

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,

Mr. LIEBERMAN, Mrs. FEINSTEIN, Mr. MCCONNELL, Mr. LEAHY, and Mr. LAUTENBERG):

S. 1064. A bill entitled "The Middle East Peace Facilitation Act of 1995"; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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.

##### THE SOUTHEAST ALASKA JOBS AND COMMUNITIES PROTECTION ACT

Mr. MURKOWSKI. Mr. President, I rise today to reluctantly reinstate a debate concerning the management of the Tongass National Forest. I thought and hoped that Congress had resolved this issue with the passage of the Tongass Timber Reform Act of 1990 (TTRA). I want to emphasize my reluctance and unhappiness with the need to initiate corrective legislative action because the Tongass Timber Reform Act of 1990 was hailed by all concerned as a dramatic resolution to a long-standing debate on how to manage the Tongass. The congressional deliberations leading up to passage involved, as Senator JOHNSTON, my colleague from Louisiana, put it "extraordinary cooperation" among all of the parties involved.

When we passed the Tongass Timber Reform Act in 1990, I believe that Congress agreed with the Bush administration that—as long as the demand for timber existed—the industry should be provided sufficient volume from the remaining 1.7 million acre commercial forest land base to maintain the same amount of direct timber employment from operations on the Tongass National Forest that it enjoyed in 1990. I believe that all parties agreed that maintaining this level of employment was part of the compromise underlying the bill.

Well, the Congress withdrew 1.1 million acres of land; and the Bush administration unilaterally modified the long term timber sale contracts on the Tongass, and required buffer strips on all major anadromous streams. But the jobs portion of the compromise has been largely ignored by the current administration. Since 1990, direct timber employment on the Tongass National Forest has been reduced by more than 42 percent. As I see it, there are two principal reasons for this decline: First, the Forest Service has failed to seek to meet market demand as required by TTRA section 101; and second, a variety of environmental groups have administratively appealed or litigated most proposed timber sales. Today 13 of 23 currently proposed sales are held up because of legal action taken by the environmentalists. These enjoined sales now make it impossible for the Forest Service to ameliorate

the impacts of the sales it has withdrawn from the pipeline.

What is happening in southeast Alaska is unfortunately not unique. Through a combination of Clinton administration initiatives and environmental group litigation we are seeing all forms of economic activity—timber, grazing, mining, and oil and gas exploration—driven off our public lands throughout the country. We are engaged in a policy of exporting both our jobs and some of our environmental problems to other nations. They will meet our material needs through production processes far less sophisticated and environmentally sensitive than our own. I represent the largest national forest in our system. I cannot believe that this forest cannot be managed to sustain a forest industry. I can no longer stand by as that industry is destroyed.

Let me first turn to Forest Service malfeasance and nonfeasance, for it is with the Agency's performance that I am most unhappy. There are four reasons why the Forest Service has been unable or unwilling to meet market demand: First, the Forest Service in Alaska has reinterpreted the definition of "viable population of a species" such that it is managing habitat to require that all species exist on all areas of the Tongass, not just the portion of the Tongass to which a particular species is indigenous; second, in accordance with its new hypersensitivity to species protection, the Forest Service in the spring of 1994 canceled the Alaska Pulp Corporation [APC] long term contract, withdrew 600,000 acres, and related timber sales, from the 1.7 million acre commercial forest land base remaining after the 1990 act, and moved Ketchikan Pulp Company [KPC] into the APC contract areas so that habitat conservation areas [HCAs] and goshawk reservation areas could be established on a portion of KPC's then existing sales; third, the Forest Service has subordinated Section 101 of TTRA to species protection concerns, interpreting this part of the compromise as non-binding; and fourth, the environmental groups lawsuits have eliminated the Agency's ability to offset the effects of the first three developments.

My most immediate concern with the situation that the Forest Service has created is that it is rapidly getting worse. That is why I, along with other members of the Alaska Delegation, have come to the conclusion that we must act today. Let me describe the situation that exists.

The log shortage commenced with the Forest Service action in setting aside habitat conservation areas and goshawk reservation areas in the spring of 1994, continues to cause job reductions, and now threatens new job reductions. KPC has approximately 120 mmbf of timber on hand, needs approximately 220 mmbf to get through the winter until April or May of 1996, and can only achieve this additional volume if timber which is currently en-

joined is made available by the Forest Service during this timber harvest season. Meanwhile, the Ketchikan sawmill is closed, the Wrangell sawmill is closed, and the Annette sawmill is operating on one shift only.

The timber sales program for the independent and small business timber industry, SBA, currently has 63.6 million board feet of timber under contract as of July 1, 1995. Only 5.92 million board feet of newly advertised SBA and independent timber sales have been made available in 1995 from all three supervisory areas of the Tongass. This should result in one independent SBA production facility closing by September 30, 1995, with a further reduction of regional, independent sawmill operations in the first quarter of 1996.

The Forest Service's response to this situation is to continue to assure the Alaska Delegation to rely on the Agency to rectify the crisis as they complete the Tongass Land Management Plan [TLMP] revision process. At first, this sounded attractive. But then we looked into how the Forest Service is conducting the plan revision process. The Agency is making a bad situation worse. Consequently, the TLMP revision will not and cannot resolve this crisis for the following reasons.

The TLMP revision process is designed solely to modify the 1991 draft plan alternatives. The 1991 alternatives were the first revision designed to implement the 1990 Act. The Forest Service is modifying this draft to consider such matters as population viability, cave issues, and ecosystem management. All of these priorities will likely reduce timber volumes from the 1991 alternatives; and from what has been offered to date.

Second, the current Forest Service approach to implementing the 1990 act and providing timber volume is to reduce market demand to the capacity of only those mills which remain open. Each time a mill closes, volume has been reduced accordingly. This ensures the continued closure of the Ketchikan and Wrangell sawmills, and precludes building a replacement medium density fiberboard facility for the closed pulpmill in Sitka. In my view, all of this is contrary to Congress' intent in the 1990 TTRA compromise.

Third, on June 30, 1995, Regional Forester Janik made public the 10-year timber sale projection shown on this chart. This was the final straw that broke the camel's back. This schedule shows an annual average volume of 278 million board feet. As this 10-year period mirrors the 10-year planning horizon for TLMP, we can only assume that the Forest Service has already made up its mind to drop the ASQ to 2.5 billion from the current 4.5 billion board feet, essentially reducing volume availability by almost half. This is both unacceptable, and unconscionable given the Agency's arguments that we rely on the TLMP revision process to fix the timber supply crisis.