

some of which are provided for by Federal funds that are allowed to become less available to the States. But the needs of the people have not changed. Can the States adapt to this new situation, particularly if we pass a balanced budget amendment? Can the States adapt to this and assume those services now that they could not or would not do back in the days of the Great Depression, and assume it now some 60 years later as we reverse this relationship between the Federal, State, and local governments?

I think that has yet to be seen, and I think as a result of the legislation that we are here passing and will be passed over in the House one of these days, I hope, I think we have to very carefully watch this to make sure that some States are not less careful to take care of the needs of the people so that we do not see them once again going through a trough, as a Federal necessity to move in, and come about because of the States unwillingness to act.

So with those caveats on this I am very, very glad to see this legislation passed today. We worked on it a long time.

COMMENDATION OF SENATOR KEMPTHORNE

Mr. President, I want to mention briefly some of the people involved. Certainly Senator KEMPTHORNE, who has been a real driving force behind this starting about 2 years ago, introduced the legislation along with about half-dozen other proposals that were put forth that were referred to the Governmental Affairs Committee, must be commended. I had been working on some legislation along this line myself. And so we combined forces on this. He has been an absolutely superb person to put this legislation forward. He has been a real spark plug on it, has kept after it when we were trying to have hearings in the Governmental Affairs Committee, and wanted to have hearings. If the hearings were not scheduled for a week or so, I would get a couple of phone calls from Senator KEMPTHORNE very nicely, politely asking, "John, couldn't we work this in? Don't you think maybe we could somehow work this in over there?" And work it in we finally did, and we got the legislation out last August.

I will not go through the litany which I have gone through a couple of times already today about what happened once we got it out of committee in August, and what happened during the fall when we could not get adequate time on the floor to have it considered. Then the election came about. There was a new attitude over in the House, and we thought perhaps S. 993, which was the first bill that was an adequate bill by all estimates, might not be the legislation that the House had wanted to agree to now with the changed political situation. So this new legislation, S. 1, was put forward and was given the preeminence that it deserved by being named S. 1, the No. 1 bill to be considered.

Senator KEMPTHORNE, through all of this, has been a superb person to work

with, friendly, congenial. We have not had any harsh words. We have worked things out between us.

I want to congratulate him for his persistence in this regard. It has been great to see him work, and as we mentioned here not too long ago on the floor—an hour or so ago—to have someone come here with a very complex piece of legislation and handle it the way he did is a real testimony to his capability.

COMMENDATION OF STAFF

Mr. President, on Senator KEMPTHORNE's staff, of course, Buster Fawcett, who is here and has worked on this, as the prime person working on it; Brian Waldmann, also, Senator KEMPTHORNE's administrative assistant, and Gary Smith, all have worked on this, have done a superb job, and have done a lot of work. They have had a lot of sleepless nights.

On my own staff, Leonard Weiss is our staff director on the Governmental Affairs Committee, who is here, along with Sebastian O'Kelly and Larry Novey, who is back in the back here. All of them worked and worked and worked on this, and did a superb job in all the negotiating back and forth. I want to give them full credit for that.

COMMENDATION OF SENATOR LEVIN AND HIS STAFF

Mr. President, let me say a word also about Senator LEVIN from Michigan. I have never known a Senator since I have been here who is more persistent, who, once he gets his teeth into something that he believes in, becomes a real pit bull for that purpose, and who by his background and training, having been president of the Detroit Council at one time, has a feel for local issues as well as the Federal issues that we deal with here, but he brings that kind of a background to this consideration of such legislation as this. Where other people may say that phrase is OK, he wants to dig into every phrase to see what its impact is going to be, to see what can be misconstrued under this and whether it can be corrected by a change of wording.

In other words, his emphasis through all of this is one of principle, of how we make legislation work better. How is it going to apply to the States? How will it apply to the city of Detroit? How will it apply to the counties? On and on, he tries to set up scenarios to illustrate the weaknesses in legislation. That is what motivated him through all of this in committee.

He was so unhappy when we were not able to get any amendments considered in committee. They were automatically voted down, and we had to bring them to the floor. But he persisted, and he brought those concerns to the floor and dealt with many of them right here on the floor.

I want to pay credit to him, and particularly to his staff, Linda Gustitus, who is the staff on the Oversight and Government Management Subcommittee of Governmental Affairs. She has done a superb job on this. I want to give credit to them.

COMMENDATION OF SENATOR DASCHLE'S STAFF

Mr. President, on the minority leader's staff, Senator DASCHLE's staff, Mike Cole and Eric Washburn, all worked very hard on this. I know that we stand up and take credit and we get all the laudatory comments about doing some good with a bill like this. But it is the staff who worked the long nights sometimes with us, sometimes in our absence, while the Senators were home in bed quite frankly, and did such great work on this.

I do think they can take great pride in seeing their work on landmark legislation. I think that will be the case as the years go on, and as they continue to work with us to make sure that this is fine tuned, and that this legislation is working as intended.

So I want to give credit to all of those people and the other Senators involved here, and we are proud to have worked on this ourselves. We are glad we got the bill through.

We have the job now of hoping to get it through over in the House, or a compromise version thereof. We look forward to being able to attend the signing ceremony, I hope in the not-too-distant future at the White House when this finally becomes law.

I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. Thank you, Mr. President.

I want to associate myself with the words of my colleague from Ohio on this legislation, that we understand that this is landmark legislation. We may have seen the turning of the corner of a new attitude, maybe a new cooperation between the States and the Federal Government.

Senator GLENN was commenting on times gone by back in the Great Depression, of course, in that great era of drought and what drove the "Okies" to California. I would have to say I do not know what it is doing now but the Californians are coming to Montana now. I do not know what is driving them. But also as a fellow marine, we did not even know it at the time, but that goes back further than either one of us want to visit about, I congratulate him on his tenacity, and Senator KEMPTHORNE from Idaho, because unfunded mandates just did not start 1 year ago or 2 years ago. It has been going on here quite awhile as the debate got going, and finally we see today it has come to fruition in the passage of this bill.

WESTERN FOREST HEALTH INITIATIVE

Mr. BURNS. Mr. President, I want to bring up a situation that caught my eye.

Day before yesterday I received a copy of an Associated Press article that exposed a previously unreleased

Forest Service document, now being referred to as "Phase I of The Western Forest Health Initiative."

This report was internally submitted September 30, 1994, about the time the agency said it would release its final report to the public. The final report, however, was not released until December, and it was watered down considerably. It is called phase 2.

The difference between the two documents is remarkable and it appears to demonstrate the difference between how Forest Service scientists—in other words, the professional land managers, especially in the Forest Service—view forest health and how this administration sees it.

The phase I report in every way was more aggressive and emphasizes a much greater sense of urgency than the report that was finally released to the public. Phase I contains about 70 different recommendations on overcoming impediments and barriers to achieving good forest health goals and lists scores of specific actions needed to address those concerns. It identified work to be done on almost 5 million acres of U.S. Forest Service lands. The new document, phase II, is more of a discussion document than a policy document. It recommended projects covering only half a million acres of land—projects that were already planned for and would have been done regardless of this initiative. So phase II proposes to remove barriers without clearly stating what they are and it disregards some very significant problems that the forests have completely.

So, Mr. President, I think this action is flagrant. It undermines the honest and serious attempts of the land managers to deal with forest health problems by the Forest Service. It is of extreme concern to the people of my State and others in the West, who fought the 67,000 wildfires last summer—that burned 4 million acres, and it cost 26 lives. If we trail those back as to what caused the fires and how we could have controlled them, it goes back almost entirely to dealing with forest health issues.

I ask unanimous consent that a summary of the original Western Forest Health Initiative, dated September 30, 1994, along with an Associated Press article, dated January 25, 1995, be printed in the RECORD.

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

EXECUTIVE SUMMARY

Healthy resilient forests are important for sustaining ecosystems, including the needs and values of humans.

Currently, many of our national forested ecosystems are under stress and are unhealthy, meaning they cannot sustain their inherent complexity while providing for human needs. The problem with forest health is not confined to any single region of the country. Some eastern and southern forested ecosystems are challenged with considerable and complex forest health problems. However, the nation's attention is focused on western forested ecosystems, where the scale and magnitude of the problems are greatest,

and where the loss of life, property, and resources from catastrophic wildfires have heightened the public's awareness.

To address the western forest health problem, the Chief of the Forest Service chartered an interdisciplinary team of 14 members from all organizational levels to identify Forest Service priority activities that can move towards restoring western forested ecosystem health across National Forest System and contiguous other land ownerships. The Team was asked to identify and recommend solutions to barriers and impediments that block or impede the accomplishment of restoration activities. The focus was on assessing the problems in our western forests, and then charting an ecosystem approach, emphasizing projects that restore, protect, or enhance ecosystem health. The Team's task did not include addressing burned area recovery and restoration. Rather it looked at actions that would work towards restoring forested systems, to reduce the risks of future catastrophic losses.

As part of this process, the Team did extensive outreach and shareholder sensing, personally contacting over 40 members of Congress, 30 non-governmental organizations, other federal agencies, tribes, the Western Council of State Foresters, Washington, Regional, and Northeast Area Staffs, Forest Service Research Stations, and 92 western Forest Supervisors.

The data gathered in this intensive effort was compiled into two automated electronic data bases: one for projects and program level data from the National Forests and State Foresters; the other containing over 1,100 comments on barriers, impediments and proposed changes in management direction, policy, or law. Content analysis and synthesis was conducted by the Team. It resulted in an identification of the magnitude of planned and needed work. Over 70 recommendations were developed for changes that are needed to overcome impediments.

Key findings estimate that over the next two years, there are approximately 5 million acres of treatment opportunities that restore forested ecosystem health. In addition, there is a significant amount of ecosystem analysis needed in support of future forest health projects.

Not all forests are unhealthy, nor can we treat or restore all forests that are unhealthy. To facilitate management decisions and move towards implementation, the team developed a framework for prioritizing projects and budget needs that contains biological, physical and human components. In using it, managers will both be able to identify high priorities for management, as well as get a sense for the level of public acceptance and likelihood for successful implementation.

Recommendations for changes that are needed centered into the following key areas: changes to improve the effectiveness and efficiency of the National Environmental Protection Act; appeals, and consultation processes; increased budget and funding flexibility, with a focus on increasing carryover and multi-funding approaches to support multiple resource projects; comprehensive review of legislation, regulations, and policies to remove inconsistencies and conflicting direction, new ways to get the job done on the ground, such as land management services contracts and competitive inter-agency grants; a greater commitment to truly working in partnerships with other federal agencies, States, tribes, and neighboring landowners in addressing forest health problems that cross our boundaries; and better frameworks, protocols and education and training for tying integrated inventories, assessments and planning into more holistic and integrated systems.

Forest health problems are national in scope. Lasting solutions that can only be achieved by shared conservation leadership toward common goals and land conditions. This will require cooperative efforts and shared vision by the Executive, Legislative and Judicial branches of the federal government, as well as by our varied and many co-operators from the private and public sectors. There are no easy or short-term cures for forest health problems that have developed over a span of the past century.

[From the Associated Press, Jan. 25, 1995]

DOCUMENT SHOWS CLINTON FOREST-HEALTH PLAN ADDRESSES ONLY PART OF PROBLEM

(By Scott Sonner)

WASHINGTON.—Agriculture Undersecretary Jim Lyons says the administration's Western forest health plan tackles only a portion of the acres needing treatment and will be fortified with additional projects in coming years.

"This was not a one-shot deal," Lyons said in a telephone interview Tuesday night.

"There is a lot of work to be done on the forests, a lot of opportunities to improve on their health," he said.

Lyons responded to criticism from the timber industry after a Forest Service document disclosed Tuesday indicated the Clinton administration's plan to reduce wildfire threats addresses only about one-fifth of the 5 million acres a Forest Service team identified as needing treatment.

The Forest Service's Western Forest Health Initiative Team advocated a broader, speedier effort to remove dead timber and otherwise reduce the amount of fuel in national forests, according to a copy of the team's report obtained by The Associated Press.

"Based on field responses, work was identified for completion over the two years covering approximately 5 million acres on national forests in the West," the team wrote in its Sept. 30 report to Forest Service Chief Jack Ward Thomas.

"In addition there is a significant amount of ecosystem analysis needed in support of future forest health projects . . . Time is critical," the team said.

Critics in the timber industry said the team's report indicates the administration watered down the scientists' recommendations before launching the new strategy last month.

"The difference between them is what the Forest Service wanted and what the administration wanted," said Doug Crandall, vice president for public forestry at the American Forest & Paper Association.

The team's report "in every sense was more aggressive, substantial, specific and urgent than the final report," he said.

The Agriculture Department's plan calls for 330 health-restoration projects on approximately 1 million acres of national forests over the next two years.

The projects include plans to obliterate some old logging roads and restore fish habitat as well as remove dead, burned wood and thin bug-infested forests where fuel loads pose a threat.

The salvage logging and thinning is controversial because environmentalists and some forest scientists say the cutting does more harm than good to a forest ecosystem.

Conservationists also point to past cases where the Forest Service used salvage logging as a guise to cut large, live trees without jumping through the hoops of as many environmental regulations.

"The team gave us a wide range of projects," Lyons said Tuesday.

"They instructed us in the first phase to do those the team thought would have a high likelihood of being implemented and that were less controversial and would demonstrate we can get some of these projects done on the ground," he said.

"There's nothing to hide. There was no scrubbing. It was important to gain the confidence of both the industry and the environmental community that our forest health initiative was intended to improve the health of forest ecosystems and not simply to generate timber," Lyons said.

Some lawmakers have proposed exempting some salvage logging operations from the normal environmental requirements in an effort to expedite the cutting before the dead wood loses its market value.

Senator Larry Craig, R-Idaho, chairman of the Senate Agriculture subcommittee on forestry, is preparing a forest health bill that may adopt some of the team's recommendations, his spokesman David Fish said Tuesday.

The 5 million acres identified by the Forest Service team includes 1.3 million acres in need of fuel reduction and 1 million acres in need of "vegetation treatments," including "commercial harvest, salvage . . . commercial thinning, commercial thinning . . . firewood."

The team also identified 1 million acres for soil and watershed work, 400,000 acres of "combination treatments," which could include some prescribed burning, and another 1.1 million acres of other projects ranging from educational projects to seeding and fertilization.

In addition, the team addressed two other controversial areas that did not show up in the final initiative—reform of U.S. environmental laws and below-cost timber sales.

In addition to coming up with ways to reform the National Environmental Policy Act, the team recommended the Forest Service return the agency's administrative appeals process to exempt some salvage logging from the appeals that environmentalists have used to block such harvests.

The team warned that efforts to do away with so-called "below-cost timber sales"—logging operations that cost more to offer than the revenue they return—could harm forest health programs.

Ann Bartuska, the Forest Service's director of forest pest management who led the forest health team, said the USDA plan "was not intended to be a comprehensive look at forest health; it was a snapshot.

"It was a subset of the total package," she said. "We thought it was important to get started on some of these."

Bartuska said the 5 million-acre estimate was based on 1,900 project sites that regional and forest supervisors "rapidly identified on the first go-round." The 330 projects in the USDA plan represent the supervisors' top priorities and will cover an estimated 1 million acres, she said.

Mr. BURNS. Mr. President, for the benefit of any interested Senators, I have a copy of the entire Phase I initiative in my office. I would be happy to let them read it.

I also thank the Senators and the managers of the unfunded mandates bill. It is a terrific day. I think it is a victory for not only the States but the people of America.

I yield the floor.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska [Mr. KERREY] is recognized.

BIPARTISAN COMMISSION ON ENTITLEMENTS AND TAX REFORM

Mr. KERREY. Mr. President, I rise to talk at length about the Bipartisan Commission on Entitlements and Tax Reform, a subject that I believe eventually this body will be compelled to address. When it does, it will be, of necessity, a bipartisan effort. We will not get it done if Democrats take advantage of Republicans, or vice versa. With that in mind, I note with considerable pleasure, before talking at length, that at a critical point during the debate on the unfunded mandate bill, an effort was made to place an amendment on the constitutional amendment to balance budget that would have required us to, in the Constitution, separate Social Security from the rest of the budget. That may make good policy sense at one level, but I was happy to join many Republicans in opposing that effort, as I was happy to join in an effort to oppose but not defeat the sense-of-the-Senate resolution that followed.

It will take that kind of bipartisan effort if we are going to be able to address this issue. I note, for the record, that when the Republican leader earlier commented that perhaps this 10 days was a waste of time in debating this bill, I note for Americans that we are debating the health and safety and security of their lives. This is not a small issue. There is no economic imperative driving this legislation. The Government is not about to go broke if we do not pass this bill. I was proud to vote for this bill. I think it is a good piece of legislation. But the imperative to get it done right away is a political imperative, not economic.

I note as well, with great interest and concern, that out of 44 amendments with rollcall votes on this particular piece of legislation, there was only one time when a single Republican crossed the line and voted for a Democratic amendment. That was on Senator BOXER's amendment to exempt child pornography. Even in that case, only the Senator from Pennsylvania, Senator SPECTER, could cross the line and vote for a Democratic amendment.

I must say, Mr. President, if we continue in that kind of forum with the Republicans, joined by some people's measurement of admirable unity, while Democrats on almost every single amendment had to be persuaded to vote for the Democratic sponsor of an amendment, we are not likely to continue making successful efforts in this body. The reason the unfunded mandate bill passed was that there was bipartisan support for the underlying effort. It was a good effort.

I hope that the actions, at least as I witnessed them, of unprecedented unity, as I might point out, unprecedented willingness to basically say whatever you say, I will vote for it, do not continue as we take up other matters.

Mr. President, the American people have heard a lot of speeches this week about the future. I am here to add my

voice to this clutter. I want to talk about the year 2013. It is a long way off. It is in a completely different decade, a separate century, and new millennium. I suspect most of us would rather think about matters that are more current. But unless we take action to the contrary, Mr. President, something very important will happen that year.

Somewhere in America, a senior citizen will find in his or her mailbox the first check the Treasury of the United States ever financed out of the Social Security trust fund, a pot of money that we will, until that day, have saved for a rainy day. By the year 2029, 16 years later, the drizzle of that first rainy day will have deteriorated into a downpour—that is, if adjustments are not continued to be made in that due date. It was just 7 years ago that that year 2029 was forecasted to be another 35 years later. In 17 years after the first check was cut with funds from the Social Security trust fund, another retiree will find in his or her mailbox the last check financed from the Social Security trust fund.

Then the Social Security system and its much flaunted trust fund will be bankrupt. Today a document will be delivered to the President of the United States and the leadership of Congress that describes that future—a future in which the Federal budget consumes nearly 40 percent of the economy, and every dollar we collect in taxes will go directly to fund entitlements and interest on the national debt. And our Government will be paralyzed and unable to do little but operate as an oversized ATM machine whose only function is to collect money and hand it back out.

One of the arguments that was made, Mr. President, during the debate about attaching a requirement that Social Security be funded as a separate budget was that if a private sector trust fund was operated in this fashion, the individual operating in the private sector would go to jail. Well, Mr. President, any private sector insurance company that operates the way we are operating two of the largest social insurance programs in the world—Social Security and Medicare—any private sector company that operated insurance companies in the fashion that we operate, essentially ignore what the trustees are saying, which is what we are doing.

In February of 1994, the trustees of the Social Security and Medicare fund delivered to the Congress and the President a report that said we should take action sooner and not later, because we have promises on the table that we simply cannot expect to be able to reasonably fund. That is the way insurance companies operate, Mr. President. That is the way they operate.

Well, if a private sector company operated in that fashion, we would also likely close them, shut them down.

That is the bad news. The good news is that in the same document, the final