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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, who has given us the gift of life, bless us this day in the work we will do. We praise You for work that can be done as an expression of worship of You. We bring the meaning of our faith to our work rather than making our work the ultimate meaning of our lives. With that perspective, we seek to do everything to Your glory. We pray for mental alertness, emotional stability, and physical strength to achieve excellence in all that we do. Thank You for Your companionship in tasks great and small. It is awesome to contemplate that You who are in control of the universe have placed us in charge of what You want us to accomplish.

Fill us with Your joy and make us cheerful people who make others happier because we are with them. Make us a blessing and not a burden, a lift and not a load, a delight and not a drag. It is great to be alive. Help us make a difference because of the difference You have made for us. In the name of our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the Senator from Alaska, is recognized.

Mr. MURKOWSKI. I thank the Chair and wish the President pro tempore a good morning and a good day.

Let me also welcome my good friend, the Senator from the State of Oregon. I wish him a good morning, and our staffs as well.

SCHEDULE

Mr. MURKOWSKI. Mr. President, on behalf of the majority leader, I an-

nounce that today the Senate will be in a period of morning business until the hour of 11 a.m. By consent, at 11 a.m., the Senate will resume consideration of S. 1005, the Department of Defense appropriations bill, with only those amendments listed in last evening's unanimous-consent agreement being in order. Following the disposition of those amendments, the Senate will proceed to a vote on final passage of the Department of Defense appropriations bill, hopefully, by early afternoon.

Further, by previous consent, the Senate will recess from 12:30 to 2:15 p.m. for the weekly policy luncheons to meet. Following that recess, the Senate will complete action on the Department of Defense authorization bill, if not earlier disposed of, or will begin consideration of the energy and water appropriations bill.

The majority leader wishes to remind all Members that the Senate is working to complete action on three or four major appropriations bills this week. Therefore, late sessions can be expected and votes should be anticipated throughout each day of the Senate session.

On behalf of the majority leader, I thank our colleagues for their attention.

Mr. President, I am going to speak in morning business on the subject of the Land and Water Conservation Fund.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SMITH of Oregon). If the Senator will withhold for 1 moment, under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour

of 11 a.m., with Senators permitted to speak therein for up to 5 minutes each. The Senator from Alaska is recognized to speak for up to 15 minutes.

Mr. MURKOWSKI. I thank the Chair.

LAND AND WATER CONSERVATION FUND

Mr. MURKOWSKI. Mr. President, I like to talk today about the stateside portion of the Land and Water Conservation Fund which doubles both the pleasure of those who use outdoor recreation facilities as well as the money. The stateside matching grant program of the Land and Water Conservation Fund basically provides two for the price of one, and I will explain that a little further. The Land and Water Conservation Fund grant program, or the LWCF as it is known, has had a substantial long-term effect on our overall attitudes and policies toward outdoor recreation. The land and water stateside program has truly a unique legacy in the history of American conservation and recreation.

When I say stateside program, I am talking about a State/Federal matching grant. What better way for the Federal Government to participate than matching local funds for public parks and recreation facilities. Local funds provide an opportunity for involvement and pride and responsibility by the communities at hand.

The first legacy of this kind is the notion basic to the Land and Water Conservation Fund Act that States must assume the leadership role as provider of recreation opportunities. It should not be left to an indifferent Federal Government headquartered in Washington, DC. It should start in the communities where the people recreate.

From a historic perspective, the Land and Water Conservation Fund has contributed significantly to outdoor recreation. Through fiscal year 1995, a total of 37,300 projects had been approved to support the acquisition of

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



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open space for park land and the development of outdoor recreation facilities. The Federal share of \$3.2 billion has been matched by State and local contributions, for a total investment of over \$6.5 billion in local park and recreation. So when you take Federal matching with the State matching, you get two for the price of one.

I think it also important to note from where the Federal share comes. It comes from OCS revenues; that is, offshore oil and gas revenues. As a consequence, for those who are very sensitive about OCS drilling, I should point out that the revenue stream to provide the matching grants for the Federal share for land and water conservation comes specifically from OCS. If we do not have offshore oil and gas exploration, we are not going to have the money to fund the Land and Water Conservation Fund. Last year, OCS revenues totaled over \$3 billion.

I believe, with advanced technology, we can safely pursue OCS activities off our shores and also provide a revenue stream for recreation through the Land and Water Conservation Act. The facts should not be lost on this body, the realization of just where these funds come from.

Further, States have received over the years about 8,200 grants and counties some 4,800, while cities, towns, and other local agencies matched more than 24,000 grants. The facilities that the \$6.5 billion investment has bought are those that are down your street, across your town, in the inner city, and virtually every nook and cranny of our country. The parks and facilities serve virtually every segment of the public. Millions of Americans have walked and jogged and picnicked, hiked, biked, fished, hunted, golfed, or played ball in at least one of these areas. These are the destination parks and facilities for families, campers, and hikers, areas where kids learn to play baseball, learn to swim, and really get an appreciation of nature. And those are the facilities in their neighborhoods and near their homes.

Further, the statewide program is unquestionably one of the most successful programs established by Congress. The Americans for our Heritage and Recreation Coalition, consisting of a number of groups which banded together to seek reliable funding sources, concluded that the Land and Water Conservation Fund is "arguably the most important environmental program of this century" and that a reliable source of funding should be restored.

I had the pleasure of recently addressing the Conference of Mayors in San Francisco. There were over 400 mayors there led by Mayor Daley of Chicago and Victor Ashe of Knoxville. They unanimously passed a resolution strongly urging the Congress and President to restore funding to the statewide LWCF program. The Western Governors Association passed a similar resolution. I ask unanimous consent

that copies of both of these resolutions be printed in the RECORD for the benefit of my colleagues.

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

65TH ANNUAL CONFERENCE OF MAYORS, SAN FRANCISCO, JUNE 20-24

Adopted

LAND AND WATER CONSERVATION FUND

1. Whereas, the Land and Water Conservation Fund (LWCF) was established by Congress over thirty years ago to provide quality recreation for the American public; and

2. Whereas, in the past LWCF has provided federal matching assistance to states and their localities for acquiring land and developing quality public outdoor recreation facilities for the benefit of present and future generations of Americans; and

3. Whereas, the results of the program are evident in nearly every community in the nation through projects ranging from inner city playgrounds to suburban baseball fields to state natural areas; and

4. Whereas, over the past couple of years there has been no funding for state and local parks projects under LWCF despite availability of royalties from Outer Continental Shelf Oil and Gas payments pledged to the Fund; and

5. Whereas, it is the local park which is the most used and visited of any parks in our national parks system,

6. Now, therefore, be it *Resolved*, That the United States Conference of Mayors urges the President and Congress to recognize the outstanding legacy of the Land and Water Conservation Fund and the continuing unmet need for local public outdoor parks and recreation facilities by increasing the appropriations in the next fiscal year budget for the state and local grants portion of LWCF; and

7. Be it further *Resolved*, That the United States Conference of Mayors urges the President and Congress to strongly consider the parks and recreation needs of state and local governments at the same time it considers national park priorities as outlined in the 1997 budget agreement; and

8. Be it further *Resolved*, the United States Conference of Mayors reaffirms its support for the 1994 report by the National Park Service's Land and Water Conservation Fund Review Committee which recommended a 30 percent allocation of LWCF to local governments; and

9. Be it further *Resolved*, That a copy of this resolution be forwarded to the bipartisan leadership of Congress.

Project Cost: Unknown.

WESTERN GOVERNORS' ASSOCIATION, MEDORA, ND, JUNE 24, 1997

Policy Resolution 97-012

Sponsors: Governors Bush and Geringer.

Subject: Allocation of Land and Water Conservation Fund Appropriations.

A. BACKGROUND

1. In 1964, the President and Congress enacted one of the most successful and far-reaching pieces of conservation and recreation legislation in America's history, the Land and Water Conservation Fund.

2. The Act emphasizes a leadership role for the states in achieving a national outdoor recreation system which requires commitments to planning, establishment and expansion, and funding of projects on a coordinated basis at the local, state, and national level.

3. The Fund has provided more than \$5.6 billion to acquire new federal park and recreation lands and has provided matching

grants to state and local governments which have resulted in the establishment of over 27,000 basic recreation facilities in every state and territory of the nation (or 37,300 new or improved basic recreation facilities).

4. The Fund receives deposits from three sources:

a. Outer Continental Shelf (OCS) revenues derived from leasing oil and gas sites in coastal waters (approximately 90% of total deposits).

b. Sale of Federal surplus real properties.

c. A portion of Federal motorboat fuel taxes.

5. In 1995, a National Recreation & Park Society survey indicated that state and local recreation agencies needed \$27.7 billion in capital investment for rehabilitation, land acquisition, and construction for the next five years. The survey additionally estimated that state and local agencies would have only half of these necessary funds.

6. These estimates indicate a long-term deficit of public recreation investment nationally.

7. In 1976, the Act was amended by:

a. raising the Appropriation ceiling from \$600 million to \$900 million; and

b. changing the allocation formula, which had given 40 percent to federal agencies, to read that "not less than 40 percent of any appropriation would go to Federal agencies."

8. While states received approximately sixty percent of the allocated grant money before 1976, during the last ten years they received, on average, only 7.5% of the allocated grant money from the LWCF.

During Fiscal Year 1996 and 1997, states received zero funding from the LWCF, despite a large increase in OCS revenues.

B. GOVERNORS' POLICY STATEMENT

1. A true partnership to "Build a Nationwide System of Parks" can only be achieved by increasing LWCF appropriations and by balancing the funding between federal, state and local agencies.

2. To rebuild this partnership and revive the true intent of the LWCF Act, Congress should increase LWCF appropriations and amend the LWCF to increase the percentage of LWCF funds allocated to the states to 50 percent.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. Western Governors' Association shall survey this resolution to the President of the United States, the Secretary of the Interior, western congressional delegations, and appropriate House and Senate committee chairmen and ranking minority members.

2. Western Governors' Association staff and Natural Resource Group shall continue to monitor and study this issue and recommend specific action items for the Governors.

Mr. MURKOWSKI. Mr. President, in campaigning for the Presidency of the United States, candidate Bill Clinton at the time stated:

I will acquire new park lands and recreation areas with funds now available in the Federal Land and Water Conservation Fund to increase opportunities for hunting, fishing and other outdoor recreation activities.

Candidate Clinton said:

I would increase funding for several programs... and reinvigorate the Land and Water Conservation Fund to make more funds available for the acquisition of public outdoor open spaces.

And he also said:

I would also make funds available from the Land and Water Conservation Fund to help address critical infrastructure needs in State and local facilities.

Unfortunately, I guess our President has overlooked it or was kidding because if you look at the administration's proposal for the stateside funding for the Land and Water Conservation Act which would address the critical needs in State and local facilities, there is a large zero.

Secretary Babbitt, in May 1996, in an interview with the San Jose Mercury News, is credited with stating that he is working on a proposal to take the Land and Water Conservation Fund off budget, so a full \$1 billion a year can be spent on the parks. Reportedly, the Secretary said that the effort would not occur until the next year, meaning that it would be contingent on President Clinton's reelection. Well, it is now next year. President Clinton has been reelected. The administration, however, has been silent vis-a-vis the proposal for the Land and Water Conservation Fund.

We have instead a proposal to use \$315 million of the \$700 million contained in the budget agreement for the purchase of the Headwaters Forest in California and a mine in Montana. We do not know an awful lot about the Headwaters Forest acquisition. We do know that the Headwaters Forest is 40 air miles from the nearest national forest. We know that access to the Headwaters Forest is extremely limited. We know that the agreement with the current landowner of the Headwaters Forest is contingent on a favorable ruling by the Internal Revenue Service. Getting a favorable ruling from the Internal Revenue Service is a herculean effort, and I am not sure that the IRS knows how to basically spell the word "favorable," but that is a subject for a statement for another day. The bottom line is that these projects have never ever been authorized by the appropriate committees of jurisdiction. No hearings, none whatsoever. No hearings have been held and no legislation has been introduced. This is from an administration that prides itself in the public process. Public process suggests legislation, suggests hearings, and action by the appropriate House and Senate committees. Neither of these have been proposed in the case of the acquisition of the area known as the Headwaters Forest in California or the area proposed for the mine purchase in Montana.

This is very much like the recent land grab in the State of Utah. There was a process ongoing where the committees were discussing the merits of withdrawing 1.6 million acres of public land in Utah and putting that land in wilderness. While these discussions were occurring, the administration saw fit to invoke the Antiquities Act and, overnight, basically put this 1.6 million acres in Utah into wilderness over the objections of the Utah congressional delegation and Utah's Governor. The President's action occurred without any hearings, without any public process. And, ironically, the announcement came not in Utah but in front of the Grand Canyon in Arizona.

Well, the media saw fit to not make an issue of it so not too many people in the United States reflected on the inconsistency between the President's promises and his actions.

But, again, this is what is proposed in the budget agreement: the purchase of the Headwaters Forest in California and a mine in Montana—no hearings, no public participation in the process, simply an outright purchase. This is not the purpose of the Land and Water Conservation Fund.

We do not know just what is their objection, relative to the procedure, but as the Senator who is chairman of the Energy and Natural Resources Committee, the fact that the administration is circumventing the public process is certainly, in my opinion, inappropriate.

What we do know is that the benefits derived from funding the stateside Land and Water Conservation Fund program are great. That is why we should take the \$315 million and invest it in the State matching grant program because it will return over \$630 million in benefits.

Roger Kennedy, former Director of the National Park Service, perhaps put it best when he said,

Without a doubt, the Land and Water Conservation Fund ranks highest among the most successful and significant conservation/recreation movements ever experienced in these United States. This State-driven program has resulted in much needed and highly beneficial public outdoor recreation opportunities for the benefits of all the people. More accessible park and recreation facilities have become a reality.

and continue to become even a greater use and benefit to the Nation.

Mr. President, it is very difficult to compare the relative value of expanding a wildlife refuge, say, in the Florida Keys, with the addition of acreage to a unique urban park such as the Presidio in San Francisco. It is difficult to compare the value of supplementing Federal holdings in Glacier National Park with a purchase of land, say, next to Gettysburg National Battlefield. But those are the types of decisions that are faced day-in and day-out by the Congress in determining priorities for funding under the Land and Water Conservation Fund.

I, therefore, urge my colleagues on the Appropriations Committee and those in the Senate to provide funding for the stateside Land and Water Conservation Fund Grant Program. In the absence of these grants, I fear local park and recreation services will fail to meet the ever-growing demands of the American public and the Federal Government will be asked to fill the void. It is a role the Federal Government cannot and should not play. The answer to this dilemma is simply the stateside matching grant of the Land and Water Conservation Fund.

Mr. President, I have already noted the action taken by the mayors of the Conference of Mayors in San Francisco relative to support of this program because it is so significant relative to

community involvement and community responsibility. I urge my colleagues to reflect on that, as well as, again, on the statement from the Western Governors Council in support of this program.

There is one other item I want to bring to the attention of my colleagues relative to action before this body. I ask unanimous consent, since no other Senator is seeking recognition, that I may speak for another 5 minutes on chemical weapons disposal.

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

CHEMICAL WEAPONS DISPOSAL

Mr. MURKOWSKI. Mr. President, I intended to offer an amendment to the defense appropriations bill that would have stricken the language that made it impossible for the Department to study alternatives to the methods we currently employ for disposing of chemical weapons. During the consideration of the Defense authorization bill last week, I offered an amendment to provide for a study. This amendment was readily accepted by the floor managers and was included in the final bill which the Senate passed overwhelmingly last Friday. Depending on the conclusions of the study, the taxpayers of this country could save somewhere between \$3 and \$5 billion. This is real money. Perhaps they could save much more in the cost of disposing of these chemical weapons.

This was just a study. It did not mandate changes in the program at this time. It merely provided Congress with an opportunity to responsibly evaluate alternatives in the future. I think it is clear we need to take a fresh look at this program so we can responsibly evaluate whether safer and cheaper alternatives to the present system exist.

In 1985, the Congress directed the Army to destroy our stockpile of obsolete chemical weapons. These are the nerve gases and the various other agents that are so deadly. The Senate took action and reiterated this commitment by ratifying the Chemical Weapons Treaty earlier this year, and we are in the process of disposing of those weapons. But the present system, I suggest, is not working the way it should. The present system is increasingly expensive, and a timeline for completion of the program is increasingly uncertain.

If we look at the figures, according to the GAO, the program faces dramatically increasing costs. I am going to describe where these weapons are in a moment. The stockpile disposal program went from an initial estimate of \$1.7 billion as the cost of disposing of these chemical weapons in 1985 to a current estimate of about \$12.4 billion. So, as we begin to look at the cost of disposing of these weapons, why, the cost just simply goes out of sight. The nonstockpile program could cost an additional \$15.1 billion and it is estimated now to take 40 years to complete.