of the Presidio omnibus bill, not the Utah wilderness bill. Utah Wilderness is just 1 title of 33. There are 33 titles in this bill, and all of them are very important. In just title II alone, in fact, there are 16 different areas that probably will not get too much debate because they are not as controversial as the Utah wilderness bill, which is just 1 title. Certainly, when we are something like 30 years behind on finding the money to purchase land that we have already authorized to go into the Park Service and over 20 years behind on the appropriations for building the buildings in the parks, those are all just as important as any other section.

Mr. President, I rise today to call attention to several bills within the Omnibus package that are of particular interest to me and my home State of Colorado. Each of these bills deserves distinction in its own right, being crafted with years of collaborative hard work and dedication. I would like to make brief comments on each of them, and urge my colleagues to support these noncontroversial bills in final passage.

One little section under section 224, ''Volunteers in Parks Increase.'' I do not think anyone has a doubt that in this day of fiscal responsibility that we are supposed to be trying to save some money. But the importance of volunteers throughout America is going up. That probably will not get into the debate today and tomorrow. But there are many others.

Over 50 Senators, it is my understanding, either have sponsored or cosponsored some of these titles, and many of them are extremely important.

The Corinth, MS, Battlefield Act, the Walnut Canyon National Monument Boundary Modification, Greens Creek Land Exchange, Butte County Land Exchange, on and on. Title XXIII, Colonial National Historical Park—all extremely important. And yet, because the Utah wilderness bill, which is just one section, is so controversial, it seems to be getting all of the debate so far.

Let me just talk a little bit about the things that we have worked so hard for in Colorado that are also part of this bill.

Title IV, Rocky Mountain National Park Visitor Center is one of the largest and most visited in America. This bill provides the authority for the National Park Service to use appropriated and donated funds to operate a visitor center outside of the boundary of Rocky Mountain National Park.

We worked on this a number of years. And it is a good bill. But it is only one part of the bigger omnibus bill.

The Park Service has been in need of a visitor's center at the eastern entrance to Rocky for many years now, but due to fiscal constraints, they have been unable to get adequate appropriations. Thanks to a generous private-public partnership proposal, the Park Service has an opportunity to provide a visitor service outside the park boundaries. This legislation would simply make this type of partnership possible for the Park Service. This type of private-public opportunity is exactly what the Federal Government should be taking advantage of these days, and I am encouraged by the proposal for the Fall River visitor center that has been put forth. This center would help the thousands of visitors that flock to the park each year, and would save the Government millions in taxpayer dollars.

TITLE X: CACHE LA POUDRE

This bill would designate approximately 35,000 acres between the cities

of Fort Collins and Greeley, CO, as the Cache La Poudre River National Water Heritage Area.

Senator BROWN, my colleague from Colorado, has worked almost 20 years since he has been in the House and on the Senate side to get that bill passed. It is just one section of this larger omnibus bill.

The headwaters of the streams that flow into this river tell the story of water development and river basin management in the westward expansion of the United States. This historical area holds a special meaning for Coloradans, and we feel that it deserves national recognition as a heritage area. In addition to the designation, this title will help establish a local commission to develop and implement a long term management plan for the area.

This bill holds great distinction for me, for I have been working on it for many years with my good friend and colleague, the senior Senator from Colorado. The good Senator has been trying to get this bill enacted into law for over 20 years now, and each revision of the bill has been a more worthy product than the last. There are always a couple of bills that hold special meaning for us personally, and the Cache La Poudre is a good example of one that the senior Senator from Colorado has a particular interest in. I urge my colleagues to support this worthy bill, and see to it that it is enacted into law before the senior Senator from Colorado retires from our Chamber.

TITLE XI: GILPIN COUNTY, COLORADO LAND EXCHANGE

This bill is a simple, straightforward land exchange bill that will convey 300 acres of Bureau of Land Management lands in Gilpin County, CO, for the acquisition of 8,733 acres of equal value within the State.

I do not think there is any doubt that the Federal Government and the taxpayers of this country get the best of that trade. They are going to get 8,733 acres for just 300 acres of BLM land.

The bill seeks to address a site-specific land management problem that is a result of the scattered mining claims of the 1800's. The Federal selected lands for conveyance are contained within 133 scattered parcels near the communities of Black Hawk and Central City, most of which are less than 1 acre in size. These lands would be exchanged to the cities of Black Hawk and Central City to help alleviate a shortage residential lots.

In return for these selected lands, the Federal Government will receive approximately 8,773 acres of offered lands, which are anticipated to be of approximately equal dollar value to the selected lands. These lands are in three separate locations, described as follows:

Circle C Church Camp: This 40-acre parcel is located within Rocky Mountain National Park along its eastern boundaries, and lies approximately 5 miles south of the well known community of Estes Park. This acquisition can provide additional public camping sites and address a current shortage of employee housing in the popular national park.

Quilan Ranches tract: This 3,993-acre parcel is located in Conejos County, in southern Colorado. This land has excellent elk winter range and other wildlife habitat, and borders State lands, which are managed for wildlife protection.

Bonham Ranch—Cucharas Canyon: This 4,700-acre ranch will augment existing BLM land holdings in the beautiful Cucharas Canyon, identified as an area of critical environmental concern [ACEC]. This ranch has superb wildlife habitat, winter range, riparian areas, raptor nesting, and fledgling areas, as well as numerous riparian areas, raptor nesting, and fledgling areas.

Any equalization funds remaining from this exchange will be dedicated to the purchase of land and water rights—pursuant to Colorado water law—for the Blanca Wetlands Management Area, near Alamosa, CO.

It is clear that the merits of this bill are numerous. Moreover, the bill is noncontroversial, and while it may not have dramatic consequence for people outside of the State of Colorado, it represents a tremendous opportunity for citizens within my State. Due to the time-sensitive and fragile nature of the various components of this bill, I would urge my colleagues to act expeditiously and support this legislation.

TITLE XVIII: SKI FEES

For years a number of us in the west have supported legislation that tries to find some common sense and reason for the administration of Forest Service ski area permits. This title will take the most convoluted, subjective, and bizarre formula for calculating ski fees, developed by the Forest Service, and replace it with a simple, user friendly formula in which the ski areas will be able to figure out their fees with very little effort. We think this is important.

The current formula utilized by the Forest Service is encompassed in 40 pages and contains hundreds of definitions, rulings, and policies. It is simply government bureaucracy at its worst. For the ski industry, this formula is a monstrous burden, and with the expansion and diversification of many ski resorts, this burden grows increasingly more complex each year.

Mr. President, in the 5 years that I have worked on this issue I have heard virtually no opposition to this bill. It enjoys broad bipartisan support, and I hope that my fellow Senators will act swiftly and resoundingly in supporting it.

TITLE XXIX: GRAND LAKE CEMETERY

Mr. President, this title simply directs the Secretary of the Interior to authorize a permit for the town of Grand Lake, CO, to permanently maintain their 5-acre cemetery, which happens to fall within the boundaries of Rocky Mountain National Park. This cemetery has been in use by the town since 1892, and continues to carry strong emotion and sentimental attachments for the residents. This is a little, tiny cemetery near Grand Lake that started over 100 years ago—104 years ago. For 104 years that little cemetery has been in effect. And this cemetery has been used by the town. This portion of the omnibus bill will give the town a long-term permit to maintain that little cemetery.

Currently, the cemetery is operated under a temporary special use permit, which is set to expire this year. By granting permanent maintenance authority to the town, this title creates lasting stability to this longstanding issue. It is completely noncontroversial, and widely supported by both the community and the Park Service.

TITLE XXXI: OLD SPANISH TRAIL

This bill was just introduced a year ago. So it has not been worked as some others have been nearly so long. But we think it is important in this day and age when everybody is trying to preserve the cultural parts of America which is fast declining and going under concrete.

Mr. President, the last bill in this package that I would like to speak on today is another bill that holds special meaning for me. I have been working on this legislation for many years now, and I am pleased to see that this title has seven different cosponsors from both sides of the aisle.

This title would designate the Old Spanish Trail and the northern branch of the Old Spanish Trail for study for potential addition to the National Trails System as a national historic trail.

The Old Spanish Trail has rightly been called ''the longest, crookedest, most arduous pack mule route in the history of America.'' It is that, and more. The Old Spanish Trail tells a dramatic story that spans two centuries of recorded history and originated in prehistoric times. This trail witnessed use by Utes and Navajos, Spaniards, Mexicans, and American trappers, explorers, and settlers, including the Mormons. Its heyday spans the development of the West, from the native on foot to the mounted Spaniard to the coming of the transcontinental railroad. Few routes, if any, pass through as much relatively pristine country. It is time to recognize and celebrate our common heritage, and I would request that my colleagues support this title.

These bills are all noncontroversial and somewhat parochial. They may not mean a whole lot to many Members in this Chamber, but they mean a great deal to me and my constituents. I am not sure what course this debate will take, or even what role I will have in the next few days. But I would like to say for the RECORD, Mr. President, these bills that I have highlighted in my speech today are worthy of passage and are worthy to be enacted into law. Let us not forget the elements of this debate that may not be as star-studded, but are equally important.

Mr. President, I wanted to take a moment to try to add a little bit of perspective to what this bill is all about. It is very complicated. It is tremendously difficult. But the vast majority of the 33 titles have been worked out and have no opposition at all. Very few of them have any opposition. To spend all of the time on one on which I think the majority of the disagreements have been worked out already—which is the Utah wilderness bill—I think is going to be time consuming and not very productive.

So I wanted to add my voice to those who are saying there is more to this bill than just Utah wilderness. Utah wilderness is extremely important. But through the work that Senator HATCH and Senator BENNETT have done I think they have gotten a pretty good compromise. I know from the years that we worked on the Colorado bill that it does not make any difference how much land you put into a wilderness bill. There will be people who say that it is not nearly enough, and that it should be twice the size, or three times the size, or four times the size.

That is what we have gone through in virtually every wilderness bill that we have dealt with here.

I want to compliment Senator BENNETT and Senator HATCH for the work that they have already done on it, and to tell my other colleagues that hopefully we will keep this in perspective and recognize there is an awful lot of other extremely important parts of this omnibus bill.

Thank you, Mr. President. I yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Utah.

Mr. BENNETT. Mr. President, I want to thank my colleague from Colorado for giving us that perspective which I think perhaps we needed.

If any of our colleagues are watching in their offices, they may think that the Utah wilderness bill is the only issue and that we are involved in overkill, perhaps. However, there are some things that I think appropriately should be said in this circumstance. And I will do my best not to repeat what has been said by my colleagues, Senator MURKOWSKI, and Senator HATCH.

I would also like to take the opportunity to thank Senator JOHNSTON, my colleague from Louisiana, for his kind words at the beginning of this debate. He provided a tremendous amount of help on this issue when it was before the committee. And, as he said accurately, it was his proposal backed unanimously by all of the Democrats on the committee that became the basis for the final wording of the bill in terms of the release language.

I agree with Senator HATCH—that many of those who are now attacking the bill in newspaper advertisements and elsewhere have not read that language and need to understand that they are attacking a bill that no longer exists. I know that does not meet their needs because their political needs require them to attack the very worst possible bill. I do not happen to think our first proposal was the worst possible bill. But they do, and they can keep the emotion up, if they continue to attack that which we have long since abandoned.

Mr. President, I have a different view perhaps of this issue. And I apologize if this is unduly personal. But this is the only way I can really describe how I come to this issue.

I am a city slicker. That is a term used perhaps in some places. But I grew up in a city, went to school in a city, and raised my family in a city. I knew little or nothing about these issues until I decided to run for the Senate. I came with the perspective of somebody for whom wilderness meant a drive in the country on a Sunday afternoon.

My opponent for the Senate was the author of H.R. 1500, the bill that called for at that point 5.4 million acres of wilderness in Utah, and he was lionized by all of the same groups that are now buying the full-page ads in national publications to attack the bill that we are debating here today.

It was interesting to me to follow him around the State of Utah and see him back away from his original proposal the more exposure he had to real voters.

It is also interesting that now that the voters of Utah decided to retire him from public life that he has become the chairman of the Southern Utah Wilderness Alliance, the group that has been paying for these advertisements around the country. I do not know how much they spent. I would guess it would be millions of dollars, knowing what I do know about the cost of advertisement—perhaps even in the tens of millions of dollars. We will never know. The group will never tell us. The group does not tell us where their financial support comes from. The group does not tell us who is behind their efforts. But they have mounted this effort and run these ads in attack of this bill.

As I say, I am a city slicker. I came to this issue really with no preconceptions one way or the other. I was forced into it by virtue of the fact that my campaign was against Wayne Owens who was the primary mover of this effort, and who continues, as I say, today as one of the primary forces behind it. I decided I had better learn something about the issue. I know that strikes some people as a little strange in politics. But I decided that I was not going to be able to run on discussion of this if I did not know anything about it.

So this is what I did to try to find out about it. The first thing I did was talk to the people who lived on the land.

I went out to the land, and I sat down with the people who live there, and I asked them to tell me about it. I will not bore you with all the things they told me, but one conversation sticks in my mind. A woman down in southeastern Utah walked out with me. We had been in an area where we had been having dinner with a group of people. We walked out into the open air, and she said, ''BOB, look around. What do you see?'' Well, I did not know what I was supposed to see, so I had to make up some kind of comment. I did not know what I was looking for. But she said, ''Look around at this land. What do you see?''

I shrugged my shoulders a little, and I said, ''It's pretty.'' She said, ''It's pristine.'' I said, ''Yes, that's right. It's pristine. That's wonderful.'' She said, ''BOB, my family and I have been making our living off this land for five generations. Tell me we don't love it and we can't take care of it properly.''

So that was the first experience I had as I went out and talked to people who live there and have their feeling of stewardship for the land. It is very real. I submit to the Senator from New Jersey that it is as real as his sense of stewardship or that of anybody else who sends in their subscriptions to the various environmental groups but who has never had the experience of living on the land from generation to generation.

These people are not despoilers. These people are not exploiters. These people are stewards, and they are good stewards, of the land. The reason the land is in the condition it is in that we can be talking about it as needing to be preserved for our children is that these people have preserved it in that condition for five generations and more.

All right. That is the first thing I did. I talked to those who live on the land. Then I decided, well, I better talk to the professional managers, the people who make their living managing this land for the Federal Government. As Governor Leavitt pointed out in his letter that Senator HATCH quoted, the professional managers run more of the State of Utah than the elected Governor does. The head of the BLM in Utah geographically has wider sway than the Governor and the State legislature put together.

So I went and talked to these professional managers, and I asked them to tell me about this wilderness thing, help me understand it. They looked at me. They had to take my measure for a little while. They had to decide whether I was really serious about trying to get their view. When they finally decided that I was serious about wanting to know without any preconception, they said, ''Senator''—by this time I had been elected so they used that term. They said, ''Senator, we can't manage 5.7 million acres of wilderness. You give us 5.7 million acres as wilderness, and we are going to have all kinds of incursion into that land because we don't have enough police force to keep people off land that they have been traditionally entering for many, many years. We are finding it

already in the study areas; the 3.2 million acres that are being studied cannot in perpetuity be managed as wilderness. We are already seeing incursions that we can't control.''

They said, ''One of the reasons the BLM came up with 1.8 million acres of wilderness is that we decided that was the maximum amount we could effectively protect as wilderness. The rest of it simply could not be managed.''

They gave me this example of why some acreage is not appropriate for wilderness. They said the 5.7 proposal talks about land that comes right up to the highway. They said, ''Senator, we cannot stop people out there along the highway from parking their cars on the side of the highway and picnicking on that land.''

Now, the land has no wilderness characteristics in the terms of the bill as Senator HATCH has described; that is, the original Wilderness Act. The reason it is included in the 5.7 is that these people want it as buffer land for wilderness area that is maybe 5, 6, 10, 20 miles away. So they have taken the wilderness area that is 20 miles away from the highway and decided that in order to protect it, in their view, they are going to put the wilderness designation right up to the highway itself.

They said, ''Now, Senator, stop and think about it. Are you getting the wilderness experience in an area untrammeled by man when you are standing 50 feet away from an interstate highway?''

That is not the kind of solitude that the Senator from New Jersey waxed so lyrical about earlier this morning. That land does not qualify in any sense for a wilderness designation, and yet, according to these professional managers, it is included in some of the proposals that we have.

So I thought, well, OK, I have talked to the people who live there. I have talked to the managers. Maybe I ought to go see the land myself. So I went out to see the land, and I discovered something that as a city slicker I would never ever have known, something that I think is being ignored in this debate, something that has been ignored in this Chamber, and something that I would like to talk about as being crucial to this issue, and that is this. I discovered that human beings do not automatically degrade the quality of the environment. Indeed, I discovered that in some circumstances human beings improve the quality of the environment.

Is that not a radical notion? Everything we have been hearing about preserving wilderness is that we have to preserve this in its pristine, magnificent quality, or something really worthwhile will be lost and we will get in place of it something terrible that comes from human beings.

Let me show you some pictures, Mr. President, some that we have brought together and some that I saw for the first time as I was presiding the other night when the Senator from Wyoming was talking about grazing. Let us take first some of the pictures from the Senator from Wyoming because I think there is a significant point to make. I will not go through all of them as he did.

It so happens that in 1870 a photographer got loose in Wyoming, and he went around and took some pictures of areas that he thought were particularly significant. The picture on the top is in Jackson. It was taken on August 12, 1870. In 1976, a little over 100 years later, modern photographers going over these magnificent old photographs decided they wanted to go back to the same place and take a picture of exactly the same scene. So they did.

What do you see between 1870 on the top and 1976 on the bottom? You see a lusher environment. You see more trees, more vegetation, healthier grass than you saw 100 years ago. What is the difference? The difference is that for the succeeding 100 years wise stewardship by human beings has been practiced on that land, and environmentally it has gotten better and not worse.

We have another one by the same process, same photographers. This is also in Wyoming. I wish I had some pictures like this of Utah. I have one that I will get to.

Again, Jackson, August 20, 1870, on the top. You see the kinds of things that we hear on this floor about overgrazing and the range in terrible condition and the grasses having been destroyed, and so on. Now you look at it 100 years later with wise management and you see trees in the riparian area; you see lusher grass; you see healthier plants because human beings have exercised wise stewardship.

Now let us go to the one in Utah. The Senator from Wyoming had a whole series of these and built his whole presentation around them. I was tremendously impressed.

This one is not 100 years. This one is only about 50. I picked this one because the Escalante River is one of the areas of high controversy in this wilderness debate. The top photograph was taken in 1949. It shows the Escalante River. The bottom photograph was taken in 1992. What do you see in the bottom photograph? You see lush vegetation through the riparian area, so lush you cannot even see the river because there is so much foliage there. And where did that come from? That came from human intervention into the area. That came, primarily, from cattle.

We have heard so much about how terrible cattle are for the environment. We heard from the Senator from New Jersey the basic assumption that when cattle get into an area, there is automatic overgrazing. As I said, I walked the land myself. This city slicker went out and went over some land and discovered a fascinating thing that I would never have learned, growing up in Salt Lake City, UT. I had a guide who took me through it and he showed me two tracts of land, side by side. We walked over both. The one tract of land had cattle grazing on it on a regular basis. The vegetation was healthy. The watershed was good. The grasses were healthy and strong and lush.

We then went to another area, which, ironically, was BLM land where cattle permits had been denied. The first piece of land was private land, right next to it a piece of BLM land where permits had been denied. Here the land was beginning to turn to desert. There were no grasses. Such vegetation as was there was scrawny and drying up, showing, if you will, something very similar to the contrast in those two photographs.

I said to the man who was guiding me through, ''All right, now tell me why this is?''

He says, ''It is very simple.'' He said, ''Out here in Utah and Arizona''—actually, this particular tract of land was in Arizona, right on the Utah border—''it is so dry that the land cakes, and when the water finally comes in the infrequent rainstorms, it hits this caked-over land, this dried-over land, and it runs off and does not get in below the surface to nurture anything, unless something comes along to break through the surface of that land.'' He said, ''The something that most often comes along that can do the land most good is a cow.''

When a cow comes along, every time it steps, before a rainstorm, afterward there is a little puddle of water in every one of those steps where the cow goes by. And then the seeds are coming through the air as the wind blows along. And where do those seeds get caught? They get caught in those little indentations made by the places where the cattle have stepped. And if there is water there and seeds there, and then fertilization—the cow carries that process with it and drops it along the way—you begin to get what you see in this patch of land, strong plants and lush grass, rather than the desert effect that you get in this patch of land where the cattle have been kept away.

That is exactly what has happened in the Escalante River. Yet, in the name of protecting the environment and doing what is best for the environment, there are people who would say the top photograph is better than the bottom photograph. The top photograph represents something we must preserve for our children and our grandchildren, and the bottom photograph represents exploitation and despoilation of our natural resources.

That is a moral judgment that I cannot make. I do not find any moral superiority in deserts over vegetation. Some people might be able to make that moral judgment. I cannot.

So I came away from that experience, talking to the people who lived on the land and finding them to be good stewards who loved the land every bit as much as anybody who ever sent off his card to the Sierra Club, talking to the

managers who run the process and finding them to be conscientious and intelligent people who want to do the right thing for the land, and then finally walking the land myself and going through this process, I came away with the conviction that there is no single magic bullet for us to solve our environmental problems, such as slapping a wilderness designation on a map and then saying nature will take care of this and human beings, stay away forever and ever.

Let me give another example of why it is the people of Utah are so concerned about this question. Why do we care? Why do we care whether land is designated as wilderness or left in BLM inventory? What big difference does it make? Let me give one example in Juab County, UT, where there is a little town called Mona.

I have driven through Mona. I would like to say for the sake of this debate I have stayed there and talked with some folks, but I have not. I must be honest. I just kept right on driving, and you get through Mona pretty quick when you are driving. It does not slow you down very much. Mona's secondary source of culinary water is a spring located on Forest Service land. Unfortunately for the people of Mona, this spring extends into the Mt. Nebo Wilderness Area, which was designated in 1984. It is a small spring. It has a flow of only 5 to 20 cubic feet a second, depending on the time of year. The pipeline is operated by the tiny little Mona Irrigation Company.

For the last 2 years, Mona has been prevented by the Forest Service from accessing and maintaining the spring, even though the first historic use of the spring began in 1870.

Under the terms of the Wilderness Act, prior activities are grandfathered in and allowed to go on. If you had a grazing permit, according to the act, you can continue to graze. If you had a mining permit, according to the act, you can continue to mine. In fact, we know that once something is designated as wilderness, all that goes out the window, it is walled off, no human activity whatsoever regardless of what may have been going on there before. The historic use of this spring began in the 1870's. There has been over 120 years of use of this water.

The Forest Service, now, will not give permission for the tiny town of Mona to access and maintain its source of drinking water until an environmental assessment is completed.

I will say the Forest Service has not been obstructionist about this, in any kind of confrontational way. They have simply said this is what the regulations are and we are going to enforce them. We are sorry about it. They have not been particularly cooperative. They have just enforced the rules.

So, for 2 years now, Mona cannot deal with maintaining this source of water that they have been using for 120 years.

I would be a little more sympathetic with the wilderness advocates if this spring were, say, 3 miles inside the wilderness boundary. Mr. President, it is 900 feet from the wilderness boundary. But they are forbidden from crossing that boundary to go provide maintenance on a source of water that they have been using for 120 years. That is the kind of thing that scares the living daylights out of the people in Utah, who live next to these wilderness designations and are saying, ''What is going to happen to us when we start facing the bureaucracy that surrounds the enforcement of a wilderness designation?''

Much has been said about the process. I will not revisit that except to give my version quickly of what happened, and some of the things that we have gone through here.

As Senator HATCH pointed out, the BLM started the study here. I should point out for the sake of partisan clarity that the decision as to what would be studied and what would not was not made by Jim Watt. It was made during the Carter administration by those environmentally friendly folks who President Carter appointed to the Department of the Interior.

They did their study, they came up with their conclusion, and then they opened it up for standard appeals, comments and so on. The Utah Wilderness Association, a group not to be confused with the Southern Utah Wilderness Alliance, protested that the Department of the Interior and the BLM had missed some very significant areas. Their protest was not only heard; it was upheld. Some 800,000 acres were added to the study area in response to the protests of the Utah Wilderness Association. I happen to believe that that protest was wise and that the decision that was made to add those additional acres to the study area was the correct decision.

There were other protests that were made that were defeated in court. I made that point at the press conference where we all got together to announce our intention to try to resolve this issue, and some folks came up to me after the press conference and said, ''Oh, no, no, Senator, we've never lost any of our appeals, we've never lost any of our challenges.''

I said, ''Well, then, my staff is misleading me and the folks at the BLM are misleading me. They said every time you have challenged this original designation you've lost.''

''Well,'' he said, ''we did have to withdraw some of our appeals, but it was withdrawn because we didn't have enough money. We couldn't afford to proceed.''

I find that a very interesting statement in the light of what we have heard on this floor today from the chairman of the committee of roughly $1 billion of liquid assets in the hands of those who are fighting this bill. If they have enough money to buy a full-page ad in the New York Times, they have enough money to pursue their effort in behalf of some of these court challenges.

No, I do not think they withdrew the challenges because they did not have enough money; they withdrew the challenges because they knew they were without merit and they were going to lose and they did not want the embarrassment of having that loss on the record.

We decided—that is, the members of the delegation—in concert with the Governor that we were going to start this whole thing from scratch again. Senator HATCH has described the hearings that were held at the county level, the hearings that were held statewide and all of the rest of that. We are being told now that 75 percent of the people who responded to those hearings were in favor of 5.7 million acres. I can only agree with Senator HATCH that that is an incorrect figure, incorrect statement.

What was very clear to me as we went from place to place was that the caravan of protesters went with us. It became kind of a ballet. As the delegation would move into a new area, then all the protesters would move and they would have the same buttons on. They would come in and demand the places and then tell us the same thing they told us in the previous location. Then we would get in our cars and drive to this location and they would get in their buses and come, and we would go through the same charade.

For them to say 73 percent of the people who testified were all in favor of this other proposal, I would say it is the old story used when you turn down somebody for a job and he said, ''But I've had 10 years experience,'' and the answer is, ''No, you haven't, you've had 1 year experience repeated 10 times.''

We had this same group of people repeating the same arguments over and over and over again. On one occasion, the Governor turned to say something to a member of his staff and the witness stopped and said, ''Governor, I'm speaking to you.'' The Governor turned back and apologized, listened, and then said to me, ''The reason I felt I didn't have to listen to her is because I had heard the same testimony from her four times and I thought I knew what it was she was going to say.''

It was interesting to me that when we were through with this process, we came up with roughly the same result that the BLM had produced in their 15 years of activity. We did not try to do that. We did not deliberately set out to validate what they had done, but we found it fascinating that when we were through, we had the same result.

This is what we were told at those hearings, and we have heard some of it on the floor today. I would like to respond to it. We were told: ''Wilderness will make money.'' We heard that from the Senator from New Jersey. ''Tourists come to Utah, tourism is Utah's No. 1 industry. If we just add wilderness to the mix, we will make money.''

Mr. President, I have a map of the State of Utah, and you will see that it is filled with bright colors. What are

all these bright colors? The yellow is BLM land. You will see if you get close to it that there are a bunch of little tiny squares of purple all the way through there. Those purple squares belong to the State of Utah. Those are the school trust lands that came in the enabling act when the State was created. But all of the yellow you see here is BLM land. This happens to be a military reservation, the Utah Testing and Training Range. I do not recommend you go out there on your vacation; they are likely to drop bombs on you. That is what they do when they take off from the airfield.

The dark blue is water, Utah Lake and Great Salt Lake.

The green is Forest Service land. When we talk about the Federal Government owning 67 percent of the State of Utah, it is the combination of Forest Service land and BLM land.

The salmon color lands are Indian reservations. Interestingly, this area where it shows a great deal of white land is, in fact, an Indian reservation. I will tell you what the white is in just a moment.

This land is national recreation area, also not available for any kind of private development.

The white land that you see left over, that is private land. That is the amount of land that the citizens of Utah own. The Senator from New Jersey says Utah is one of the most urbanized States in the Union. Maybe when you see the land pattern you can understand. There is not any private land available except in the urban areas. That is a bit of an overstatement, but I think it comes closer than some may realize.

You may ask, ''What is all this private land on what is supposed to be an Indian reservation?'' That is land the Indian tribes handed out to their members, so it is still an Indian reservation but it is held by title by the members of the Indian tribe.

So if we are going to talk about exploitation of private landowners, you are going to see that the amount of land that the private owners can exploit is very, very minimal, compared to all of the other land uses.

But I came to the chart for this purpose, because we are talking about the issue of making money off wilderness.

You see this dark green place inside the green Forest Service land. This is wilderness, and that is not obscure wilderness. This is wilderness so popular that the Forest Service has to issue permits to people to go in. They do not want anybody in there in any higher levels of visitation than they are getting right now.

This is wilderness that for its tourist potential has reached the saturation point. The Forest Service will not let anybody else in, and it happens to be in the two poorest counties in the State of Utah. Wilderness has not made them wealthy, the way some of the proponents of this proposal would have you believe.

The other green that you see here in the yellow area is the wilderness that is included in our bill. This is the 2 million acres that we have been talking about, and the various places where it will be, including—yes, including—the Kaiparowits Plateau that we heard so much about earlier in the debate.

Mr. President, I put that out because, again, I am a city slicker. I did not know this until I came to the Senate. I had no understanding of the way the land in Utah is allocated and owned until I came to the Senate and got into this debate. I love to go out into the wilds. I love to go out and commune with nature and have the kinds of experiences that Senator BRADLEY quoted the professor from Colorado was having. ''The silence is stunning,'' he said.

I have had that kind of experience in Utah. I have gone off by myself and had that kind of tremendously uplifting experience. I did not know at the time I had the experience where I was in terms of who owned the land. I have gone back and checked. I was on BLM land. I was on land exploited. Why? Because some cattle had been through there. I did not know that. I had my experience without knowing that.

I guess I am deficient somehow in that I do not require the knowledge that nobody else has ever set foot on the land for me to have that kind of experience on the land. The vast majority of the people who come to Utah to have that kind of experience have it in the green areas, that is, the national forest. We have 8 million acres of national forest in the State of Utah.

The only difference, from my perspective, between the national forest and the other lands that we are talking about setting aside as wilderness is that you can get to the national forest. I can go to the national forest in my automobile. There is no way in the world I am going to be able to go to these areas we have designated as wilderness in an automobile. That is fine. So 2 million acres; it meets the criteria of the Wilderness Act. I agree that that ought to be set aside, primarily for ecological reasons.

But most people who are talking about wanting more wilderness have the mistaken impression that what they are talking about is pretty country. They are saying we want to keep the country pretty and keep away the strip malls and the hamburger stands and so on. There are 8 million acres where there will never be a strip mall or a hamburger stand or any other kind of commercial exploitation in the State of Utah. There are 8 million acres right now in national forests. You add to that the 2 million acres that we have of national parks,—I am surprised at how many of my constituents think wilderness means national parks—add the 2 million acres that we are proposing in wilderness, taken off the BLM land, and you will have 12 million acres of Utah set aside that can never ever be used for any kind of commercial exploitation, plus 20 million acres left to be managed in the way that we saw in the first photograph I showed of Escalante Canyon.

There are 20 million acres left to be exploited, the way that picture on the bottom indicates it is exploited, plus 12 million acres where there will never be any commercial activity of any kind. That comes to 32 million acres. I think that is enough. That all meets the standard of what the law has said that gives us all the legacy that we need to pass on to our children.

Mr. President, I have two other things I want to say that I found as I went around on my odyssey to talk with the people who lived there, talk with the managers, and to look at the land myself.

The first one has to do with the issue that Senator BRADLEY raised with respect to Kaiparowits. As Senator HATCH very appropriately pointed out, our bill protects hundreds of thousands of acres in Kaiparowits. The real issue in Kaiparowits, however—we must be honest about it, Mr. President—is not the number of acres; the real issue of Kaiparowits is called, ''Will we allow any exploitation of the coal reserves that are under the surface in the Kaiparowits Plateau?''

You see the full page ads that talk about ripping out all of this magnificent scenery so that coal can be ripped from the Earth, flung around the world, and as the final statement in the advertisement says, ''A foreign corporation gets all of the profits, and Utah is left with a hole in the ground.''

In the first place, the particular foreign corporation that they are talking about happens to be a very good corporate citizen of the State of Utah and has been mining coal in the State of Utah for close to 100 years.

But, quite aside from that, let us talk about it from the environmental impact standpoint. The Senator from New Jersey talked about long-wall technology in coal mining. I have been down in a coal mine in Utah. I have seen long-wall technology. I say to anybody who has not had that experience, it is one of the most fascinating experiences you are going to have in your life because you cannot conceive, or at least I could not conceive, how any engineer would ever be bright enough to sit down and figure out how that whole thing works. It is just absolutely stunning.

With the long-wall technology that now occurs in coal, it will be possible for the mining company to go into the coal seam at Kaiparowits and take out virtually all of the available coal through a single mine opening. We are not talking about strip mining here. We are not talking about tearing the top off of the Kaiparowits Plateau. We are talking about a hole on the side of a mountain roughly the size from that door to that door in this Chamber and maybe 16 to 20 feet high. That is about all the bigger the hole has to be.

How much coal are we talking about? You figure you have a good seam of

coal if it runs anywhere from 6 to 8 feet in height. The seam under Kaiparowits is about 16 to 18 feet in height, more than twice the size of the coal seam that you would consider very good. There is enough coal under Kaiparowits to provide the power needs of several Western States for the next 100 years.

As Senator HATCH pointed out, it is environmentally friendly coal. It has the right kind of chemical makeup and is the kind of coal you want to burn instead of the kind of coal from other parts of the country, parts that are very well represented in this body, I might add.

How do we get to this opening where this coal can be taken out? In order to get to the opening where the coal can be taken out, you have to go down into a circular canyon. That is good from an environmental standpoint because it means if you are not standing closer than about 100 feet from the edge of the canyon, you cannot see it. How many acres are we talking about? How big a platform? How big a footprint is going to be placed on the land when this thing is fully operative? Forty acres, Mr. President.

At the bottom of this circular canyon, virtually hidden by the nature of the way the canyon was formed, 40 acres at the bottom of this canyon will be admittedly despoiled and exploited, 40 acres will be filled with buildings that are not particularly pretty to look at, 40 acres will be filled with sheds and equipment. And for that 40 acres which cannot be seen anywhere on the Kaiparowits Plateau—I stood on the Kaiparowits Plateau and looked at it directly myself—for that 40 acres that cannot be seen anywhere on the Kaiparowits Plateau, we could produce enough coal to furnish the energy for several Western States for over 100 years.

Now, in this book, ''Wilderness at the Edge,'' where we see the whole 5.7 million acres laid out in all their glory—and it is glory—they tell us all of the places we ought to designate as wilderness that we do not have as wilderness. There is an interesting little suggestion. One of the places they designate as wilderness happens to have a railroad tunnel running underneath it. The railroad tunnel is already in. The trains are already going back and forth. They say it should still be designated wilderness because the activity beneath the surface does not detract from the glorious wilderness experience on top of it.

I say to those who wrote this book, what is the difference between coal mining that is going on underneath the surface, hundreds if not thousands of feet below the magnificent scenery up above, and railroad cars going back and forth? If you can live with railroad cars, saying that does not detract from the experience on the surface, I tell you, you should be able to live with coal mining, particularly with the long wall technology to which the Senator from New Jersey referred.

Now, Mr. President, in conclusion, I know those are very welcome words, and for most of the people who are listening, I go back to the comment made by the Senator from New Jersey in his conclusion. He quoted an editorial from a newspaper, the editors of which, I would guess, have little or no personal experience with any of these issues we have been talking about. The editorial says there are two philosophies, and we have a clash between the two philosophies: Whether we want to support solitude and recreation, one philosophy; or whether all things on the Earth should be exploited for human development, the other philosophy. Of course, they came down on the side of the first, as does the Senator from New Jersey, which is his right. I respect him for it. I respect the thoughtful, intelligent way in which he proposed his arguments.

I suggest, however, based on what I now know about this, that these are not the two philosophies at stake here at all. I suggest, Mr. President, that, yes, this is an argument between two philosophies, but these two philosophies have nothing to do with the question of, are you in favor of solitude and recreation, or are you in favor of human development?

The two philosophies are these, Mr. President: Do you believe that nature is perfect and benign and must be left alone to achieve the highest moral goal; or do you believe that nature is constantly changing, moving from one moral circumstance to the other with such rapidity that there is no moral judgment that can be found, and therefore nature can be managed without any moral implications. Based on what we have seen here, based on what I have seen as I have gone throughout the western lands, I believe that there is moral justification for managing nature, for planting trees where they did not exist before, for running cattle on areas that will produce greater vegetation than was there before. That is my philosophy. I do not run from it nor apologize for it.

I close with this real-life example that illustrates what I am talking about. There is in Utah—there was in Utah; I must put it in the past tense, unfortunately—there was in Utah in Garfield County, one of the counties that would be most affected by this legislation, a magnificent field—beyond field; a magnificent area—filled with buttercups. I did not ever see it myself, but I am told, and I am quoting from those who did see it. It was one of the most awe-inspiring sights anyone could experience, going out and seeing this huge field, lush and gorgeous, at the proper time with buttercups blooming. Cattle grazed in that field, and people who belonged to the organizations listed by the Senator from Alaska decided that field of buttercups was so magnificent that it must be preserved; it must be protected from the degradation of human beings.

Since there was no legislative way to do it, they raised the money—the money presumably they could not find to bring the lawsuits to protect their position elsewhere—they raised the money, purchased this piece of land, and then fenced it off so that the beauties of nature as manifested in these buttercups would be protected forever and ever.

That was just a few years ago, Mr. President. If you were to go to Garfield County today and ask the residents of Garfield County, ''Where are your buttercups,'' they would tell you there are no buttercups. They would take you out to the piece of land that had been fenced off and preserved from any human management. You can see that. What it is filled with is dead grass. Why? Because no longer were human beings allowed to run their cattle through that area, so that the grasses that choked out the buttercups were able to grow up, unmolested and uneaten. The manure that the cattle normally brought with them into the area disappeared, and now the heavy grasses have grown up, choked out all the buttercups, and then, unfertilized themselves, have died, and you have one of the most sterile, uninspiring pieces of real estate on the planet to which somebody paid a fairly pretty penny in order to preserve the buttercups.

Mr. President, human involvement in the environment is not automatically bad for the environment. Human involvement in the environment, if properly managed, can produce good results for the environment. Saying that we are not going to allow someone that does not have any personal stake in this issue to lock up huge chunks of the environment in the name of the environment does not mean we are opposed to the environment.

In my view, Mr. President, sound stewardship by intelligent human beings who love the environment can be good for the environment. Locking humans out arbitrarily by legislative fiat is not automatically the proper environmental thing to do.

I close as I began, Mr. President, by taking you back with me to that moment when I first began my odyssey in understanding this issue, as I stood with this woman in southeastern Utah, looking out over absolutely pristine territory, and having her say to me, ''Look at the land. What do you see? It is pristine. My family and I have been making our livings off of this land for five generations. Tell me we do not love the land and that we cannot be trusted to manage the land.'' I could not tell her that. I cannot tell this Senate that. I cannot tell the President of the United States that.

The bill we have crafted is not only the right bill for the people of Utah, it is, Mr. President, the right bill for the environment and the environmentalists. If they will simply come out of their carports and come away from their mailing lists and come with us, to go through the land and talk with the people who live there and spend time

with the land managers, the true lovers of the environment will come to agree with us that our bill for wilderness in the State of Utah is the proper environmental response.

The PRESIDING OFFICER (Mr. BROWN). The distinguished senior Senator from Utah.

Mr. HATCH. Mr. President, I want to compliment my colleague for his very good remarks and his ability to put into prosaic and also simple terms just what is involved here.

In fact, both of us have been fighting for this for a long time. It is a moderate, reasonable approach. We really appreciate our colleagues who cooperated to help us on this, because it is not going to go away for us or for anybody else here until we get it resolved. It is a reasoned, moderate, decent approach.

Mr. President, I ask unanimous consent to speak as in morning business.

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

JUDICIAL SELECTION

Mr. HATCH. Mr. President, I rise to address an issue that I have discussed recently before the Senate: judicial selection. As I have said before, differences in judicial philosophy can have real and profound consequences for the safety of Americans in their neighborhoods homes and workplaces. Judges are every bit as much a part of the Federal anticrime effort as are U.S. attorneys and FBI and DEA agents.

In my last speech, I drew attention to two Federal district judges appointed by President Clinton—Judges Harold Baer, Jr. and James Beaty. These two judges rendered decisions favorable to criminal defendants based on legal technicalities that had nothing to do with their guilt.

Judge Baer sparked outrage throughout the Nation when he suppressed evidence seized during the stop of an automobile by police who had witnessed four men drop off two bags in the trunk at 5 a.m., without speaking to the driver, and who then rapidly left the scene when they saw a police officer looking at them. The bags turned out to contain about 80 pounds of drugs. Judge Beaty has received similar criticism for releasing a man who murdered his parents in their own bed because a juror had gone to look at a tree where the murder weapon was found.

I was pleased to learn that President Clinton is upset about Judge Baer's outrageous decision. He even momentarily suggested, through his press secretary, that the judge should resign if he does not reverse himself. But President Clinton concern is too little, too late. He should have been more concerned when he nominated this individual to lifetime tenure as a Federal judge. A mistake here lasts a lifetime, not just 4 years. Judge Baer is one of President Clinton's lasting legacies.

And the President's concern comes only after I and many others have criticized the decision literally for weeks.

The President talks about putting cops on the beat, yet he appoints judges who are putting criminals back on the street.

Now that the American people are suffering from the consequences of this administration's judicial nominations, President Clinton's initial solution was to call upon Judge Baer to resign. This was a meaningless gesture that has no practical effect because the only way to remove a judge is to impeach him. President Clinton is now left to hoping Judge Baer will reverse himself. The true check on these solf-on-crime judicial activists is to never appoint them in the first place.

Let me be clear, I did not call for Judge Baer's resignation. I simply pointed out that there is no substitute for the sound exercise of the President's power to appoint judges to lifetime positions.

Let me assure my colleagues, Judge Baer is not the only judge appointed since January, 1993 that, in my view, President Clinton should feel misgivings about.

Will the President chastise Judge Beaty, or does he agree with his decision to release a convicted double murderer on a technicality? I am not alone in my criticism of Judge Beaty—the Wall Street Journal has said that Judge Beaty and his Carter-appointed colleague took ''a view of defendants' rights that is so expansive that they are willing to put a murderer back out on the streets because a juror took a look at a tree.'' The entire fourth circuit has voted to grant en banc review of the case, and I fully expect the court to do the right thing and reverse Judge Beaty's misguided opinion.

But President Clinton has not called upon Judge Beaty to resign. Instead, he is rewarding Judge Beaty by promoting him. He has nominated Judge Beaty to the fourth circuit. While the President cannot force activist, soft-on-crime judges to resign, he can choose to keep them where they are instead of promoting them to the appellate courts, where they can do even more damage to the law and to our communities. Will President Clinton regret Judge Beaty's soft-on-crime decisions if they start to issue from the fourth circuit? Will he then suggest that Judge Beaty resign? Perhaps he ought to withdraw that nomination—it is in is power to do so, removing Judge Baer is not.

To be sure, Republican appointed judges can make erroneous rulings. And, I understand the Clinton administration is on a desperate damage control mission to mention such rulings. That is fine by me, because the more information about the track records of Republican and Democratic appointed judges, the better.

I hardly agree with every decision of a Republican appointed judge. Nor do I disagree with every decision of a Democratic appointed judge.

Nevertheless, there can be little doubt that judges appointed by Republican Presidents will be generally tougher on crime than Democratic appointees. As I will explain in this and subsequent speeches, on the whole judges appointed by Democrat Presidents are invariably more activist and more sympathetic to criminal rights than the great majority of judges appointed by Republican Presidents.

I does little good to ask these judges to resign or to chastise them after they have inflicted harm upon the law and upon the rights of our communities to protect themselves from crime, violence, and drugs. President Clinton's momentary resignation gesture is only the latest example of this administration's eagerness to flip-flop wherever it meets a stiff breeze of public disapproval of its actions.

And what excuse, Mr. President, does President Clinton have for the nomination of Judge J. Lee Sarokin of the U.S. Court of Appeals for the Third Circuit, and Judge Rosemary Barkett of the U.S. Court of Appeals for the Eleventh Circuit? These are two of the most activist friends of criminal rights on our Federal courts of appeals. Their judicial track records were crystal clear at the time President Clinton appointed them. The President nominated Judges Sarokin and Barkett with full knowledge of their records.

I will have more to say about these two judges in the future, but let me remind the Senate and the American people that I led the opposition to these two nominees because of their activist, soft-on-crime approach. The Clinton administration fought hard to get these nominees through the Judiciary Committee and through the Senate, which confirmed both Judge Sarokin and Judge Barkett in 1994.

I regret to say that my predictions about these two judges have been proven correct. Judge Sarokin has repeatedly come down on the side of criminals and prisoners in a series of cases, and he recently voted to overturn the death sentences of two Delaware men who, in separate cases, killed several elderly people. Not to be outdone by her New Jersey colleague, Judge Barkett has continued her tolerant attitude toward drugs in our society and her suspicion of the police. Just last month she argued in an opinion that police could not conduct random roadblocks to prevent traffic violations and to search for drugs—in her words the searches were ''intolerable and unreasonable.''

Luckily, in both of the cases that I have just mentioned, Reagan and Bush appointees formed a majority of the court and ensured that Judges Sarokin and Barkett's views were made known as dissents. But if Judges Sarokin and Barkett and other Clinton nominees had formed a majority on those courts, they would have put the criminals back on the street. If President Clinton should win a second term, he will appoint a majority of the judges on the Federal courts of appeals. Judges Barkett and Sarokin provide a clear