

would give a genetic marker greater protection than a paraplegic.

Given the drastic and over-reaching changes which would be brought about by the Daschle amendment, especially in a new area such as genetic testing, consideration of this legislation must be deliberate and well-informed.

Yet, there has not been a single hearing on this legislation. In fact, the amendment language was not available for review until only an hour or so before the vote. I believe it would be wrong and even negligent to pass legislation without knowing exactly how it would affect Americans' lives, now and far into the future.

The Senate Health, Education, Labor and Pensions Committee has already planned the first hearing on this matter in July. I am confident, that with careful deliberation and thorough debate, we will succeed in finding the most effective and appropriate way to ensure that no one will have their genetic-information used against them. I am looking forward to the challenge.

• Mr. HATCH. Mr. President, today the Senate passed H.R. 4577, the Labor-HHS-Education Appropriations Act. I would like to congratulate my colleagues, Senator SPECTER, Senator STEVENS, and Senator HARKIN for working together to pass one of the more contentious of the annual appropriations bills.

I appreciate the comity and courtesy displayed by the managers of this bill. I realize that most of my colleagues have specific priorities they wish to highlight in this measure. I appreciate the managers' support of the Inhofe amendment regarding the Impact Aid program. As I have stated in the past, this is a vital program for Utah.

I also appreciate the fact that the subcommittee has once again included a provision which would allow school districts adversely affected by a recalculation of the census to keep their Title I concentration funds.

According to Utahns who live and work and educate our children in these districts, this cut would do a huge disservice to Title I students in these districts. These hardworking Utahns have informed me that they believe that the census calculations do not adequately reflect the pockets of poverty that exist in these districts. Some of the schools in these districts have a poverty rate, when calculated based on school lunch data, at over 70 percent. I am pleased that the subcommittee has accepted the recommendation to hold these districts harmless.

I intend to vote in favor of the Labor-HHS-Education Appropriations bill, but I would be remiss if I did not take this opportunity to note, once again, that a crucial provision in the Title I formula remains unfunded. The Education Finance Incentive Grant Program was authorized in the 1994 Elementary and Secondary Education Act and is included in S. 2, the ESEA reauthorization, currently pending before the Congress.

I recently detailed the merits of this program when I spoke about my intention to offer an amendment to S. 2 that would make EFIG a mandatory component of Title I. I will briefly review those arguments here:

EFIG has, as a principal component, an equity factor, which measures how states distribute resources among school districts. As policy, equalizing resources among school districts has merit well documented in academic literature.

Moreover, many States are being compelled by the courts to equalize resources among school districts. Over 30 states have been taken to court on the basis of an unequal distribution of resources. My amendment would provide some relief to states that are currently required by the courts to equalize resources among school districts by increasing their share of Title I funds. My amendment would also provide the incentive to equalize resources to states which may not have already done so.

The Education Finance Incentive Grant program would be the only part of the Title I formula that does not use the per-pupil expenditure as a proxy for a state's commitment to education. There are many ways to measure a State's commitment to education—the per-pupil expenditure is merely one. Indeed, one of the most damaging aspects of the Title I formula is that it is replicated as a means to distribute Federal money to the states in other programs that have no relation to Title I. The insertion of another measure of a state's commitment to education is appropriate.

When EFIG is a factor in the Title I formula, more states do better than under current law. This was a key factor in the debate over the 1994 reauthorization of the Elementary and Secondary Education Act and why it was the intent during the enactment of the 1994 reauthorization that any additional funds directed to Title I go out through the EFIG. Indeed, it was the reason why a number of Senators voted for the conference report. It is my strongly held conviction that the intention of the 1994 act should be realized, and I will continue to pursue this goal.

I do not believe that the Senate should authorize on an appropriations measure, which is why I did not offer my amendment during consideration of this bill. However, I join with many of my colleagues who have expressed concerns over the possibility that, for the first time in nearly 30 years, the Congress will fail to reauthorize vital elementary and secondary education programs. I sincerely hope that those who have obstructed enactment of S. 2 will reconsider their position and allow the bill to go forward.●

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico is recognized to speak as if in morning business.

The Senator from New Mexico.

#### HAPPY FORESTS

Mr. DOMENICI. Mr. President, I want to speak for a few minutes about a pending national disaster.

Mr. President, I want to discuss something that is unfortunately not part of this fire package. For over a month, I have been working intensely with other Members and the Clinton Administration trying to begin to address a serious problem that in the West has been highlighted in stark terms by the events that happened to the community of Los Alamos in my state, as just one example. What happened to the homes and families of Los Alamos is unfortunately going to happen again unless we, as a Congress, can convince the Clinton Administration to join us in bold and deliberate actions. Throughout the United States there is an increasing amount of land in what natural resource scientists and fire-fighting experts call the "wildland/urban interface." With more people moving into the West, and more homes being built in communities surrounded by federal lands, neighborhoods like those that burned in Los Alamos are becoming more numerous.

At the same time, as a consequence of decades of fire suppression as well as years of increasing drought, many millions of acres—by the General Accounting Office's estimate, 39 million or more acres—of national forests are at high risk of wildfires. They are in this situation because fuel loads have risen to dangerous levels and forest management has been dramatically curtailed at the same time. The escape of the prescribed fire in Bandelier National Monument, and its subsequent effect on the town of Los Alamos make it clear, as Secretary Babbitt has already conceded, that in many places prescribed fire is not a viable management tool to reduce fuel loads. It is particularly risky to use in the wildland/urban interface because of the presence of homes and families.

Therefore, joined by others Members on both sides of the aisle, I worked over the last few weeks to provide the Administration with both the resources and the tools to begin an accelerated program of fuel reduction in wildland/urban interface areas for communities that are at risk throughout the West. We suggested a number of proposals that the Administration found too hot to handle. For instance, we asked whether the Council on Environmental Quality would designate this an emergency situation and expedite NEPA compliance for hazard fuel reduction activities in the wildland/urban interface. The Administration representatives said no. They felt that this would be too controversial with national environmental special interest groups. They pleaded with us not to pursue this option.

We asked whether they could suspend administrative appeals for these hazard fuel reduction projects. That would eliminate one source of delay. Anyone who wanted to stop one of these

projects could still go directly to federal court. Here again, the Administration said no. They urged us not to propose suspending appeals because it would be met with opposition by national environmental special interest groups.

We suggested the use of stewardship contracts to do fuel reduction work. A stewardship contract is one where the government can trade the value of any merchantable material removed through a fuel reduction project against the cost to the government of the fuel reduction activity. This is an authority that would be very useful, but that the federal government presently lacks. Here again, the Administration felt that there was too much national environmental special interest group opposition to stewardship contracting. They urged us not to pursue this option.

Throughout this discussion we told the Administration that we would be sensitive to their concerns, as long as they would commit to us that they would not treat this crisis in a "business as usual" fashion. We weren't simply going to give them more money and say we had resolved the problem when we know that isn't true.

Finally, Senator BINGAMAN and I came to an agreement on the additional tools and resources that we would provide the Administration while being sensitive to their concerns. We wanted to increase fuel reduction activity by \$240 million. In the course of doing that, we were going to direct the Secretary of the Interior and Agriculture to use all available contracting and hiring authorities under existing law to do this work. We were also going to provide the Secretaries with authority which they now lack to do some of this work using grants and cooperative agreements. We asked the Secretaries, at their sole discretion, to do this work in a way that would provide jobs to local people, opportunities to private, non-profit, or cooperating entities, such as youth conservation corps, and opportunities for small and micro businesses.

We must begin a serious dialogue throughout the West about the severity of the problem that we face. In order to accomplish this, we directed the Secretaries by September 30 of this year to produce a list of all of the urban/wildland interface communities, within the vicinity of federal lands that are at risk from wildfire. In that list, we asked the Secretaries to identify those communities where hazard reduction activities were already underway, or could be commenced by the end of the calendar year. We further asked the Secretaries to describe by May of next year, the roadblocks to beginning hazardous fuel reduction work in the remaining communities on the list.

It was our view that this would provide an opportunity to commence a very necessary dialogue: (1) among communities at risk, and (2) between

the affected communities and the federal land management agencies to gain some consensus on approaching this problem. That was the intent of directing the Secretaries to produce these lists.

It was also our hope that, as communities recognized the degree of risk, they would match some of the federal contributions with their own money and effort. This would get the work done even more quickly.

Regrettably, I must inform the Senate, including Members from western states who have communities at risk, and some burning now, that the Administration rejected our proposal because they thought that "it might encourage logging." Now remember we weren't talking about wilderness areas. And we weren't talking about roadless areas either. Nor were we talking about areas of special significance for ecological or wildlife values. We were just talking about the federal lands adjacent to communities. We were talking about the woods next to subdivisions. We were talking about places like the city of Los Alamos, or people burned out of the Lincoln National Forest in New Mexico. We could have easily have been talking about Santa Fe, New Mexico, or Bend, Oregon, or Sedona, Arizona, or Missoula, Montana. We could have been talking about neighborhoods in each of those cities, and many dozen more scattered throughout the semi-arid, western states.

Even though we were talking about these kinds of areas, the Administration was much too concerned with offending environmental special interest groups to move aggressively and effectively to reduce fire risks because it might involve encouraging logging.

Well this is a tragedy. And it's a tragedy that will be repeated as the summer progresses. It is a tragedy that will probably occur each week until the snow falls later this year.

I want to advise the Senate that when you next look at footage of forest fires on CNN, just remember that the Administration didn't want to address this problem because they were afraid it might encourage logging. When you look at footage on CNN of burned out forests, dead and dying wildlife, and devastated watersheds, just remember that the Administration didn't want to address this problem because they were afraid it might encourage logging. When you see footage on CNN of burned-out neighborhoods, destroyed homes, devastated families and ruined lives, just remember that the Administration didn't want to prevent this problem because they were afraid that by doing so they might encourage logging. And next winter, when you see the first CNN footage of dramatic flash floods in watersheds that were burned-over the previous summer, and you see homes buried in the mud, just remember that the Administration didn't want to prevent that problem because they were afraid it might encourage logging.

And finally, when you're forced to see it up close, when it affects a community in your state, when you're not just watching it on TV, but actually meeting with the citizens of your state who have been burned out of their homes and their neighborhoods—just tell them that the Administration didn't want to prevent the problem from occurring because they were afraid it might encourage too much logging. Just tell them that the Administration didn't want to prevent the problem from occurring because they were afraid of the national environmental groups who claim to want to save the environment. Maybe then the Administration will realize that they should have been afraid of what would happen if they did listen to the national environmental special interest groups.

The publicly owned forests of America are not very happy today. I intended to put on the supplemental bill a provision that I was going to call "happy forests." That is a strange name. But it is either happy forests or it is what we have today. What we have today is a philosophy that seems to say to the forests of our land: Burn, baby, burn. That is the theme.

The administration fears logging and it is frightened to death when anyone suggests something that might sound like "logging." It is all right if they keep their policy not to cut anything going, but it is not all right where the forests of America come in contact with communities. The interface between communities, buildings, churches, and the forests of America is just crying out while waiting for a forest fire that will devour communities and burn down buildings.

I have a city in my state called Santa Fe. Everybody knows of Santa Fe because it is a great place to go. The mayor recently has taken many people to see the forests around Santa Fe and the community. Santa Fe is frightened that their watershed is going to burn down. It is right up against the community and provides its water. That watershed will burn down while the U.S. Government sits in its ivory tower and says don't do a thing that might look like logging, might smell like logging.

Even on this bill that we have before the Senate, which provides emergency fire relief, the administration ended up rejecting, after negotiating for weeks, language that would have helped thin forests to protect communities. This was a small, but very necessary, program. Before we are finished this year, the American people are going to have such a fear about the forests burning down they will support a policy across this land of thinning these forests in the interface with communities and buildings.

We had a fire that cost the Government over \$1 billion in Los Alamos, affecting our laboratory and the people that work there, because the Interior Department started a fire, a "controlled burn", on a national monument

right next to Los Alamos. They didn't follow the right rules, didn't have the right weather; they did everything wrong. The little fire got to be a big fire and the U.S. Government burned down 48,000 acres, put 400-plus families out of their homes by burning them to the ground. The Cerro Grande fire burned almost \$200 million worth of Los Alamos scientific buildings. We are lucky that the whole community didn't burn to the ground.

Sooner or later, we are going to have to get serious and pass the kind of legislation which would have been on this bill. The administration called it a rider. The distinguished newspaper, the Washington Post, today argues against riders on this pending bill. They said one of riders removed encouraged "timbering." I ask the editors to read the language. It did not encourage timbering. It said thin the dangerous forests where communities are at risk, and it provided great limitations. It encourages the use of locals in rural communities, and give jobs to their young people, to clean out the forests in the summer.

This committee of appropriations is willing to get it the program started. This administration said we will veto this whole bill, even as far as defense of our Nation goes, if you put something in that changes the way we are doing things on federal land.

A panel of experts recently visited the watershed of Santa Fe, NM. They made a statement. They are frightened that watershed will burn down because the area hasn't been thinned and nothing is being done to the forest land to keep it from turning into a tinderbox.

I ask unanimous consent to have printed in the RECORD an editorial from the Washington Post and an article from the Santa Fe New Mexican.

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

[From the Washington Post, June 30, 2000]

#### A DIRTY WATER RIDER

Senior congressional Republicans slid a provision into the supplemental appropriations bill late Wednesday night that would have the effect of blocking a major new clean water regulation. The notion was that the president would have to accept the provision, since the alternative would be to veto a long-delayed bill that he badly wants. The supplemental request, which he sent to Congress last winter, includes the administration's proposed aid to Colombia, support for the military operation in Kosovo and a backlog of domestic disaster relief, including help for victims of Hurricane Floyd, which occurred a year ago.

But our sense is that, if the offending language can't be removed—discussions were continuing last night—the president should veto the bill. Let the onus for the delay in these funds—for support of U.S. troops abroad, for people who have been waiting in line for up to a year for disaster aid—be placed where it belongs, at the doorstep of members of Congress who would hold the money hostage to a furtive cause. The president can make that speech—and should. The administration made a big thing last year of the clean water step it was taking, and it's the right step. In recent days, administra-

tion negotiators have knocked four other retrograde environmental riders out of the supplemental bill, having to do with hard-rock mining, timbering, reform of the Corps of Engineers and the opening of a wildlife refuge to development. Four for four is nifty. Make it five.

The regulation in question involves something called total maximum daily loads, or TMDLs. The Clean Water Act has mainly been enforced over the years through a permit system that has reduced pollution from particular major sources—factories, sewage treatment plants, etc. The permitting effort has been a success, but many bodies of water in the country are still dirty—too dirty to fish or swim in, for example. They either have too many sources of pollution nearby or are afflicted by generalized urban and agricultural runoff, which up to now the government has done little to regulate and which is said to account for the majority of remaining pollution.

Where bodies of water are still too dirty, states would be instructed to determine the maximum daily loads they can tolerate and develop plans to ratchet down pollution accordingly. The process would be gradual, and indeed, until recently, some environmental groups were fighting the proposed regulation on grounds it was too weak. Democrats on the Senate Environment and Public Works Committee sent a letter to Senate leaders of both parties yesterday, protesting the late-night insertion of the rider and urging instead an open debate "in clear public view." That's just what ought to happen.

[From the Santa Fe New Mexican, June 28, 2000]

#### EXPERTS URGE IMMEDIATE ACTION TO EASE FIRE THREAT IN WATERSHED (Ben Neary)

The federal government should act fast to try to avert catastrophic fire on the watershed that provides nearly half of Santa Fe's city's water supply, a panel of experts reported on Tuesday.

"We've got the fuels, we've got the topography and we've got the ignition sources. It's just a matter of them coming together at the same time," Bill Armstrong of the Santa Fe National Forest told a packed auditorium at the State Land Office on Tuesday night.

Armstrong escorted a panel of watershed experts to inspect the 18,000-acre watershed Tuesday. The group ten reported their findings.

"There's nothing like a couple of large clouds of smoke to make everyone scurry around," Armstrong said. "I feel like a rodent on amphetamines here."

Armstrong had just finished preparing an environmental study calling for thinning the forest in the Jemez Mountains before the catastrophic Cerro Grande fire burned through the area last month and went on to destroy hundreds of homes in Los Alamos.

The Cerro Grande fire was followed closely by the Viveash fire, which narrowly missed burning the Gallinas River watershed, which supplies the city of Las Vegas, N.M., with the bulk of its water supply.

Those fires, with their huge smoke columns visible from Santa Fe, have sparked both city and Forest Service officials to try to step up action on a plan to reduce the danger of fire destroying the Santa Fe watershed.

The Forest Service and the city are working together on a study of how thinning work should proceed.

Actual thinning of trees probably couldn't start until next year at the earliest and likely will continue for five to 10 years, Armstrong said.

Thomas W. Swetnam, director of the Laboratory of Tree-Ring Research at the Univer-

sity of Arizona, was among those who toured the watershed.

Studies of three rings over the past 400 years or so show that fires of low intensity used to burn every 10 years or so. With flames only a few feet high, such fires burned away the grass and underbrush without harming the large trees.

In the 20th century, however, Swetnam said, a new pattern emerged. Heavy grazing by domesticated animals reduced the grass cover in the forests so low-intensity fires no longer were common.

The Santa Fe watershed probably hasn't burned in the past 150 to 200 years, Swetnam said. Such lack of fire has led to unnaturally heavy buildup of dead trees and other material in the forest.

When such an overgrown forest burns—such as in the Cerro Grande fire—the huge flames travel through the tops of the trees, killing them and leaving the landscape denuded.

"The Santa Fe watershed may not burn up tomorrow, or next year or the next five years or so," Swetnam said. "But the Santa Fe watershed is one of the places on the landscape of the Southwest where there is a fairly high urgency."

Daniel Neary, a soil scientist with the U.S. Forest Service, said catastrophic fire results in soil that for the first year or so won't absorb water. This causes heavy runoff and erosion—both of which would likely hurt the city's water supply and possibly threaten flooding downstream.

Mark Dubois, an assistant professor of Forestry and Wildlife Sciences at Auburn University, said conditions in the Santa Fe watershed are such that it will take a combined approach of carefully controlled burns, thinning and other means to try to reduce the fire danger.

"The central observation I walked away with today is there is not one-size-fits-all," Dubois said of the watershed.

Regis Cassidy of the Santa Fe National Forest said there would probably be enough work in thinning the watershed to keep contractors employed for five to 10 years. He said there are perhaps 600 acres where trees could be easily cut, another 2,000 acres where extremely steep terrain would make work difficult and perhaps another 4,500 acres where the terrain is too steep to cut at all.

Some local environmental groups have said they intend to fight the Forest Service plan to thin the watershed, saying they believe the plan amounts to an inappropriate plan to log in sensitive areas along the river. No representative from such groups spoke at Tuesday's meeting, although officials said they had been invited.

Mr. CRAIG. Will the Senator yield?

Mr. DOMENICI. I yield.

Mr. CRAIG. I thank Senator DOMENICI for spelling out so clearly the crisis on the Nation's public lands today.

Yesterday, I held a hearing and I had two regional foresters: A regional forester that largely is in charge of all the forests in Montana, Idaho, Oregon, and Washington; the other forester in charge of all the forests along the Sierra Nevada in California. They admitted yesterday that this President's roadless policy is going to jeopardize 21 million acres of forested lands that are now at high risk to catastrophic wildfires, the very thing the Senator is talking about. Yet this President's policy is to lock it up, walk away, and hope it doesn't burn.

We are talking, as the Senator so clearly spelled out, about thinning and

cleaning—not extensive logging—but clearly changing the environment in a way that fire would not be as destructive as it has been at Los Alamos.

I cannot forget the picture on television, the DA Cat rolling along the fire line in the forests of New Mexico, rolling along the dirt, right down through a riparian area. Why? To put out the fire.

Now, if the proper action had happened the way the Senator spelled it out, that would never have occurred at Los Alamos, with 21 million acres now at risk of catastrophic wildfires as a result of this President's policy.

Mr. KYL. Mr. President, I, too, want to comment briefly on the comments of the Senator from New Mexico. We will have a lot more to say about this in the future because this is a national crisis.

For today, let me simply acknowledge that what Senator DOMENICI and Senator CRAIG have said represents a huge challenge to this Nation. According to the GAO, 38 million acres of forests in the United States are in jeopardy of either dying or burning unless they are quickly treated. We have less than 20 years to accomplish this treatment. It is not only the risk of catastrophic forest fires, including the danger to communities around which these forests are located, but also the prospect that they will die of disease or malnutrition because they are so crowded together that they are competing for the nutrients and the water which, at least in the Southwest, are so scarce.

In the area of Arizona where there has been research into this—now at least half a dozen years of experience—we find that when the areas are thinned and then prescribed burning is introduced, you don't get the catastrophic fire. You do get much better tree growth, more pitch content, so that they are not subject to the beetle infestation, for example, and higher protein content so the grasses can grow on the floor. This brings in more mammals and birds into the area. And the forest returns to the park-like condition that existed at the turn of the century.

There have been a lot of bad policies since then, and a century of activity which resulted in the destruction of the national forests of this country.

The task is huge. We need to get started. I will be supporting the efforts of the Senator from New Mexico and others in trying to ensure that we can literally save our beautiful national forests.

I thank the Senator.

Mr. STEVENS. Will the Senator yield?

Mr. DOMENICI. I am happy to yield to the Senator.

Mr. STEVENS. The Senator from New Mexico is not only speaking about the forests, but people forget that the forests contaminate the private lands nearby. We warned the Forest Service about the beetle infestation in Alaska

and urged that the areas be sprayed and be thinned to prevent that from spreading. I regret to tell the Senate just yesterday I had to have people come and cut down two of our beautiful spruce trees on the little lot I own because I and my neighbors, who are adjacent to the national forest, are totally infested—the trees are totally infested by beetles. The beetles are killing the trees.

All of this could have been prevented. This is the same as wildfires. In fact, beetle kill is worse than wildfires because it totally consumes the future, and it is very difficult to remove these trees.

I commend the Senator. I hope he will reinstate his proposal. He is correct. Because of the basic problem, all the editorial backlash that was built up against his legislation, we were unable to include that in this bill. But I look forward to working with him this year on this subject to try to force this administration to recognize their responsibility in protecting these national forests and, in doing so, to protect the private property owners nearby.

Mr. DOMENICI. Mr. President, I want to have printed in the RECORD the statutory language Senator BINGAMAN and I worked on that we wanted to incorporate here to get started, which language was denied by threat of the veto. I am not suggesting Senator BINGAMAN agrees with every statement I made on the floor, but one can read the proposed legislation and see that it is very reasonable.

I ask unanimous consent that be printed in the RECORD.

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

#### Fuels Reduction

At the appropriate place, insert the following new section:

#### SEC. . PROTECTING COMMUNITIES FROM RISK OF WILDLAND FIRE.

(a) In expending the emergency funds provided in any Act with respect to any fiscal year for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may hereafter conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may hereafter, at their sole discretion, limit competition for any contracts, with respect to any fiscal year, including contracts for monitoring activities, to:

- (1) local private, non-profit, or cooperative entities;
- (2) Youth Conservation Corps crews or related partnerships with state, local, and non-profit youth groups;
- (3) Small or micro-businesses; or
- (4) other entities that will hire or train a significant percentage of local people to complete such contracts.

(b) Prior to September 30, 2000, the Secretary of Agriculture and the Secretary of

the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at risk from wildfire. This list shall include:

(1) an identification of communities around which hazardous fuel reduction treatments are ongoing; and

(2) an identification of communities around which the Secretaries are preparing to begin treatments in calendar year 2000.

(c) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands and at risk from wildfire that are included in the list published pursuant to subsection (b) but that are not included in paragraphs (b)(1) and (b)(2), along with an identification of reasons, not limited to lack of available funds, why there are not treatments ongoing or being prepared for these communities.

(d) Within 30 days after enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register the Forest Service's Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems, and an explanation of any differences between the Cohesive Strategy and other related ongoing policymaking activities including: proposed regulations revising the National Forest System transportation policy; proposed roadless area protection regulations; the Interior Columbia Basin Draft Supplemental Environmental Impact Statement; and the Sierra Nevada Framework/Sierra Nevada Forest Plan Draft Environmental Impact Statement. The Secretary shall also provide 30 days for public comment on the Cohesive Strategy and the accompanying explanation.

Mr. DOMENICI. Mr. President, I say to my friends who have spoken to this, there is a novel position in this legislation I think you will like. I am not sure it was not what brought certain environmentalists to the White House, along with some others. There are so many people such as mayors and councilmen in communities who ask us: Look. Right over there are all these dead trees, thousands of dead trees. They say: Why do we leave them there dead? The longer we leave them in that position, they are going to turn more and more into additional fodder for fires. What good do we get out of dead trees, just sitting there?

Actually, what we are going to say when we finally get around to passing this is that the U.S. Government, which owns that property has to, in writing, tell that community why they cannot thin that forest, and what is holding up action. It is going to be interesting. This should become law because, sooner or later, I am going to ask the Senate to vote on it. We ask something that is very understandable and makes common sense.

But you see, if you are holding fuel reduction up for a year and a half for a NEPA statement on land that just has dead trees on it, somebody is going to say: Why don't we hurry up? Why does it take so long?

Getting that information is going to be part of this process of trying to get action. We should be saying to our forests and the communities abutting

them: We want you to live together. We don't want one to burn the other one out. And you cannot promise them that if you do not thin those forests.

With that, I am finished, and I yield the floor.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum in the absence of a leader. He has asked for a quorum until he returns. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMM. I ask unanimous consent the order for the quorum call be rescinded so I may simply make a statement as in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded so that I may speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to call the roll.

The legislative clerk continued with the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CHINA NONPROLIFERATION ACT

Mr. LOTT. Mr. President, we have talked a great deal about the need to find a way to consider the China trade bill and also to consider the problem of China nuclear weapons proliferation. Senator THOMPSON has done a lot of work in this area, as have others. He has a bill that he would like to have considered and has agreed for it to be considered freestanding, separate from the China PNTR legislation, and that he would not feel a need—if I could speak for him just momentarily—to offer it as an amendment to the China bill, if we can get it considered freestanding.

So we have worked through that. I have discussed this with a number of interested parties, including Senator DASCHLE, and other members on both sides of the aisle.

Mr. President, I ask unanimous consent that on Monday, July 10, at a time to be determined by the majority leader, after consultation with the minority leader, that the Senate proceed to the consideration of Calendar No. 583, S. 2645, the China Nonproliferation Act. I further ask consent that the bill be limited to relevant amendments. I finally ask consent that not later than 12:30 on Tuesday, July 11, the Senate

proceed to vote on passage of the bill, with no intervening action or debate.

Before the Chair rules, I would like to announce that it is my intention, as I have reiterated to the Armed Services Committee, that I will give them the opportunity to consider and, hopefully, conclude the DOD authorization bill. In fact, I am going to try to do a unanimous consent request on that next. We will try to get that Department of Defense authorization bill done—a very important bill—before the August recess.

We are now working on a consent that was outlined last night by the chairman and ranking member. It is my hope that we could get an agreement on that time. If there is a problem with it, we will continue to work to find an agreement where we can remove the nongermane amendments, deal with the Defense amendments, and complete that very important legislation.

So that is my request that I pro-  
pound at this time.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

Mr. SHELBY. Reserving the right to object.

Mr. REID. Mr. President, I will have to object until Senator BAUCUS arrives. He is on his way. Hopefully, this matter can be resolved very quickly.

He has just walked in the Chamber. Senator BAUCUS is here. He can speak for himself. So until Senator BAUCUS has a chance to—

Mr. LOTT. Others might seek to be recognized on this on their reservation.

Mr. REID. I have my reservation.

Mr. DOMENICI. Reserving the right to object, might I ask the leader a question?

Mr. LOTT. Certainly.

Mr. DOMENICI. I ask the majority leader, you said something about a freestanding nonproliferation bill?

Mr. LOTT. Yes.

Mr. DOMENICI. What is that?

Mr. LOTT. Mr. President, in answer to the question of the Senator from New Mexico, this is legislation that has been developed by Senator THOMPSON. It is the China Nonproliferation Act. Perhaps under the Senator's reservation, he would like to yield to Senator THOMPSON so he could give a brief response to that question.

Mr. THOMPSON. Mr. President, if I might please respond to my colleague.

Mr. DOMENICI. Please.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. I say to Senator DOMENICI, this is a piece of legislation that is in response to the continuing array of reports and information that we have concerning the continued proliferation of weapons of mass destruction in which the Chinese are engaged.

As you know, we are in the process of having an extensive national missile defense system debate in this country. Much of the reason for that need is

what the rogue nations are doing. Much of what the rogue nations are being supplied with is coming from the Chinese Government and Chinese governmental entities.

What this bill does is provide for an annual assessment. It is China specific. It is an annual assessment as to their level of proliferation activities. If any entities are engaged in those activities, there are certain responses in which our country engages to cut off those entities with regard to dual-use trade, munitions trade, access to our capital market. There is an array of things the President has to choose from to respond to that.

Mr. DOMENICI. I say to the majority leader, I have no objection. I withdraw my reservation.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I have a reservation that maybe the majority leader can clarify, if he will yield for a question.

Mr. LOTT. Mr. President, I would be glad to yield under the Senator's reservation and respond to the question.

Mr. SHELBY. Does this only relate to bringing up the THOMPSON bill and nothing else?

Mr. LOTT. This unanimous consent request only deals with the bill S. 2645, the China Nonproliferation Act. No other issue, no other bill is included in it.

Mr. SHELBY. I have no objection.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I arrived on the floor a little late.

What is the pending business?

The PRESIDING OFFICER. A unanimous consent request by the majority leader is pending.

Mr. BAUCUS. Mr. President, reserving the right to object, my concern is that we are setting the July schedule, albeit part of the July schedule, but without inclusion of a date or time for PNTR. I am very concerned that as we start taking up matters in July—even though it is the THOMPSON amendment—who knows what might intervene. You have reconciliation; you have appropriations bills, and whatnot. Because we do not have a date certain on the request for PNTR, it could very easily slip into September or even a later date.

I know it is very much the intention of the majority leader to bring up the PNTR in July. He has said that many times. And I very much appreciate that. But as I have said personally to the majority leader, I am not so certain that, despite his best intentions, he can totally control whether or not PNTR actually does come up in July.

In addition, the merits of the bill that would otherwise be scheduled to come up after the July recess is very dangerous. I do not think Senators have really had the time to look at the