

that allows the President to select rules for review and to track changes made in the Dole/Johnston bill.

Sec. 626. Public Participation and Accountability—identical.

Sec. 627. Conflict of Interest Relating to Cost-Benefit Analyses and Risk Assessments. Added the Pryor-Feingold floor amendment also accepted as an amendment to the Dole-Johnston bill.

Subchapter III. Risk Assessment

Sec. 631. Risk Assessment Definitions—same as the Dole-Johnston bill, except modification of "screening analysis."

Sec. 632. Risk Assessment Applicability. Changed applicability of risk assessment requirements from all agencies to agencies concerned with environment, health, or safety.

Sec. 633. Risk Assessment Savings Provision—struck (2).

Sec. 634. Principles for Risk Assessments. Incorporates technical changes to risk assessment, reducing prescriptive language. Also combined "principles for risk assessments" (Roth section 635) and "principles for risk characterizations" (Roth section 636).

Sec. 635. Peer Review—Identical except for changes made in the Dole-Johnston bill.

Sec. 636. Risk Assessment Guidelines, Plan for Assessing New Information, and Report—identical.

Sec. 637. Research and Training in Risk Assessment—identical.

Sec. 638. Risk Assessment Interagency Coordination—identical.

Sec. 639. Plan for Review of Risk Assessments—identical.

Sec. 640. Risk Assessment Judicial Review—identical.

Sec. 640a. Risk Assessment Deadlines for Rulemaking—identical.

Subchapter IV. Executive Oversight.

Sec. 641. Executive Oversight Definition—identical.

Sec. 642. Executive Oversight Procedures—identical.

Sec. 643. Promulgation and Adoption of Executive Oversight Procedures—identical.

Sec. 644. Delegation of Authority for Executive Oversight—identical.

Sec. 645. Public Disclosure of Information with Regard to Executive Oversight—identical.

Sec. 646. Judicial Review of Executive Oversight—identical.

Sec. 3(b) Regulatory Flexibility—identical.

Sec. 611. Judicial Review of Regulatory Flexibility Act Decisions—identical.

Sec. 3(c) Presidential Authority—identical.

Sec. 4. Congressional Review.

Sec. 801. Congressional Review of Agency Rulemaking—identical.

Sec. 5. Studies and Reports—identical.

Sec. 6. Risk-Based Priorities—Identical but for agreed upon changes made on the floor with Senator Roth and others to the Dole-Johnston bill.

Sec. 7. Regulatory Accounting—identical.

Sec. 8. Effective Date—Added at the end "and shall apply to any agency rule for which a general notice of proposed rulemaking is published on or after such date."

THE THAI-CAMBODIAN TIMBER TRADE

Mr. THOMAS. Mr. President, this last Monday I chaired a hearing of the full Foreign Relations Committee to consider ambassadorial nominations for four countries within the jurisdiction of my Subcommittee on East Asian and Pacific Affairs: Cambodia, Indonesia, Malaysia, and Thailand. I was impressed by all of them, and am

sure they—as well as the Ambassador-designate to APEC—will be confirmed by the full Senate soon. In speaking privately with all the nominees, however, there was one issue I brought up with both the Ambassador-designate to Thailand and the Ambassador-designate to Cambodia that they were unable to address to my satisfaction and which I believe should be brought to the attention of my colleagues: the links between the Thai military and the Khmer Rouge and their involvement in the illegal timber trade across the Thai-Cambodia border.

Cambodia shares a lengthy and relatively uninhabited border with Thailand. The entire region is heavily forested; formerly, 76 percent of Cambodia's 176,520 square kilometers of land area was covered by forest. That amount, however, has declined dramatically over the last 15 years due to the increased commercial harvesting of timber. According to some sources, tree cover has been reduced by almost half since 1989. The loss has been especially dramatic in western Cambodia, where a handful of foreign firms are responsible for a majority of the deforestation.

These companies purchase concessions from the Cambodian Government, and theoretically make payments to the government based on the amount of cubic meters of timber felled. The timber is then exported over the Thai border, either by boat or overland on dirt roads built expressly for that purpose by the companies, where they are collected at places called rest areas before being sent further on into Thailand. According to both Thai and Cambodian regulations, the logger/exporter must secure a certificate of origin from the Cambodian Government, a permit from the Thai embassy in Cambodia, and permission from the Thai Interior Ministry to import the logs into Thailand.

There is one more party, however, that plays a major role in the logging: the Khmer Rouge [KR]. Led by the infamous Pol Pot, the KR controlled the government of Cambodia from 1975 to 1979. During that time, it was directly responsible for the genocide of more than one million Cambodians in the "Killing Fields." Since the 1991 U.N. peace agreement established a democratic government in Cambodia, the KR has been relegated to the role of a rebel guerilla force. Although the government has made some inroads in combatting the KR, including implementing a somewhat successful amnesty program, the KR remains a strong force in the western khet of Batdambang, Pursat, Banteay Meanchey and Siem Reap. Despite the campaign being mounted against them, though, they still receive a steady flow of food, military supplies, and currency sufficient to pay their 10,000 to 20,000 man militia; and therein lies the connection to the timber trade and the Thai military.

Over the past several years, the press has consistently reported that the Thai military has been providing assistance and support to the Khmer Rouge. The links between the two are longstanding. Beginning in 1979, Thailand acted as a funnel for Chinese-supplied arms being transshipped to the KR—apparently in return for an end to Chinese support for rebel Thai Communists in northern Thailand. Since then, the evidence suggests that the Thai have regularly supplied the KR with logistical support and materiel. In return for this support, Thai business interests and certain government sectors have benefited from access to timber and gem resources within that part of Cambodia along the Thai border controlled by the KR. Their interest is sizable; in 1993, the U.S. Embassy in Thailand estimated that Thai logging companies had some \$40 million invested in timber concessions in KR-held areas.

It is from the sale of these resources that the KR acquires funds sufficient to continue its reign of terror in Cambodia. The process is actually quite simple. Foreign companies interested in harvesting timber in western Cambodia purchase official lumber concessions from the government in Phnom Penh. Having dealt with the de jure government, however, the companies must then deal with the de facto government in western Cambodia: the KR. The companies pay the KR for the right of safe passage into KR-held territory, to fell the timber, and to transport it out to Thailand safely. The present going rate of payment to the KR per cubic meter is between 875 and 1,000 baht, or between \$35 and \$40. It is estimated that the weekly income to the KR from timber carried across just two of the many border points is around \$270,000, with total monthly income to the KR estimated at between \$10 and \$20 million.

Once felled and placed on the back of trucks, the logs are driven across the Thai border. That crossing, however, is not without its costs. The Thai military—the Marines, actually—controls a 4-mile wide strip along the Thai side of the border, and in order to negotiate it the logging trucks must pass through guarded checkpoints where, it appears, payments in the form of tolls or bribes are made to Thai concerns.

The Thai have consistently, albeit often disingenuously, denied any ties to the KR or to the timber trade. Each round of denials, however, is soon followed by press reports and concrete evidence to the contrary. For example, in 1994 Thailand officially closed its border with Cambodia partly as a result of the murder of more than 20 Thai timber workers by the KR and partly as a result of international criticism. In a press statement made shortly thereafter, Maj. Gen. Niphon Parayanit, the Thai commander in the region, stated flatly that the border was closed, that the military had severed all links with the KR, and that "there [was] no large-scale cross-border

trade going on." The official denials have continued to this day, including one of the more recent by Prime Minister Chuan noted in the May 26 edition of the Bangkok Post.

Despite these denials though, and despite a Cambodian ban on logging, credible eyewitness reports from members of the London-based group Global Witness fully confirm, in my opinion, that the trucks are still rolling across the Thai border. If—as the Thai military alleges—it is not involved in the timber trade either directly or by turning a blind eye to the shipments, I can think of no other explanation than that the military personnel in the border zone are completely incompetent. One of the more heavily travelled timber roads in the border zone, one that according to my information is in daily use even as I speak, is within sight of one of the Thai Marine camps. Nor can the central Thai Government claim ignorance; Global Witness recently brought to light a current timber import permit signed by the Thai Interior Minister.

Mr. President, continued Thai support for the KR—in this or any manner—concerns me greatly for several reasons. First and foremost, the financial support the trade affords to the KR continues to allow it to survive thereby seriously endangering the growth and continued vitality of the nascent Cambodian democracy. That system is having enough trouble getting off the ground and running smoothly without having to deal with the KR insurgency. Secondly, Thailand's actions run counter to its obligations under the 1991 Peace Accord and serve to undermine it. Finally, the clandestine nature of the timber extraction has removed it from the control of the Cambodian central government. It is subsequently free to continue without regard to any regulations aimed at limiting the amount of timber taken, preventing serious ecological damage, ensuring sustained growth, or protecting the lives and livelihoods of the local populace.

I have made my concerns about this issue clear to both of our Ambassadors-designate and to the State Department. I hope that this statement will make my concerns equally clear to the Thai Government. If a significant effort not made as promised by the Thai Government to fully investigate and then stem the cross-border trade and their dealings with the KR, then I would find myself placed in the position of calling on our government to abide by that provision of Public Law 103-306 requiring that the President shall "terminate assistance to any country or organization that he determines is cooperating, tactically or strategically, with the Khmer Rouge in their military operations."

In closing, Mr. President, let me note that I greatly value the close relationship between us and the government and people of Thailand. However warm or important that relationship, though,

we cannot allow it to obscure or interfere with what is our equally important dedication to the principles of democracy taking root in Cambodia. I, and I hope my colleagues, will be watching developments closely.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2058. An act establishing United States policy toward China.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2058. An act establishing United States policy toward China; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent and placed on the calendar:

S. 1060. A bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes; and

S. 1061. A bill to provide for congressional gift reform.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Finance:

John Joseph Callahan, of Massachusetts, to be an Assistant Secretary of Health and Human Services.

Lawrence H. Summers, of Massachusetts, to be Deputy Secretary of the Treasury.

Howard Monroe Schloss, of Louisiana, to be an Assistant Secretary of the Treasury.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1054. A bill to provide for the protection of Southeast Alaska jobs and communities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HOLLINGS:

S. 1055. A bill to amend title 49, United States Code, to eliminate the requirement for preemployment alcohol testing in the mass transit, railroad, motor carrier, and aviation industries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAIG (for himself, Mr. SIMPSON, Mr. KEMPTHORNE, Mr. COVERDELL, Mr. GREGG, Mr. NICKLES, Mr. LOTT, Mr. KYL, Mr. GRAMS, and Mr. FAIRCLOTH):

S. 1056. A bill to prohibit certain exempt organizations from receiving Federal funding; to the Committee on Governmental Affairs.

By Mr. COHEN (for himself, Mr. D'AMATO, Mr. BOND, Mr. FAIRCLOTH, and Mr. MACK):

S. 1057. A bill to amend section 1956 of title 18, United States Code to include equity skimming as a predicate offense, to amend section 1516 of title 18, United States Code to curtail delays in the performance of audits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WELLSTONE (for himself, Mr. SPECTER, Mr. HATFIELD, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, and Mr. KENNEDY):

S. 1058. A bill to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

By Mr. CRAIG:

S. 1059. A bill to amend section 1864 of title 18, United States Code, relating to tree spiking, to add avoidance costs as a punishable result; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. COHEN, Mr. GLENN, Mr. WELLSTONE, Mr. LAUTENBERG, Mr. FEINGOLD, and Mr. BAUCUS):

S. 1060. A bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

By Mr. ROTH:

S. 1061. A bill to permit State and local governments to transfer-by sale or lease—Federal-aid facilities to the private sector without repayment of Federal grants, provided the facility continues to be used for its original purpose, and for other purposes; to the Committee on Governmental Affairs.

By Mr. JEFFORDS (for himself and Mr. NUNN):

S. 1062. A bill to amend the Employee Retirement Income Security Act of 1974 to increase the purchasing power of individuals and employers, to protect employees whose health benefits are provided through multiple employer welfare arrangements, to provide increased security of health care benefits, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. ROTH:

S. 1063. A bill to permit State and local governments to transfer—by sale or lease—Federal-aid facilities to the private sector without repayment of Federal grants, provided the facility continues to be used for its original purpose, and for other purposes; to the Committee on Governmental Affairs.

By Mr. HELMS (for himself, Mr. PELL, Mr. DOLE, Mr. DASCHLE, Mr. MACK,