of Steller sea lions is probably out of human control.''

But whether it's hunger or some other cause of death, the reaper has been selective. Population studies by Anne York of NMFS's Alaska Fisheries Science Center found that adult survival was essentially stable; juveniles, however, declined 10–20%, and her work is widely cited. So what's killing the young?

WHO ATE THE STELLERS?

Maybe orca whales. Skippers have plenty of anecdotal reports of orcas attacking Stellers, but the discovery of tags from 14 Stellers in the belly of an orcas that washed ashore in 1992 in Price William Sound constitutes striking scientific evidence that Stellers sea lions, endangered or not, are on the orcas's menu. Researchers at Seward's Alaska Sea Life Center have videotaped orcas charging up the beach at Chiswell Island to snatch Stellers. Studies by Craig Matkin, a recognized authority on Alaska orcas, calculate that 125 marine mammal-eating orcas (known as ''transients'') prey on the endangered western Steller population, and between 10% and 15% of their diet consists of sea lions. According to Matkin, the orcas likely erode the Steller population each year by 3.8%. That's big chunk of NMFS's observed annual decline of 5.2% on average since 1990. Other researchers believe that orcas have been forced to find something besides Stellers to eat, now that the sea lions are scarce. Jim Estes, a researcher at UC-Davis, discovered that orcas have been preying on sea otters with such zeal that between 1993 and 1997 they devoured 76% of the sea otter population at Kuluk Bay, Adak. Unlike fishermen, orcas and ocean climate regimes don't pay much heed to federal regulations. Officials at NMFS would be uncorking a political firestorm—and possible a whole new conservation problem—if they moved to cull killer whales in order to protect Stellers. That leaves NMFS facing intense pressure to crack down on fisheries, even though there's little evidence that this will help.

LET'S TEST THE CURE

To Ken Stump, a consultant to Greenpeace who is credited as the architect of the environmentalists' case against NMFS, the circumstances look like a clear mandate. Scientific uncertainty should not mean inaction, he contends. ''I'd be the first to say that we need more research, but in the near term we aren't going to get any closer to the truth,'' he says. ''In light of the available information, there is no good justification for letting the fisheries pack it in in critical habitats. It is eminently reasonable and precautionary to reduce the impacts of these fisheries while further research continues. It's the one thing we have any control over.''

With its inconsistent and fumbling legal defense, NMFS gave Judge Zilly little choice but to agree with Stump. Someday, the result probably will be construed as a grand experiment: Let's see if fishing less helps the sea lions. Yet the trawl injunction is anything but scientific. Scientists have insisted for years that barring trawlers from designated critical habitat forecloses any chance of learning whether they really do starve out the animals. That's because the strategy fails to establish ''control'' zones where fishing is allowed inside critical habitat for comparison to similar zones where fishing is prohibited. As the council's Scientific and Statistical Committee put it in September, it would be helpful ''to open some rookeries to controlled fishing in connection with observation on the foraging of Steller sea lions in the area.'' Calling for a more ''science based'' process, the committee observed that fishery managers can have no confidence they have done their job fairly or well.

According to the committee, ''The only way out of this morass is to design a research and management plan that tests hypotheses related to the Steller sea lion decline and increases the understanding of the potential interactions between groundfish fisheries and Steller sea lions.''

Whether that can happen ultimately depends upon the courts and, perhaps, Congress. Either way, the environmental litigants in the sea lion case probably would have to sign off on such a research plan. So far that doesn't look likely.

In conversation, Stump bristles at the mention of Andrew Trites, a scientist who admits he started years ago with the assumption that fishing must be to blame for the Steller's decline but found evidence of other causes instead. In print (Pacific Fishing, October 2000, page 6), Stump rails bitterly against the view that natural causes may account for the Steller's decline. In meetings in Alaska, he publicly taunts Dickie Jacobson, the mayor of Sand Point, Alaska, who says Stump's ''eminently reasonable'' solution puts his whole community at risk and could spell ''the end of the Eastern Aleut world.''

Stump has good reason to be threatened by such possibilities. He and his allies have scored their legal triumph by exploiting a wide gap in the available science; ignorance is literally their opportunity. They're laughed off requests to help pay for the research necessary to find out what's really killing sea lions. Little wonder. Any genuine scientific test of trawl closures carries a risk for them: Having vanquished trawlers from critical habitat and successfully divided the fishing industry against itself, why should the victors want to learn whether they picked the wrong cure for sea lions?●

CLOTURE VOTE ON BANKRUPTCY REFORM

● Mr. DORGAN. Mr. President, yesterday I voted against cloture on the bankruptcy reform bill. I voted against cloture even though I support bankruptcy reform, and even though I supported this legislation when it originally passed the Senate.

However, I oppose the motion to invoke cloture because I am troubled by some of the actions of the Republican majority. Neither the House nor the Senate ever formally named any conferees. Instead, the majority created a sham conference, hollowing out the State Department authorization bill and inserting the provisions of the bankruptcy reform. And even though the original bankruptcy reform bill that passed the Senate was a product of bipartisan input, the majority party did not include any Democrats in the discussions regarding the final package. Negotiators made significant changes to the bill without any input from Democrats. Important provisions were dropped; others were changed dramatically. All of this without the benefit of a formal conference that allows for debate and compromise by both parties. Under these circumstances, I could not support cloture.

I still support efforts to reform our bankruptcy laws, and I hope we can achieve this goal before the Senate adjourns sine die. I am disappointed by the way in which the legislative process has been twisted and broken by the majority in the development of this bill. That is why I opposed cloture.●

IDAHO SUPPORTS WWII MEMORIAL

● Mr. CRAIG. Mr. President, on November 11 of this year, we will commemorate the sacrifice made by veterans and all Americans during World War II by dedicating the National World War II Memorial. The Memorial is a tribute to the men and women who risked their lives for our freedom and democracy. Sixteen million men and women served our country during this war, and many more contributed on the home front. Each day, more veterans pass away, and it is imperative we remember the great effort they made, securing the liberties we enjoy in the United States of America.

Hundreds of Americans from all sectors of our society joined the effort to show their appreciation to America's World War II generation by raising millions of dollars. The Memorial was almost completely funded by private contributions, and among the many who contributed to this effort were students from Eagle High School in Eagle, Idaho.

In November of 1999, high school students Fi Southerland and Kate Bowen decided to raise $20,000 for the National World War II Memorial. These students were soon joined by many of the Eagle High students and staff. With the assistance and under the direction of their high school teacher, Gail Chumbley, they held various events to raise money. I am pleased to report that this group of outstanding young people and the many others involved in the project have not only met the goal of raising $20,000 but have actually surpassed it by seven thousand dollars.

Those who participated in this effort expressed how the effort changed their perspective on the great sacrifice made by our War Veterans. The students said one of the most satisfying parts of this year-long project has been letters and stories they have received from people involved in WWII. One of the most interesting was from a man who was not a veteran, but born in Holland and lived through the war and now is a United States citizen. He told the students that as a child, he heard the allied bombers flying overhead at night on their way to Germany, his parents called the ''sound of freedom.''

Kate Bowen summed up the reasons for raising the funds. ''The effort is about paying respect to that generation. Look at what they did for us.'' We recognize, with gratitude, the difference World War II veterans made in our every day lives. I commend all those involved with this project for their dedication and hard work, and hope their interest and concern will inspire others.

Other students and organizations involved in the project include Kristen Ediger, Sam Johnson, Karl Krohner,