

I believe you will be hearing more about this unless the administration comes forward and comes clean. I hope they do. I hope they tell us: Here it is, and here is all of what we agreed to. Here is why we agreed to all of this. Here is why we think this is working, rather than it isn't.

But right now, all we have are secret deals that somehow are getting leaked out to the newspapers, and we don't even know what the agreement is. We don't know what it is. We deserve to know what that agreement is.

MORNING BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate now be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

STRIPPING JIM LYONS' AUTHORITY AT USDA

Mr. DASCHLE. Mr. President, the Founding Fathers intended that the legislative process work through strongly held policy differences to establish the law of the land. They saw open dialogue as central to our democracy, and their vision has served the American people well for over 200 years. It is regrettable, therefore, when policy disagreements degenerate into acts of retribution against individual public servants whose only transgression is to execute the directives of the President they serve.

That is exactly what happened recently when a provision was inserted into the fiscal year 2001 Agriculture Appropriations Bill stripping the USDA Under Secretary for Natural Resources and Environment, Jim Lyons, of his authority to administer the Forest Service and the Natural Resources Conservation Service until his term in office expires in January 2000. This provision is not only unfair to Mr. Lyons, it undermines the separation of powers doctrine because it is designed solely to intimidate administration officials who are faithful to the policies of the President.

What has Mr. Lyons done, you might ask, to warrant such rebuke? The simple answer is: he has done a difficult job conscientiously.

Mr. President, Mr. Lyons was confirmed as the Under Secretary for Natural Resources and Environment by the Senate in May of 1993. As Undersecretary, he administers two important agencies—the Forest Service and the Natural Resources Conservation Service—that include nearly half the employees in the Department.

I have worked closely with Mr. Lyons over the past 8 years and respect greatly his work ethic, his understanding of the issues within his agencies' jurisdic-

tion and his commitment to the public policy making process. We have had policy disagreements, but I have never had reason to question Mr. Lyons' dedication to his job or fitness to serve as Undersecretary.

Mr. Lyons has provided steady and clear leadership during his tenure at USDA, tackling many complex and controversial issues that have plagued the conservation and forestry communities for years. While many of these policy challenges defy easy solution, Jim Lyons never shirked his responsibility to address them. Further, it has been his hallmark to solicit and discuss the views of all parties in a search of common ground in the pursuit of Administration objectives. That approach was particularly evident in the policy dispute that culminated in the Agriculture Appropriations rider relieving Mr. Lyons of line authority for the Forest Service and the Natural Resources Conservation Service.

The Office of the Under Secretary for Natural Resources and Environment, NRE, has responsibility within USDA for working with the Environmental Protection Agency, EPA, on issues affecting clean water and air, agriculture, forestry and other environmental concerns. It was in this role that Mr. Lyons entered into negotiations with the EPA to reduce the impact of EPA's proposed Total Maximum Daily Load, TMDL, rule on agriculture and forestry, while helping to ensure our continued progress in improving the quality of the waters of the United States.

After months of negotiation with the EPA, Mr. Lyons helped construct a rule that would provide for measured progress in reducing non-point source pollution through the use of voluntary, incentive-based programs administered largely through the Natural Resources Conservation Service. Many of the provisions objectionable to commodity groups and the Farm Bureau were dropped from the final rule or significantly modified. The provisions affecting silvicultural activities and forestry were dropped altogether.

In August, the President announced the final TMDL rules, and, in response to concerns expressed by Members of Congress, delayed their implementation for one year. Nonetheless, some who were upset that EPA had elected even to proceed with the rules decided to take their frustration out on Mr. Lyons, charging that he had not done enough to fight this rulemaking. As a consequence, language was added to the House version of the fiscal year 2001 Agriculture Appropriations bill defunding Mr. Lyons' office.

At the urging of Senator COCHRAN and his colleagues on the Senate Appropriations Committee, the House agreed to restore funding for the Undersecretary's office, but eliminate Mr. Lyons' authority to manage, super-

vised or direct his agencies—the job he had sworn to do and for which this body had confirmed him nearly 8 years ago. While policy differences certainly are an important and accepted part of the legislative process, acts of retribution against individual public servants—which this rider is—should not be tolerated.

Mr. Lyons does not deserve this treatment. During his USDA career, he has faithfully pursued the President's policies, spearheading major reforms in the management of both the Forest Service and the Natural Resources Conservation Service, NRCS, and helping to develop the Forest Service's new natural resources agenda, which is focused on watershed protection, recreation, road management reform and sustainable forestry.

Under Mr. Lyons' leadership, the Natural Resources Conservation Service has assumed a leadership role for the Administration in promoting conservation of the nation's private lands and has taken on an expanded role in protecting clean water and fish and wildlife habitats. Mr. Lyons has advocated establishing riparian buffers to capture nutrient and pesticide runoff, promoted efforts to protect farm and forest lands threatened with development, and encouraged strategies to protect drinking water supplies at their source.

Mr. Lyons was also the principle architect of the President's Northwest Forest Plan conserving old-growth forests and promoting sustainable forestry. He has initiated efforts to assess forest ecosystem health in the Columbia River Basin, the Sierra Nevada and the southern Appalachians. He directed key acquisitions and additions to the National Forest System, and has overseen purchase of lands including New Mexico's Baca Ranch and the New World Mine near Yellowstone National Park. He was instrumental in the establishment of the Giant Sequoia National Monument.

Mr. Lyons continues to lead USDA efforts on the presidential initiative to protect remaining national forest roadless areas. He helped craft the President's report on this year's devastating wildfires and then worked to shape the emergency funding package that will be used to restore fire-damaged forest lands and reduce the risks to communities from future wildfires. Mr. Lyons has promoted outdoor recreation on the national forests and created new programs and partnerships to improve urban forestry and conservation activities.

In the Black Hills of South Dakota, Mr. Lyons worked with me to resolve differences between the timber industry and environmentalists that allowed timber harvesting to proceed in a responsible and environmentally sensitive manner. This experience demonstrated Mr. Lyons' ability to work