The Middle East is an important region in its own right. But no honest observers could believe that our tremendous commitments there would exist without the region's oil riches. The risks we have undertaken because of oil are large indeed.

The answer to this difficult problem is not just drilling for more oil here at home—for, at best, that can only delay the inevitable. The answer is a significant and sustained effort to integrate alternative energy sources into the mainstream of our national economy. The time has come for America to promote development of conservation and alternative energy sources as a matter of national security.

V. TRANS-NATIONAL ISSUES

The final foreign policy challenge is to come to grips with trans-national threats, many of which have no human form. New diseases and large-scale environmental degradation may have origins far from our shores, but their effects touch the lives of Americans. Similarly, international criminal organizations, including drug traffickers, can assault our citizens and our security from locations outside the United States.

Combating these threats will require that we work on many levels. We must work together with friends and allies abroad. We must encourage and help countries that host these threats to combat them, which means we must come to better understand the important relationship between overseas development and our own national interests. And we must better integrate the work of different agencies of our own Government so that America speaks with a single voice and acts decisively to protect our interests.

CONCLUSION

Mr. President, these are five daunting challenges. They come at a time when the role of world affairs in American public and political discourse has diminished substantially.

All of us are tempted to focus less on foreign policy or to try to view it through a domestic lens. But I believe that would be a mistake.

The public may not be demanding a renewed focus on foreign policy, but our national interest is. These challenges to America's future demand serious attention from serious minds.

I am optimistic we will meet them.●

BOUNDARY WATERS AND VOYAGEURS DISPUTES SHOULD BE RESOLVED THROUGH MEDIATION IN MINNESOTA

Mr. WELLSTONE. Mr. President, as we bring this Congress to a close, it is clear now that there will be no legislative action this year on changes to the Boundary Waters Canoe Area Wilderness or Voyageurs National Park, even on a limited legislative rider which would allow trucks back onto certain portages within the BWCAW. A Federal appeals court, overturning a series of decisions by the Forest Service and by a lower Federal court, ejected trucks from the portages several years ago. This rider was designed to again allow anglers and others to portage boats by truck from one lake to another in the BWCA. Now, they are required to use alternative means to transport their boats across these portages.

As I have said, I would be willing to consider changes to the current status of the portages, as long as it is part of an overall, agreed-upon resolution of the many BWCAW issues on the table in the Federal mediation process underway in Minnesota. I am hopeful that such an agreement can be reached soon.

Mr. President, let me be clear. On many of the issues which have arisen in the BWCA and Voyageurs disputes, I believe the people of northeastern Minnesota have legitimate grievances, and that they should be addressed as promptly and effectively as possible. I have worked over the years to make sure that when other land and lake use issues in the region—including snowmobile use, lake levels, trails, and other matters—have arisen, they are addressed as swiftly as possible.

For years, many of the people of northern Minnesota have believed that the Park Service and Forest Service have not been listening to them. Too many feel that they have offered constructive solutions to disputes and problems which have arisen, and yet often those solutions have been ignored, or rejected, by those who manage the wilderness and the park. That's why I think it's important that some means of expanding meaningful citizen input, which must be taken into account and then responded to by the Park Service and the Forest Service, is important. Months ago, I indicated that I would support a new mechanism to ensure that kind of regular, concrete citizen input, and I hope that the negotiators will consider including a proposal on this issue in their package of recommendations to Congress.

There has been no action on any of the bills introduced this year on BWCAW and Voyaguers because they did not reflect a policy consensus in our own State, much less in the Nation as a whole. I am hopeful that in the coming months, and certainly by early next year, there will be such a consensus reached in our State, through the mediation process which I initiated, convened by the Federal Mediation and Conciliation Service, which has been making real progress in recent months.

That mediation process is broad-based, open and public, and includes people representing all those competing interests which have made these disputes so difficult to resolve over the years. One of the reasons, I think, that they have been so tough to resolve is that too often those involved have chosen to try to fight it out, rather than to talk it out over a table in Minnesota, in a search for common ground. Some chose to try to fight it out here in Washington. Some chose to fight it out in the courts. I chose to initiate a process which would allow Minnesotans to talk it out, and then bring their recommendations to the Minnesota congressional delegation for ratification.

I'm proud of that choice. I think it was the responsible thing to do, the right thing to do. I think most Minnesotans agree with that, and that the recent successes in mediation are bearing that out. I know that some people in northern Minnesota disagree—some fiercely—and are concerned that their interests won't be protected in the mediation process. I want to make them a guarantee today: your interests and views are represented in mediation, and they will be carefully considered by me here in the U.S. Senate. I will press hard to make sure that every voice in my State, including those whom I respect and have worked with for so many years in northern Minnesota, are heard in this process. The Federal Mediation and Conciliation Service prepared carefully for the process for months before it actually started, interviewing hundreds of Minnesotans to make sure that all interests were represented at the table, and to guarantee an open, broadly participatory process.

I am very grateful to the Mediation Service, and to all those Minnesotans who have volunteered their time and talents to this mediation effort. I know it is not always easy to put yourself on the hotseat with friends, neighbors, and townspeople who might disagree with you, and to try to work out mutually agreeable solutions to major disputes such as those which have brewed over the BWCAW and VNP for many years. This kind of willingness to work at a local level to resolve disputes is an admirable act of responsible citizenship, an act of faith in the ability of neighbors to work together, and an act of hope that future generations will appreciate the legacy of a lasting solution that protects these important resources. I will be talking at greater length about these people shortly.

The BWCA mediation group met last Thursday and Friday, and will be meeting again soon to address, among other matters, the portages. They have already agreed on several recommendations to be made to the congressional delegation, as part of a larger package of proposed changes to be ratified by them later. I am hopeful they will make further progress on the portages, and other issues, in the coming weeks.

I have a few articles from last week's newspapers in Minnesota that I will ask to have printed in the RECORD following my statement, along with letters and other information on the dispute and on the mediation process which demonstrate the broad support mediation has garnered within our State as the most reasonable, sensible way to resolve these disputes. These documents should be able to give people looking back on this dispute a better understanding of the history of this

dispute, and of how the mediation process is designed to work.

As I've said, this sensible mediation process, which enjoys the support of a large majority of Minnesotans, and of the Clinton administration, is already producing results—including agreements on issues in Voyageurs and in the BWCA mediation groups—that many believe bode well for further agreements on both disputes.

In addition to the few agreements reached so far on the BWCA, just in the last few days the mediation team on Voyageurs announced a couple of agreements on strategies to handle problems in the park having to do with public safety, improved Park Service consultation with local people, and other issues. It is becoming clearer each day that the mediation process is making real progress and has gained wide acceptance throughout the State.

I have opposed all of the earlier legislation introduced on the BWCA—including strongly opposing the bill offered by Congressman VENTO—because I thought a mediated solution was more likely to be durable, and to gain broad acceptance by Minnesotans, than approaches developed in Washington without broad, bipartisan support in Minnesota. As I have said consistently, I agree with the large majority of Minnesotans who believe, as polls continue to show, that the mediation process underway in Minnesota is by far the more sensible and appropriate way to resolve these disputes, and to develop durable solutions that will last not for weeks, or months, or even a few years, but for a generation or more.

Let me publicly take a moment to specifically thank all of those who have been involved in this mediation process, and who have already dedicated so much time and effort to resolving these disputes. They are, in a sense, the people who are helping to create a new future for the BWCA and the VNP, helping to resolve longstanding disputes through a process which ensures that all interests in Minnesota are represented.

First, let me thank those from Minnesota who are actually participating in mediation. I hope I have a complete list; if not, I apologize in advance to anyone I may have missed. I will not go into detail about the background and expertise of each person, but I know they each have a story to tell about how and why they are involved in this process, and each have made important contributions to the process.

Let me first list and thank publicly, on behalf of all Minnesotans, the participants in the BWCA mediation: Barb Bergland, from Ely; Mitch Brunfelt, from Mountain Iron; Chuck Dayton, Minneapolis; Arthur Eggen, Crane Lake; Tony Faras, Grand Marais; Paul Forsman, Ely; Mike Furtman, Duluth; Bill Hansen, Tofte; Leon Jourdaine, Lac La Croix First Nation, Fort Francis, Ontario; Alden Lind, Duluth; Ted Merschon, Grand Marais; Gretchen Nichols, Minneapolis; Brian O'Neill, Minneapolis; John Ongara, Duluth; Stuart Osthoff, Ely; Bob Schultz, Ely; Paul Shurke and Laurie Larson, Ely; Barbara Soderburg, U.S. Forest Service, Duluth; George Sundstrom, Duluth; Rolf Thompson, Ely; Rod Sando, Minnesota DNR.

And those involved in the Voyageurs National Park mediation: Beverly Alexander, Minneapolis; Phillip Byers, Long Lake; Chuck Dayton, Minneapolis; David Dill, Orr; Ron Esau, International Falls; Oliver Etgen, Virginia; Jeff Mausolf, Duluth; Brian O'Neill, Minneapolis; Paul Stegmeir, Ely; Tim Watson, Ray; Barbara West, Voyageurs National Park Superintendent; David Zentner, Duluth; Rod Sando, DNR.

From the mediation service, I am grateful to Director John Wells and his very able and professional staff, both here in Washington and in the midwest regional office in Minneapolis. They have dug into this project with great skill and energy and commitment, and I believe the people of our State owe them a great debt.

The U.S. Forest Service and Park Service have been most helpful in this process as well, helping to fund the mediation effort, providing technical advice and assistance, and agreeing to have their principal representatives in the state actually participate in the talks. I think their participation and cooperation have been essential, and that it will make for a much more durable resolution of these disputes.

There are, of course, many others who have worked for countless hours to craft a balanced, fair, open mediation process and to make sure mediation provides a credible, effective forum for working out disputes. I am grateful to all of them for helping with this effort. I will be monitoring the mediation process closely in the coming weeks, and I hope they will be able to develop a sound set of recommendations to forward to Congress as soon as possible. I would like to be able to have a package of agreed-upon legislative recommendations ready for introduction early in the 105th Congress.

I thank you, Mr. President, for this time. I hope this brief statement, along with the accompanying information, will give my colleagues some sense of what has been happening in my State recently on BWCAW and Voyageurs National Park, and the significant progress that has been made so far in the mediation effort to resolve disputes there. I hope they will work with me and my House and Senate colleagues from Minnesota to craft a comprehensive, durable solution to these disputes early next year.

I ask that the material I referred to earlier in my remarks be printed in the RECORD.

The material follows:

EXHIBIT 1

SEN. WELLSTONE ANNOUNCES DETAILS OF FEDERAL MEDIATION PROCESS TO HELP RESOLVE BWCAW/VOYAGEURS DISPUTES

WASHINGTON, DC.—U.S. Senator Paul Wellstone today announced that he has reached an agreement with the Federal Mediation and Conciliation Service (FMCS) to facilitate a formal mediated dispute resolution process to help resolve land use disputes in the Boundary Waters Canoe Area Wilderness (BWCAW) and Voyageurs National Park (VNP). Preparations for the process, which is to begin immediately, are already underway.

''I have said for months that I want to avoid another statewide battle over land management issues in the BWCAW and Voyageurs National Park. I believe there is a need for a coordinated, statewide mediated dispute resolution effort to bring Minnesotans together to identify mutually acceptable approaches to these issues. We in Minnesota can do better than we have in the past on these issues, and I intend to do what I can to make sure that happens,'' Sen. Wellstone said.

FMCS will provide a team of experienced, neutral mediators to craft a process that is fair, impartial, goal-oriented, and that allows all interested parties in Minnesota a chance to be heard—and to listen to one another—about the issues in dispute, their goals, and their recommendations to resolve longstanding controversies. Questions regarding who would actually be represented in the process; the scope, timing and format of the discussions; the ultimate result of the process, including the nature and form of recommendations to federal agencies and lawmakers; and other similar issues would be answered through consultation with the parties.

''I have discussed this idea with Congressmen Oberstar and Vento, who as you know have been leaders on these issues for decades,'' Sen. Wellstone said. ''No one should be surprised that we now have competing legislative proposals from Congressmen Oberstar and Vento representing their sharply divergent views on these public lands issues. While they differ on the best way to manage these public lands, they have indicated their support for my initiative. The specific legislation proposed by Congressmen Oberstar and Vento and discussed by Senator Grams will not be the focus of the mediation process. Rather, the process will focus on the issues identified by the parties themselves. Like Congressman Oberstar's bill, Congressman Vento's legislation could undermine this mediation process, and therefore I do not intend to support either bill.''

The mediation process, explains Wellstone in his letter, is designed to prevent these historically contentious land use issues from further diving the state. ''Throughout my time in the Senate, I have held firm to the belief that locally-developed recommendations are likely to be more effective, and more durable, than those imposed from outside. Bringing Minnesotans to the table as part of a participatory process that takes in account the needs and interests of all in a search for common ground is my goal.''

Wellstone observed that unlike 20 years ago, today there are new tools available to help develop durable land use solutions, including new forms of public, mediated dispute resolution that have proven effective in some of our nation's most controversial land use disputes, even those where people believed at the outset that there was little chance for a productive discussion between the parties, much less for developing mutually agreed-upon solutions.

For example, in one particularly heated case, a strong disagreement over the use of off road vehicles in the Cape Code National Seashore in Massachusetts was successfully addressed through dispute resolution. In another case, ranchers and wilderness advocates in New Mexico and Arizona used dispute resolution to help resolve fierce disagreements on rangeland management.

Sen. Wellstone, who fully supports expanded citizen participation in the management of these lands, observed that a ''Minnesota solution'' is likely to be more effective than one imposed from Washington. ''Given the current deep divisions on these issues within our state, I believe that proposals to resolve BWCAW and VNP disputes that are developed in Minnesota, by Minnesotans, are more likely to be accepted by all parties, and as a result be more durable, than those developed in Washington without adequate efforts to bring Minnesotans together first to try to develop a consensus,'' Sen. Wellstone concluded.

U.S. SENATE,
Washington, DC, May 6, 1996.

JOHN CALHOUN WELLS, Director,
Federal Mediation and Conciliation Service, Washington, DC.

DEAR JOHN: As we discussed recently by phone, I am writing to formally request that the Federal Mediation and Conciliation Service (FMCS) facilitate an alternative dispute resolution process in my state regarding land use issues in the Boundary Waters Canoe Area Wilderness (BWCAW) and in Voyageurs National Park (VNP). I understand that your staff have indicated a willingness to facilitate such a process; I am writing to confirm that agreement and to outline briefly my hopes for the process.

For many years, land use disputes in our state, especially those focused on the BWCAW and VNP, have generated controversy and pitted one group against another. Last year, two congressional oversight hearings were held in Minnesota on the use of these resources. From those hearings, and numerous subsequent discussions with my constituents, it has become clear that these land use issues continue to have a tremendous potential to divide our state.

Minnesotans hold differing visions of how to be responsible stewards of these resources, and how to manage them sustainably with due attention to their varied uses. But whatever their views on land use, Minnesotans can agree that the BWCAW and VNP are unique, world-class natural resources that must be preserved for future generations. That is the common ground from which all discussions on these issues should begin.

I believe there is a need for an effort to bring Minnesotans together now to achieve mutually acceptable proposed solutions to the land use problems that have been identified. Such proposed solutions would then be forwarded in the form of recommendations to appropriate federal agencies, and to federal lawmakers in the state Congressional delegation. In my judgment, proposed solutions developed in Minnesota, my Minnesotans, are more likely to be accepted by all parties, and thus be more durable, than those which might be developed in Washington without adequate efforts to bring Minnesotans together first to try to develop a consensus. Without such a dispute resolution process, I fear that the issue in dispute could quickly become a ''political football,'' to be manipulated by those in the state more interested in polarizing the debate than in finding real and durable solutions.

I envision a straightforward mediated dispute resolution process, to be initiated immediately. I would rely on the expertise and experience of your staff to structure such a process, ensuring that it is fair, impartial, goal-oriented, and allows all interested parties in Minnesota a chance to be heard—and to listen to one another—about the issues in dispute, their goals, and their recommendations to resolve longstanding controversies.

I would assume that questions regarding who would actually represent interested parties in the process; the scope, timing and format of the discussions; the ultimate result of the process, including the nature and form of recommendations to federal agencies and federal lawmakers; and other similar issues would be answered through a consultative process that would involve decisions arrived at by the parties. I have instructed my staff to provide further background to FMCS staff that would be helpful in getting the process underway, and to help identify key stakeholders in the state who should be consulted. My staff has contacted Administration officials to discuss funding support for this process, and I will continue to work to ensure that FMCS is compensated appropriately for the process.

I believe this approach provides an opportunity to bring Minnesotans together to develop mutually agreed-upon solutions to some of our most complex and longstanding controversies. I have dedicated much of my adult life to ensuring broad local input in public policymaking, and I believe this process is most likely to guarantee that result. Bringing Minnesotans to the table as part of a broad-based, participatory process that takes into account the interests of all stakeholders in a search for common ground is my goal.

Thank you for your consideration. I look forward to hearing from you.

Sincerely,

PAUL DAVID WELLSTONE,
United States Senator.

FEDERAL MEDIATION AND CONCILIATION SERVICE,
Washington, DC, May 7, 1996.

Hon. PAUL D. WELLSTONE,
U.S. Senate, Washington, DC.

DEAR SENATOR WELLSTONE: In response to your recent letter and confirming ongoing discussions between members of our staffs, the Federal Mediation and Conciliation Service would be pleased to serve as facilitators in the land use Alternative Dispute Resolution (ADR) process on the issues in dispute regarding the use of the Boundary Waters Canoe Area Wilderness (BWCAW) and Voyageurs National Park (VNP).

Considering the contentious history of some of these land use issues, we agree that this multi-party dispute, with its numerous interests, could lend itself quite well to the kind of interactive, mediated ADR process which you described in your letter. Alternative dispute resolution has been successfully employed to resolve many longstanding natural resource controversies across the country, including some where many believed at the outset that there was little chance for productive discussions between the parties, much less for developing mutually agreed-upon solutions.

FMCS has helped to facilitate a number of such complex multi-party land use dispute resolution processes in the past, and we are hopeful that this process will lead to similarly positive results. I understand that one of your primary goals involves a set of formal recommendations for action that would be forwarded from the group to appropriate federal agencies and lawmakers once the process is completed.

My ADR Services staff have informed me that experienced mediators from our Upper Midwest Region will make themselves available to lead this project. I understand our staffs have begun to lay the groundwork for this process; we appreciate your willingness to assist us by offering key background information and helping us to identify key interested parties in these disputes. As we move forward, careful consideration should be given to convening the process, subsequent meetings, expected outcomes, recommendations, and appropriate agency funding. I am sure you know that broad based support and a willingness by all affected parties to participate in open, honest, problem-solving dialogue focused on defined objectives are some of the factors critical to the success of these processes. Some of these matters can be coordinated with your staff, our Washington ADR office and Minneapolis regional headquarters; others will be worked out by the parties themselves within the context of the ADR process.

I appreciate the confidence you have expressed in the expertise and experience of our staff. We look forward to working with the interested parties in Minnesota, helping them to identify real, durable solutions to these ongoing disputes.

Respectfully,

JOHN CALHOUN WELLS,
Director.

FIFTY YEARS OF CONFLICT RESOLUTION

The Federal Medication and Conciliation Service, (FMCS) is an independent agency of the United States Government created by Congress in 1947 to provide mediation and conflict resolution related service to its clients. These services are delivered by the agency's nearly 200 full-time mediators who operate in 78 field offices located throughout the country. The primary focus of FMCS's work is on labor-management relations, mediating contract negotiation disputes between companies and the unions representing their employees, and providing training in cooperative processes to help build better labor-management relations. Additionally, FMCS was authorized under the Dispute Resolution Act of 1990 to share its expertise in all aspects of mediation, facilitation and conflict resolution with federal, state and local governmental bodies and agencies.

With the increasing awareness of the concept and benefits of conflict resolution in the general public, the terms mediation and Alternative Dispute Resolution (ADR) have become nearly synonymous. At FMCS, ADR is used to describe a variety of joint problem-solving approaches which can be used in lieu of more formal and often expensive courtroom litigation, or as an alternative to agency adjudication and traditional rulemaking. These processes usually involve the use of a neutral third party to help disputants find mutually-acceptable solutions. Services are based on the specific needs of the parties, and can include dispute resolution assistance, systems design and training for agency personnel.

An area of our ADR practice receiving wider attention and use is regulatory negotiation. The Negotiated Rulemaking Act of 1990 authorizes the agency to use its mediation services to improve government operations. FMCS assists American citizens and government in the regulatory process by bringing the regulators and those who will be affected by regulations to work together in the formulation of proposed rules through negotiation. As a neutral third-party, FMCS convenes and facilitates complex, multi-party rulemaking procedures to help produce draft rules by consensus.

FMCS's has been providing ADR service for over twenty years, dating back to the early 1970's when the agency was asked to mediate a land dispute between the Navajo and Hopi Indian tribes. In the early 1980's, FMCS facilitated the first regulatory negotiations held by the Federal Aviation Administration. Regulatory negotiation activity increased throughout the decade, with FMCS involved in negotiations held by the Departments of Transportation, Agriculture, Labor and others. FMCS also began providing mediation services for Home Owner Warranty disputes and in training volunteer mediators

for the Farm Credit Administration. Since then, FMCS has become a leading authority on the design, delivery and implementation of dispute resolution techniques and systems. FMCS has assisted Federal agencies in settling disputes in a variety of fields, including complex regulatory and environmental matters, equal employment, and educational grant disputes and enforcement matters.

FMCS AND MULTI-PARTY NEGOTIATIONS

The Federal Mediation and Conciliation Service (FMCS) is an independent agency of the United States Government created by Congress in 1947 to provide mediation and conflict resolution related services to its clients. These services are delivered by the agency's nearly 200 full-time mediators who operate in 78 field offices located throughout the country. The primary focus of FMCS's work is on labor-management relations, mediating contract negotiation disputes between companies and the unions representing their employees, and providing training in cooperative processes to help build labor-management relations. Additionally, FMCS is authorized under the Administrative Dispute Resolution Act of 1990 to share its expertise in all aspects of mediation, facilitation and conflict resolution with federal, state and local governmental bodies and agencies.

Mediation is participation by a neutral third party in a dispute or negotiation with the purpose of assisting the parties to the dispute in voluntarily reaching their own settlement of the issues. A mediator may make suggestions, and even procedural or substantive recommendations.

FMCS has provided mediation services in numerous public policy disputes and regulatory negotiations. The results have been extremely positive. By formulating rules and policies in a public negotiating process, potential or actual antagonists can be motivated to participate, and become partners in solving a policy problem or controversy over public issues. Thus, the likelihood of subsequent challenges to the agreement is greatly reduced.

The task of bringing together groups of people, often with competing interests, to reach consensus on complex issues and policies has proved to be a highly-productive use of FMCS' mediators expertise in facilitation and joint problem-solving. Not only are the results positive and the concept gaining in use, but making policy and regulatory and decisions in a public, participatory process is simply a better way to resolve conflicts. FMCS mediators have been involved in the resolution of many issues using this process, including:

Disability Access to Airplanes (1988); Department of Transportation, Vocational Education Issues (1990); Department of Education, Appalachian Trail/Killington-Pico Ski Resorts Mergers (1990–91), Developing Formula for Member Contributions (1992); Farm Credit Administration, Usage of Pesticides (1993); State of New York, Use of Public Waterways (1993); State of Tennessee, Subsidized Housing Vacancy Rates (1995); Department of Housing and Urban Development, Water Resources Development in the Tuolumne River/San Francisco Bay Area (1995); Federal Energy Regulatory Commission, Rail Repair Worker Safety Procedures (1995); Railway Safety Administration (DOT), Indian Self Determination Act (1995); Departments of Interior/HHS, Equal Employment Opportunity Commission (1995/96), and Disability Access to Play Areas (1996); Architectural and Barriers Compliance Board.

U.S. SENATE, COMMITTEE ON ENERGY AND NATURAL RESOURCES,

Washington, DC, September 16, 1996.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We are about to conclude action on H.R. 1296, a bill to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer. As you may know, a number of popular and also controversial measures have become part of the conference discussion; therefore, this bill is now known as the Omnibus Parks legislation containing well over 100 specific legislative provisions.

Among the controversial issues discussed for inclusion in this conference report are the Senate-passed grazing reform legislation, S. 1459; reforms to the management of the Boundary Waters Wilderness, S. 1738; Sterling Forest Protection Act, S. 223; S. 884, the Utah Public Lands Management Act; S. 1877, the Ketchikan Pulp Company contract extension; and S. 1371, the Snow Basin Land Exchange, which is necessary for the winter olympics.

We are about to file a conference report on this omnibus legislation, and it is important that we have your views. Because of your Administration's long-standing opposition, we are prepared to propose excluding the grazing reform legislation, any Utah Wilderness proposals, and several other controversial measures to which the Administration has expressed opposition. Attached is a list of measures we propose for inclusion in the conference report. Among these measures, we feel the need to include two items which your Administration has expressed opposition to in the past. One is the extension of the Ketchikan Pulp Co. contract, S. 1877; and the other is a proposed compromise on the Boundary Waters Canoe Area which would allow motorization on three portages, but nothing more.

It is important that we have your views on this conference report prior to close of business on Wednesday, September 18. We are ready and prepared to discuss any of the measures proposed for inclusion in this conference report at any time, and our staffs are prepared to provide any additional information you may need in your consideration of this important legislation.

Sincerely,

DON YOUNG,
Chairman, House Committee on Resources.
FRANK H. MURKOWSKI,
Chairman.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, September 11, 1996.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, Washington, DC.

DEAR MR. CHAIRMAN: In light of potential activity by the Committee on S. 1738, I would like to apprise you of the Administration's deep concerns about S. 1738, a bill ''To provide for improved access to and use of the Boundary Waters Canoe Area Wilderness, and for other purposes.''

The Department of Agriculture strongly opposes enactment of S. 1738. For the reasons outlined below, this bill is unacceptable, and should it come to the President in its present form, I would advise him to veto it.

While we are acutely aware of the controversy associated with management of the Boundary Waters Canoe Area Wilderness (BWCAW) for at least the past 50 years, and we understand the concerns of the various interests, we do not believe that S. 1738 offers a solution to that controversy. The provisions of S. 1738 would not protect the wilderness resource itself or protect the best interests of the national and international communities which seek a voice in its management. In fact, we believe that it will only serve to increase the polarization of the various interests.

The BWCAW is the largest wilderness east of the Mississippi, consisting of over one million acres of lakes, streams, and forests. It extends nearly 150 miles along the international boundary adjacent to Canada's Quetico Provincial Park, creating a natural, water-based international treasure, unparalleled in the world. It is also the most heavily used wilderness in the United States.

S. 1738 would make several significant changes in the current management of the BWCAW. The bill would expand the area open to use of motorboats, exempt a certain class of visitors from limits established on numbers of visitors, provide for reopening three portages to motorized use, and establish a planning and management council.

Section 3(a) would amend the 1978 law which established the wilderness (P.L. 95–495) by removing limits on motorboat use on five lakes. These are very large lakes and this change would increase the average of water surface open to motor use from approximately 21 percent to 31 percent of the total in the wilderness. Allowing nearly one-third of the area to be open to motorized use is a very large proportion for an activity not normally allowed in units of the National Wilderness Preservation System, and would be a significant change in the wilderness setting.

Section 3(b) would change the definition of a ''guest'' from someone who stays overnight, to someone who is a guest of a homeowner or has purchased or rented goods or services from a resort owner. This change is significant because the 1978 Act exempts those who are ''guests'' of homeowners or resort owners from limits on use. This change in definition would, in effect, eliminate the current limits on motorboat users.

Section 3(c) would provide for reopening three portages to motorized use that were closed by court order several years ago. Based on use data and informal discussions with visitors, our experience since these portages were closed has led us to conclude that access is not unduly restricted, public needs are being met, and that the quality of the wilderness setting is improved by the current status.

Section 4 would establish a ''Planning and Management Council'' with broad authorities to ''develop a monitor a comprehensive management plan for the wilderness.'' This is the most disconcerting provision of the bill. This management council would have overlapping and conflicting roles with the agency, creating confusion about management of the wilderness. Under this bill, the role of the resource professional in managing a national resource under the laws passed by Congress would be shifted to a council consisting primarily of locally elected and appointed officials. A management council would only serve to reopen issues, keep the controversy alive, and further polarize the various interests.

The Forest Service already has a public involvement process in place, which was used extensively during development of the new BWCAW plan, which is the culmination of several years of seeking the best mix of management options for both the nation and the wilderness resource. We need to keep on track with implementing the plan which emerged from this process and work through the remaining issues. Furthermore, the Forest Service is participating in the Federal Mediation and Conciliation Service process for the BWCAW, and I anticipate this effort may help to resolve some of the long-standing issues in the wilderness area.

Notwithstanding my objections to the bill in its current form, I will work with the Committee to produce an acceptable solution to this problem.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

DAN GLICKMAN,
Secretary.

[From The Pioneer Press Editorial, May 9, 1996]

MEDIATION WELCOME IN BWCAW DISPUTE

Like chicken soup for a bad cold, Sen. Paul Wellstone's effort to initiate mediation over Minnesota's All-America land dispute can't hurt. Seeking new approaches to settling the emblematic environmental arguments over Voyageurs National Park and the Boundary Waters Canoe Area Wilderness has attractive possibilities.

Up front, it is fair to acknowledge that the political dynamic of the situation for an incumbent Democratic senator in an election year is both deft and apparent. By bringing the Federal Mediation and Conciliation Service in to approach the old grievances about the BWCAW and Voyageurs as professional mediation has done with other polarized environmental policy cases, Wellstone doesn't have to alienate, for now, the Up North Democrats or the Big City environmentalists. Truth told, we'd be just as glad as most other folks to let the mediation process carry these land-use issues into 1997, softening the tendency to frenzy sure to follow Congress' competing legislative approaches—neither of which Wellstone supports.

We said earlier this week the delicate compromises that created the BWCAW in 1978 still largely make sense and do not need to be dramatically altered.

Local councils that control policy on federal lands are not appropriate whether the federal lands are designated as the nation's largest water wilderness or are Yellowstone National Park.

If mediation can get to some of the festering unhappiness Up North over communications failures between communities and the feds, great, Running parallel to the inevitable political wrangling of trying to legislate either expanding the wilderness or ceding management to county and state forces, the mediation process is, at minimum, comfort food.

It can't hurt to try something besides choosing sides and fighting it out over access to the north's unique natural treasures.

[Wellstone Virginia, July 20, 1996]

TIME TO GIVE MEDIATION ITS DUE

(By Marshall Helmberger)

With the obituaries all but written for the Grams and Oberstar bills, it should be clear to most people that Senator Paul Wellstone's mediation proposal continues to be the best hope for changes in Boundary Waters and Voyageurs National Park management. That has been the case for the day the senator announced the proposal last spring, and that fact should be that much more obvious after the recent congressional hearings.

The bottom line is this: Until Minnesotans can reach a consensus on changes in management of these federal lands, legislative quick fixes stand little chance of passage, and even less chance of resolving the long-term conflicts over these areas. The Grams and Oberstar bills would have pleased some, but guaranteed many more years of heated controversy and, very possibly, even worse legislation in the future. Perhaps that's why prominent Minnesotans of both parties have opposed the most recent legislation.

Yes, I, like many others, want to see a return of the truck portages. But mediation is likely the only way to achieve some of these changes.

While some local groups, such as Conservationists With Common Sense, want to point fingers at Senator Wellstone and conclude that he has somehow masterminded the downfall of the Grams/Oberstar bills, such claims are wildly over stated.

The fact is, opposition to the Grams/Oberstar legislation is overwhelming in Minnesota, and bipartisan in nature. A StarTribune Minnesota Poll released Thursday showed that three-quarters of Minnesotans said they opposed the Grams/Oberstar bills, with just 18 percent voicing support. Compare that to the 69 percent support the poll found for the Vento bill, which further restricts motor use in the BWCAW and puts much of Voyageurs National Park into wilderness status.

If supporters of the Grams/Oberstar bills had any illusions. about passage, or about Wellstone's supposed role in scuttling the bills, such poll results should prompt a re-examination. Regardless of Wellstone's position, legislation garnering the support of just 18 percent of Minnesotans was dead on arrival.

Grams/Oberstar supporters might also consider the fact that a majority of Minnesotans agree that mediation is the best approach for dealing with the dispute and don't see Wellstone's position as an attempt to duck the issue.

Wellstone didn't need to scuttle the bills. Despite the claims of CWCS spokespeople, Paul Wellstone hasn't masterminded public opinion, or the widespread and bi-partisan opposition to the two bills. Paul Wellstone didn't prompt Third District Republican Representative Jim Ramstead's loud opposition to the bills during this week's testimony. And he didn't coax Governor Arne Carlson to oppose them either.

Nor did he mastermind the Interior Department's recommendation of a presidential veto of the legislation.

Nor did he have to convince U.S. Senators, like Bill Bradley and others, who have supported pro-wilderness legislation for 20 years or more that they should object to the current bills. There are plenty of people in Washington happy to speak their mind. And you don't want to get between them and a microphone.

Unfortunately, when groups like CWCS focus the blame on Wellstone, they make their involvement in this issue look far too political. There's been enough politics in this issue already.

Indeed, a strong argument could be made that it was the national Republican Party that scuttled any legislative deal this year, by politicizing the issues through its anti-Wellstone attack ads. Democratic senators made clear last week that they weren't about to sign on to any deal that smelled so strongly like a political smear campaign.

Of course the Republicans are smart enough to know that. Those anti-Wellstone attack ads were the clearest possible sign that the Republican Congress had no intention of passing any Boundary Waters or VNP legislation. For the Republicans, this was little more than a chance to attack a senator they consider to be a major thorn in their side.

While the motivations of Representative Oberstar are probably more honorable, he nontheless should have known better than to raise political hopes in his supporters about the chances of passage. And despite his official claims to the contrary, he has made statements critical of mediation. He should know better. Such statements provide political cover for those who would like to sabotage any mediation effort, apparently to achieve their political goal of hurting Wellstone's re-election.

Sadly, the prospects for successful mediation are probably less promising than before the congressional hearings. With the apparent quick and easy death of the Grams/Oberstar bills, environmental groups have the confidence of knowing they can probably block any legislative efforts that don't come from a mediated settlement. In other words, they now have less incentive to bargain seriously than they did before. It would have been far more effective to use mediation first. That way, local interests could have still held out the threat of the Grams/Oberstar bills, if environmental groups showed little willingness to compromise.

As it stands today, the groups that pushed for the quick legislative fix managed to get their names in the paper, but little else. And unless they change their minds and give mediation a chance, they have little role to play—other than spoilers. And worst of all, that leaves most of their members—who I believe never wanted anything more than the right to use a truck portage or have relatively easy access to a permt—out of luck once again.

[The Bemidji Pioneer, July 31, 1996]

MEDIATION ON THE MARK

Minnesotans are the best position to decide a destiny for the Boundary Waters Canoe Area Wilderness and Voyageurs National Park. And that process, fostered by federal mediators, appears to be headed in the right direction.

U.S. Sen. Paul Wellstone, DFL–Minn., has taken a lot of flack for his proposal for federal mediation, including National Republican Senatorial Committee pressure that Wellstone's call allows him to completely duck this volatile election-year issue.

Plans outlined this week should prove Wellstone right. The Federal Mediation and Conciliation Service recommendations set up a framework for citizen panels for both BWCA and Voyageurs issues from more than 200 interviews with interested parties. The final panels will learn problem-solving techniques and then it will be up to them—fellow Minnesotans sitting around a table deciding what's best for important Minnesota resources.

Current bills in Congress would put those forces at odds—more likely creating a war than a mediated settlement all can live with. Bills by GOP Sen. Rod Grams and DFL Rep. Jim Oberstar obviously side with those who want little or no restrictions for an important natural resource, while a bill by Rep. Bruce Vento obviously sides with environmentally conscious Twin Citians who would preserve both areas as their private playground.

A recent Star Tribune/WCCO–TV Minnesota Poll shows that most Minnesotans want federal mediators to resolve the dispute. They will help, but it will be Minnesotans making the decisions and not Congress. That's the Minnesota way.

[The Duluth News Tribune, July 17, 1996]

BWCAW BILLS DESERVE TO DIE

Americans can relax more when their state legislatures and Congress are not in session. So we shouldn't worry that intra- and interparty disputes threaten action on bills to alter Boundary Waters Canoe Area Wilderness policy.

A good case can be made for restoring motorized portages, but the best long-term solution to the BWCAW and Voyageurs National Park disputes lies with the mediation process just begun.

Battles over how to use these lands near the Canadian border have gone on for decades: They won't be settled by the feuding measures introduced by lawmakers from Minnesota.

Though the second half of 1996 has just begun, lawmakers consider this the late stages of their session. So opposition by three Democratic representatives to bills by fellow Democrats Reps. James Oberstar and Bruce Vento seems to doom hopes for passage of any bill in this Congress.

Reps. Martin Sabo, Bill Luther and David Minge urged no action on the legislation that has hurt Sen. Paul Wellstone's re-election hopes. The three lawmakers likely had partisan gain in mind—but also have common sense on their side.

Wellstone's push for federal mediation of the land-use disputes makes sense. Contrary to what some partisans continue to say, mediation would not let federal bureaucrats dictate a solution. Mediation will create a settlement only if the parties involved agree to it.

Even though the battles over best use of the area have gone on a long time, many thoughtful parties to the dispute indicate a willingness to compromise so the can enjoy the natural wonders without worrying what the other side is doing.

The best hope for a solution lies with mediation once the 1996 election is behind us.●

CLARIFICATION OF THE CREDIT REPORTING SECTION OF THE OMNIBUS CONSOLIDATED APPROPRIATIONS ACT

● Mr. MACK. Mr. President, I rise today to clarify a provision included in the credit reporting section of the Omnibus Consolidated Appropriations Act.

Section 2403(a) clarifies existing law with respect to the ''permissible purposes'' for which a consumer report may be obtained under the Fair Credit Reporting Act. The provision establishes that purchasers and servicers are permitted to review a borrower's credit report in connection with the decision of whether to purchase a loan obligation and/or its servicing. This allows a purchaser or other investor to value more accurately a portfolio of loans based on the current credit characteristics of the borrowers of the underlying obligations. Servicers can also use the information to better value servicing rights that they are considering purchasing. In addition, the provision would allow a current loan insurer to use credit reports in assessing its existing risk. By reducing uncertainty in the secondary markets, I am hopeful that consumers will be well served by lower prices. I thank the Chair for this opportunity to elaborate upon this small provision.●

THE NATIONAL INSTITUTES OF HEALTH

● Mr. SIMON. Mr. President, I submit for the RECORD the following corrections to the text of S. 1897 (Report No. 104–364):

Sec. 635. (a)(3) Diabetes is the sixth leading cause of death by disease in America, taking the lives of more than 169,000 people annually.

Sec. 635. (a)(5) Diabetes is the leading cause of new blindness in adults 20 to 74 years of age.

Sec. 635. (a)(6) Diabetes is the leading cause of kidney failure requiring dialysis or transplantation, affecting more than 56,000 Americans in 1992.●

FAIR TRADE PRACTICES ACT

● Mr. SPECTER. Mr. President, on Monday, September 30, 1996, I introduced S. 2165, the Fair Trade Practices Act of 1996. I ask that the full text of the bill be printed in the Record.

The bill is as follows:

S. 2165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair Trade Practices Act of 1996''.

SEC. 2. REPORT BY THE PRESIDENT; SANCTIONS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, and annually thereafter, the President shall submit a report to the Congress that—

(A) identifies foreign persons and concerns that engage in foreign corrupt trade practices and foreign countries that do not have in effect or do not enforce laws that are similar to the Foreign Corrupt Practices Act of 1977; and

(B) contains information regarding—

(i) existing corrupt trade practices of foreign persons and concerns; and

(ii) efforts by the governments of foreign countries to stop corrupt trade practices by private persons and government officials of those countries through enactment and enforcement of laws similar to the Foreign Corrupt Practices Act of 1977.

(2) DEFINITION OF CORRUPT TRADE PRACTICE.—For purposes of this section, the term ''corrupt trade practice'' means a practice that would violate the prohibition described in section 104 of the Foreign Corrupt Practices Act of 1977 if engaged in by a domestic concern.

(b) SANCTIONS.—

(1) IN GENERAL.—If the President determines that a country identified in subsection (a)(1)(A) is not making a good faith effort to enact or enforce the laws described in subsection (a)(1)(B)(ii), the President is authorized and directed to impose the sanctions described in paragraph (2).

(2) SANCTIONS DESCRIBED.—

(a) REDUCTION IN FOREIGN AID.—Fifty percent of the assistance made available under part I of the Foreign Assistance Act of 1961 and allocated each fiscal year pursuant to section 653 of such Act for a country shall be withheld from obligation and expenditure for any fiscal year in which a determination has been made under paragraph (1) with respect to the country.

(B) MULTILATERAL DEVELOPMENT BANK ASSISTANCE.—The United States Government shall oppose, in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d), the extension of any loan or financial or technical assistance by international financial institutions to any country described in paragraph (1).

(c) DURATION OF SANCTIONS.—Any sanction imposed against a country under subsection (b)92) shall remain in effect until such time as the President certifies to the Congress that such country has enacted and is enforcing the laws described in subsection (a)(1)(B)(ii).

(d) WAIVER.—Any sanctions described in subsection (b) may be delayed or waived upon certification of the President to the Congress that it is in the national interest to do so.

SEC. 3. SANCTIONS AGAINST PERSONS AND BUSINESS ENTITIES.

(a) IMPOSITION OF SANCTIONS ON FOREIGN PERSONS AND CONCERNS ENGAGING IN CERTAIN CORRUPT BUSINESS PRACTICES.—The President shall impose the sanctions described in subsection (b), to the fullest extent consistent with international obligations, if the President certifies to the Congress that—

(1) a foreign person or concern has engaged in the conduct described in section 104 of the Foreign Corrupt Practices Act of 1977, and such conduct has placed a United States concern at a competitive disadvantage,

(2) the President has consulted with the foreign country having primary jurisdiction over such conduct in an effort to get the government of that country to impose sanctions against such foreign person or concern,

(3) a period of 90 days has elapsed since the President first consulted with the foreign country, and

(4) the country has not taken action against such person or concern.

The 90-day period referred to in the preceding sentence may be extended for an additional 90 days if the President determines sufficient progress has been made in consultation with the foreign country to justify such an extension.

(b) SANCTIONS.—

(1) IN GENERAL.—The sanctions to be imposed pursuant to subsection (a) are as follows:

(A) PROCUREMENT SANCTION.—The United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from any foreign person or concern that engages in the unlawful conduct described in subsection (a)(1).

(B) LICENSE BAN.—The United States Government shall not issue any license or other authority to conduct business in the United States to any foreign person or concern that engages in the unlawful conduct described in subsection (a)(1).

(2) WAIVER.—Any penalties or sanctions imposed under this section may be delayed or waived upon certification of the President to Congress that it is in the national interest to do so.

(c) DEFINITIONS.—For purposes of this section—

(1) FOREIGN CONCERN.—The term ''foreign concern'' means any corporation, partnership, association, joint stock company, business trust, unincorporated organization, or sole proprietorship which has its principal place of business in a country other than the United States, or which is organized under the laws of a country other than the United States.

(2) FOREIGN PERSON.—The term ''foreign person'' means any individual who is a citizen or national of a country other than the United States.●

FAMILY-FRIENDLY DELAWARE COMPANY HONORED

● Mr. BIDEN. Mr. President, in this time of two-worker households, working parents are increasingly faced with the difficult task of balancing work and family.

Every day in this country, families must find a way to meet the challenges that await them at home after a long day on the job. Some days it seems impossible to maintain a career while trying to figure out a way to get the shopping done, put dinner on the table and pick up the kids at soccer practice.

That is why today, Mr. President, I am proud to stand here to announce that Delaware companies are taking the lead and making it easier for working parents to balance their careers and families.