

But the savings are nowhere in sight. Once again, the Pentagon is proving that it is incapable of allocating money in sensible ways.

Once again, the Pentagon is proving that it is incapable of saving money—even with such a golden opportunity.

Mr. President, it makes me sad to say this.

The Pentagon bureaucrats are just frittering away the money on stupid projects.

The benefits of the painful base closure process are being wasted.

If Pentagon bureaucrats have their way, the goals of base closure effort will never be reached.

The GAO has presented 13 different options for cutting defense infrastructure costs.

The GAO says these options would save about \$12.0 billion between fiscal years 1997–2001.

Mr. President, I hope the defense committees will examine the GAO options.

I hope the defense committees will consider using those options to recoup some lost savings.

I hope they will do that, rather than ask for more money in this year's defense budget.

I yield the floor.

#### IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3746 TO AMENDMENT NO. 3745, AS MODIFIED

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that amendment No. 3746 be modified, and I send the modification to the desk.

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

The amendment (No. 3746), as modified, is as follows:

At the end of the amendment add the following: "Notwithstanding any other provisions of the bill, provisions of the bill regarding the use of volunteers shall become effective 30 days after enactment".

#### MORNING BUSINESS

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

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

#### TRIBUTE TO M. GAYLE CORY

Mr. DASCHLE. The Senate family this week lost one of its own, Gayle Cory, the former postmaster of the Senate, who died of cancer on Wednesday evening.

Gayle's Senate career spanned 35 years. Beginning as a receptionist with Senator Ed Muskie in 1959, Gayle became the executive assistant to our former majority leader, George Mitch-

ell, before her appointment to the Senate post office.

As an officer of the Senate, Gayle reformed and strengthened the operations of the Senate post office, improving service to Members and assuring the strong financial controls so essential as a matter of public trust. The Senate lost a dedicated employee of enormous personal integrity when Gayle resigned in January of 1995.

It was not her work, however, that defined Gayle. It was her personal warmth and her generous spirit. Gayle gave of herself and her time to all who asked—colleagues at work, constituents from Maine, citizens from around the entire country. All who turned to Gayle Cory knew they were heard and that she would do her best.

She was realistic about people's behavior but optimistic about their potential. Perhaps that is why she dedicated all of her life to public service. Gayle believed that if people were given the opportunity to behave well, most of them would, so she made it her business to create such opportunities for everyone who came into contact with her. Perhaps that is why Gayle was so well loved by so many. She brought out the best in everyone.

On behalf of the Senate family, I extend my condolences to Don Cory, Gayle's husband, to her daughters and stepchildren, to her brother, Buzz Fitzgerald, and her sister, Carol. Our prayers and our thoughts are with them.

Mr. COHEN. Mr. President, many of us in the Senate are today mourning the loss of a very dear friend, long-time aide to Senators Edmund S. Muskie and George J. Mitchell, and former Postmaster of the U.S. Senate.

Gayle Cory died Wednesday night, succumbing to the cancer that caused her retirement in January 1995 after a too brief career as Senate Postmaster. Her death comes nearly 1 month after the death of her dear friend, former Secretary of State Edmund S. Muskie. Gayle was a member of Senator Muskie's staff from the very beginning of his Senate career in 1959, and she was at his side throughout his years in the Senate. She was one of a very few Senate aides who moved with him to the Department of State when Senator Muskie was appointed Secretary of State in 1980. But their friendship, and Gayle's friendship with Jane Muskie and the Muskie children, continued long after Senator Muskie left public life.

She returned to the Senate to join the staff of former Senator George J. Mitchell. She served as his top personal assistant until he became Senate Majority Leader, when he appointed her Postmaster of the U.S. Senate. As Senate Postmaster, Gayle oversaw many improvements in the post office security operations. She also instituted many reforms which effectively preserved the integrity of the Senate Post Office during the same period of time that the House postal services were engulfed by scandal.

Gayle Cory was very special to all of us fortunate enough to know her and work with her. She did not have acquaintances \* \* \* to meet Gayle was to be her friend, and all of us, regardless of our political affiliation, knew we could count on her help and her wise counsel. Few of us in this body today understand the workings of the Senate as thoroughly as Gayle did, and she used her knowledge and experience to work for the people of Maine. She loved Maine deeply, and the people of Maine were always her first priority. She was the first contact for many Mainers coming to Washington, and even those meeting her for the first time were made to feel welcome, to know they had found a friend. In fact recently, my office was visited by a family from Gayle's hometown of Bath, whose sole reason for stopping by was to inquire about Gayle.

Gayle worked hard and successfully over the years but she never sought personal recognition for her efforts. She was loved and deeply respected by members of my staff, many of whom kept in touch with her after her retirement. We are deeply saddened by her passing. We have lost a wonderful friend, but she will live on in our memories and in our hearts.

I want to extend my deepest sympathies to Gayle's husband, Don, to their two daughters, Carole and Melissa, and to her brother and sister, Duane Fitzgerald and Carole Rouillard of Bath, ME.

I extend my sympathies, too, to Gayle's extended family here in the Senate—the staffs of former Senators Edmund S. Muskie and George Mitchell, and the staff of the Senate Post Office. They, too, have lost a member of their family.

#### THE SALVAGE LAW AND NATURAL RESOURCES DECISION MAKING

Mr. HATFIELD. Mr. President, as part of the negotiations with the White House on appropriations for the remainder of Fiscal Year 1996, we have agreed to eliminate language designed to make the so-called Salvage Rider more workable for the Administration. To my colleagues with whom I worked to fashion this language, let me say that I did not drop it willingly. I dropped it in the face of a direct and specific veto threat by the President. I continue to believe it is sound policy and makes many desirable changes to the original salvage law.

This language would have given the Administration the authority, for any reason, to halt for 90 days the green tree sales released under Section 2001(k) of the law on which harvesting had not begun by March 28, 1996. During that 90 day period, the President would have been able to negotiate with contract holders to provide replacement timber or a cash buy out as a substitute for harvesting the original timber sale. Current law restricts the President's ability to enter into such agreements.

The proposed language would also have lifted the completion deadline imposed by current law so that the owners of these sales would not have been rushed to harvest their timber before the deadline. By lifting that deadline, I sought to provide a longer time frame for parties to negotiate with the Administration on mutually agreeable ways to avoid operating sales that may have adverse environmental consequences.

Mr. President, I have always believed that the high road for public officials is in solving legitimate policy problems, not in retaining issues for some perceived partisan gain. In negotiating improvements to the current timber salvage law, it is my view that the Administration dropped the former approach for the latter. The President determined, for reasons that puzzle me greatly, that he was unable to embrace the additional flexibility that we had offered to him under the salvage law. I can only assume that the White House has determined that retaining the issue as a political cudgel is more valuable during an election year than actually solving the problem.

Recall that when the President signed this measure into law, he issued a statement praising Congress for making a number of changes that would greatly improve the provision. Soon thereafter, with the wrath of the environmental community unleashed upon it, the White House changed its tune. The new, and unflattering, message was that the President had been duped into signing the Salvage law.

As someone intimately involved in much of the process, I can say with absolute confidence that the White House was aware of every letter in this provision. It was negotiated in excruciating detail over a period of 6 months.

Even though I am convinced the White House was fully aware of what was included in the current salvage law, I appreciate the controversial nature of the subject matter and the need to address genuine problems with the law. For this reason, I have attempted in good faith to address the President's legitimate concerns. In fact, I share a number of the same concerns. Since December, when the White House first approached me for assistance in amending this law, my staff and I have met repeatedly with the President's staff. I have responded to the White House's concerns by proposing effective solutions that are, frankly, difficult for supporters of the Salvage Law to accept.

It now appears to me that the thinking at the White House has again changed since we began our meetings last December. Only the President and his advisors know the political calculus behind his decision to reject this language. Most of the changes to the current salvage law were suggested by the White House. It would have given the President the unilateral authority to immediately halt the very timber sales he has publicly objected to.

By threatening to veto the entire budget agreement over the inclusion of this single provision, the President appears to be willing to continue the budget stalemate and furlough thousands of Federal workers in order to play politics with the forests of the Northwest.

I hope the President's advisors will keep this language handy. Later this summer, these sales will be rapidly harvested prior to the deadline and within weeks of the November election. I am confident the President will wish he had the substantial authority the Congress had offered to give him and which he had originally requested. He could have stopped the very sales he and the environmental community have objected to so strongly in the press. Let no one be confused about why the President lacks the authority to resolve concerns with these sales—the President rejected it.

It is my belief that the White House rejected this reasonable language because of its fear of being at odds with the environmental community. The position of the environmental community is total repeal and they oppose anything less.

I told the President when he was about to announce his forest plan for the Pacific Northwest that his advisors were putting him in a box in which he would have no choice but to take the extreme position. Today, the President has found himself inside that same box.

The historic timber debates in the Northwest have never been about owls or old growth. I have argued for many years that the true agenda of many in the environmental community is to eliminate timber harvests on Federal lands—zero cut. Now this view is in the mainstream of the environmental movement, a movement the President is determined to satisfy.

The Sierra Club voted 2-to-1 this week to back a ban on logging of any kind on all Federal land. The adoption of this single-minded preservation perspective by one of our Nation's largest environmental organizations has finally disrobed the underlying agenda of the environmental community—lock-up of our Nation's forests. We can now debate the merits of entirely eliminating timber harvest on our millions of acres of Federal lands.

Today, in Oregon, the zero-cut proposition has been put squarely before the public in the form of the Enola Hill timber sale.

This sale is about 40 miles outside Portland on the way to Mount Hood. The Forest Service initially prepared this sale in 1987. Since then, it has undergone a long and distinguished legal history. It has been unsuccessfully challenged in four separate lawsuits. It is now in the midst of its fifth legal action and was the focus of hundreds of protesters last week.

With this kind of controversy and divisive legal history, one might imagine that the Enola Hill sale involves critical salmon habitat, various listed en-

dangered species, miles of new forest road construction or huge clearcutting of 1,000-year-old trees. My colleagues may be surprised to learn that the Enola Hill sale involves none of these controversial things.

There are no Endangered Species Act concerns with this sale. There are no spotted owls, no marbled murrelets, no endangered salmon runs to be concerned about in the area.

The sale is comprised of second growth timber, not old growth.

The sale is not a clearcut, but rather a 250 acre selective cut which will remove about one third of the trees. The entry will hardly be visible when the sale is completed.

The sale involves no new roads to be built. How can this be? Because all logs will be removed by helicopter, a fairly expensive, but much more common practice in timber management in the Northwest today.

The sale has the further attribute of addressing a very real forest health problem. Laminated root rot is killing these trees that are to be harvested. This sale is designed to slow the spread of this disease to other forest stands.

So why all the controversy? The primary challenge to this sale is cultural. A number of individual Native American tribal members have argued that the Enola Hill area is sacred. However, no Tribe has objected to the sale going forward, including the largest Tribe in my State and the one in closest proximity to the sale area, the Warm Springs Tribe.

The Courts and the Forest Service have weighed the questions of cultural significance of the site and the evidence has been inconclusive at best. The Forest Service continues to state its willingness to consider adjusting the sale to accommodate any identified culturally significant areas, but those individual tribal members who object to the sale refuse to identify any particular areas as being any more culturally significant than other areas in the Mount Hood National Forest. I have chosen to highlight this sale only because the environmental community has chosen to highlight it. It is the flagship sale for the Northwest environmentalists as they protest "lawless logging."

I have a difficult time locating any environmental issue on the Enola Hill sale that would not be present in any timber sale. We have now reached the bottom line debate: Is cutting down trees in our national forests to satisfy the public's increasing demand for wood products inherently unsound from an environmental perspective?

In this debate, the environmental community's true agenda comes through loud and clear: zero cut, lock up. This position is socially and environmentally irresponsible and I reject it in the strongest possible terms.

As I have said before, I do not enjoy seeing trees being cut down. I am a former tree farmer. I plant trees. Like many others, however, I enjoy having a

roof over my head. I enjoy having furniture to sit on, and I imagine my colleagues enjoy these beautiful wooden desks and the wood paneling here in the Senate Chamber. The demand for wood products to fulfill our Nation's housing and other wood fibre demands is growing, Mr. President, not shrinking. Fortunately, our primary resources for meeting these demands, wood products, are renewable and are grown from free solar energy.

Moreover, arguably the greatest tree growing region in the world is the Pacific Northwest. It troubles me greatly that timber harvesting in this very region has been drastically reduced and is now well below scientifically sustainable levels.

With demand continuing to rise, America is now forced to look elsewhere to satisfy its needs. I have called this practice Environmental Imperialism—lock up our own forests but go to the Third World and other countries to satisfy American demand. Unfortunately, most, if not all, of these countries do not have comprehensive forest practices statutes in place like we do here. Their harvesting is most often based on satisfying economic needs without consideration for ecological concerns.

I have seen the detrimental effects of this U.S.-centered policy with my own eyes. I traveled to Russia last summer, and I learned of an interesting comparison—the timber lands of Siberia are 15 times less productive than the timber lands in western Oregon. In other words, it takes 1.5 million acres of Siberian timber land to grow the same amount of timber we can grow on 100,000 acres in the Northwest. I have also recently visited the rain forests of South America and seen the impacts that the exporting of our domestic problems has caused in that area.

These experiences have helped me put the global nature of our timber policies in perspective. When we reduce timber production from the great timber growing lands of the Pacific Northwest, there is an undeniable global impact.

I believe that the administration wants to be sensitive to the global effects of our environmental policies in this country. I want to commend Secretary of State Christopher for his commitment to looking at environmental issues on a global basis. However, along with this view must come the recognition that not only do the practices of other nations impact us here in the United States, but that our domestic practices and policies also have a great impact on other nations.

Mr. President, I have always believed that we have a responsibility to conserve our natural resources. I have authored nearly 1.5 million acres of wilderness legislation in Oregon and added 44 river segments to the National Wild and Scenic Rivers System. At the same time, I believe that we have a moral obligation to satisfy the demand of Americans with the wise use of Amer-

ican resources, not by going abroad to rape the resources of other countries.

Unfortunately, Mr. President, with its latest action to oppose giving itself flexibility on the Salvage Rider, the White House has chosen political convenience over the best interests of the environment both in the Pacific Northwest and throughout the world. The provisions stricken from the Omnibus Appropriations package would have given the President significant authority to resolve problems with sales released under the current Salvage Law. I hope that in the future our negotiations will hinge on the resolution of legitimate policy issues, rather than clinging to a political issue for perceived partisan advantage.

Mr. President, I ask unanimous consent that the rejected language, and a letter related to the issues I have raised here be printed in the RECORD.

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

**SALVAGE FLEXIBILITY LANGUAGE—DROPPED**

SEC. 325. Section 2001(k) of Public Law 104-19 is amended by striking "in fiscal years 1995 and 1996" in paragraph (1), and by striking paragraph (3) and inserting in lieu thereof:

"(3) **TIMING AND CONDITIONS OF ALTERNATIVE VOLUME.**—For any sale subject to paragraph (2) of this subsection, the Secretary concerned shall, and for any other sale subject to this subsection, the Secretary concerned may, within 7 days of enactment of this paragraph notify the affected purchaser of his desire to provide alternative volume, and within 90 days of the date of enactment of this paragraph, reach agreement with the purchaser to identify and provide, by a date agreed by the purchaser, a volume, value and kind of timber satisfactory to the purchaser to substitute for all or a portion of the timber subject to the sale, which shall be subject to the original terms of the contract except as otherwise agreed, and shall be subject to paragraph (1). Upon notification by the Secretary, the affected purchaser shall suspend harvesting and related operations for 90 days, except for sale units where harvesting and related activities have commenced before March 28, 1996. Except for sale units subject to paragraph (2), the purchaser may operate the original sale under the terms of paragraph (1) if no agreement is reached within 90 days, or after the agreed date for providing alternative timber until the Secretary concerned designates and releases to the purchaser the alternative timber volume in the agreement. The purchaser may not harvest a volume of timber from the alternative sale and from the portion of the original sale to be replaced which has greater contract value than the contract value of the alternative sale agreement. Any sale subject to this subsection shall be awarded, released and completed pursuant to paragraph (1) for a period equal to the length of the original contract, and shall not count against current allowable sale quantities or timber sales to be offered under subsections (b) and (d). A purchaser may enforce the rights established in this paragraph to obtain substitute timber within the required or agreed upon time frame in federal district court.

"(4) **BUY-OUT AUTHORIZATION.**—The Secretary concerned is authorized to permit a requesting purchaser of any sale subject to this subsection to return to the Government all or a specific volume of timber under the

sale contract, and shall pay to such purchaser upon tender of such volume a buy-out payment for such volume from any funds available to the Secretary concerned except from any permanent appropriation of trust fund, subject to the approval of the House and Senate Committees on Appropriations. Such volume and such payment shall be mutually agreed by the Secretary and the purchaser. Any agreement between the purchaser and the Secretary shall be reached within 90 days from the date on which the negotiation was initiated by the purchaser. The total sum paid for all such buy-out payments shall not exceed \$20,000,000 by each Secretary and \$40,000,000 in total. No less than half of the funds used by the Secretary concerned must come from funds otherwise available to fund Oregon and Washington programs of the Forest Service and the Bureau of Land Management. The Secretary is authorized to offset any portion of a buy-out payment agreed under the provisions of this paragraph with an amount necessary to retire fully a purchaser's obligation on a government guaranteed loan."

**Section 325.** Deletes language regarding the redefinition of the marbled murrelet nesting area and inserts a new provision that amends subsection 2001(k) of Public Law 104-19 to provide alternative timber options or buy-out payments to timber purchasers for both Forest Service and Bureau of Land Management sales offered or sold originally in units of the National Forest System or districts of the Bureau of Land Management subject to section 318 of Public Law 101-121. The new language neither expands nor reduces the sales to be released under subsection 2001(k). The managers do not intend to interdict or affect prior or pending judicial decisions with this language.

The provision increases the Administration's flexibility by allowing the Secretary concerned to notify a purchaser within 7 days, and agree with a purchaser within 90 days of the date of enactment, to provide alternative volume for part or all of any sale subject to subsection 2001(k) in a volume, value, and kind satisfactory to the purchaser, by a date agreed by the purchaser. The precise designation of alternative timber need not occur within the initial 90-day period. Upon notification by the Secretary, the purchaser shall suspend harvesting and related operations for 90 days, except for sale units where harvesting and related activities have commenced before March 28, 1996. For any sale that cannot be released due to threatened or endangered bird nesting within the sale unit, the amendment requires the agreement for alternative volume, in quantity, value, and kind satisfactory to the purchaser, and by a date agreed by the purchaser, to be reached within 90 days of the date of enactment of this section.

The Administration has delayed implementing subsection 2001(k) well beyond the original 45-day time limit set by Congress, and still has not released all the sales required under the statute. Therefore, except for sale units affected by paragraph (2) of subsection 2001(k), the purchaser may operate the original sale under subsection 2001(k) if: 1) the Secretary has not designated and released timber by the date agreed or 2) if no agreement has been reached 90 days after notification. Also, a purchaser may enforce the rights established in this paragraph to obtain substitute timber within the required or agreed time frame in Federal district court. The managers continue to endorse the statement of the managers language accompanying the conference report on the 1995 Rescissions Act (House Report 104-124; Public Law 104-19) relating to section 2001(k).

A purchaser may not be compelled to accept alternative volume over the purchaser's

objection, as he cannot be under present law. The purchaser may not operate on both the portion of the original sale to be replaced, and the alternative timber such that the combined contract value harvested exceeds the contract value of the alternative timber in the agreement. Sales with alternative volume under the amendment are subject to the original terms of the contract unless the parties agree otherwise and are subject to paragraph (1) of subsection (k). Any alternative volume under paragraph (3) shall not count against current allowable sales quantities or timber sales to be offered under subsections (b) and (d) of section 2001 of Public Law 104-19. Alternative volume may, at the Secretary's discretion, come from areas not otherwise contemplated for harvesting.

To avoid forcing purchasers to operate sales hastily before environmental considerations can be taken into account, the limitation in paragraph (1) to fiscal years 1995 and 1996 is deleted, and all sales awarded or released under subsection 2001(k) are now subject to the legal protections in paragraph (1) for a period equal to the length of the original contract (including any term adjustment or extensions permitted under the original contract or agreed by the Secretary and the purchaser). The period of legal protection for each sale begins when the sale is awarded or released under subsection 2001(k), or when alternative volume is provided under this statute.

The provision also gives the Secretary of the Interior and the Secretary of Agriculture, upon request of a sale owner, the authority to purchase all or a specific volume of timber under the sale contract covered under this subsection. Payment may be made directly to the purchaser, or to agents or creditors to retire fully the purchaser's obligation on a government guaranteed loan. The volume and payment must be mutually agreed by the Secretary and the purchaser. The payments would come from any funds available to the Secretary concerned, except for any permanent appropriation or trust funds, such as the timber salvage sale funds and the Knudsen-Vandenburg fund. In order to relieve partially the burden on programs in the rest of the nation, no less than half of the funds used for the payments must come from accounts which otherwise would be available to the Secretaries for Oregon and Washington programs of the Forest Service and the Bureau of Land Management. The Secretaries shall follow established reprogramming procedures when seeking the approval of the House and Senate appropriations committees to designate funds for the buy-out payments. Each Secretary may use up to \$20 million for such payments. Any agreement between a purchaser and the Secretary concerned shall be reached within 90 days of the date on which a negotiation was initiated by the purchaser.

THE CONFEDERATED TRIBES OF THE  
WARM SPRING RESERVATION OF  
OREGON, NATURAL RESOURCE DE-  
PARTMENT,

*Warm Spring, OR, April 3, 1996.*

KATHLEEN MCGINTY,  
*Chair, Council on Environmental Quality,  
Washington, DC.*

DEAR CHAIR MCGINTY: The April 10, 1996 correspondence to President Clinton from Richard Moe, president of the National Trust for Historic Preservation, regarding Enola Hill and its potential eligibility to the National Register of Historic Places and related issues is extremely dismaying. During the past 10 years the Mount Hood National Forest administrators and technical staff have consulted at both the government to government and technical levels regarding resource issues at Enola Hill.

The destruction issue raised by the opponents of the Enola Hill timber sale is debatable. It is our understanding through direct coordination and consultation with the Mount Hood National Forest staff and administrators that the sale is being implemented to insure the forest health on Enola Hill. The existing timber stand is approximately 80 to 100 years old and represents a monoculture of Douglas fir which is being affected by laminated root rot. This affliction is endemic, yet can be controlled through stand manipulation. The proposed treatments through harvest and introduction of fire and pathogen control will mimic the natural stand regimes present in the region prior to Euro-American settlement. The timber sale will thus add to the quality of the natural and cultural landscape.

The planning process for the Enola Hill timber sale has to our satisfaction attempted to document the tangible and intangible values associated with the area. It is also our understanding that the C6.24 clause of the award contract is to insure that upon discovery of any properties potentially eligible to the National Register of Historic Places all work will cease and mitigation measures developed in conjunction with professional staff and in consultation and coordination with the Confederated Tribes of the Warm Springs and public.

Ongoing claims and concerns regarding Native American traditional use and cultural resources at the Enola Hill area has created an air of controversy within the Native American community, the Forest Service, non-native people and the judicial system. Our tribal government adopted the "Warm Springs Tribal Council Position Paper Regarding Enola Hill" through Resolution 8607 on January 19, 1993 in the interest of the Tribe and its members. This position paper firmly expresses that the Warm Springs elders and religious leaders are the only Indian people with the sovereign authority to speak about the cultural significance of Enola Hill as well as the entire area surrounding Mount Hood. The proposed timber sale opposition to Enola Hill are voices of those individuals not from our tribes who claim the right to speak as Indian people about cultural significance, traditional uses and sacred sites.

We are currently unaware of any tribal government request to consider Enola Hill as a "traditional cultural property" eligible for inclusion to the National Register of Historic Places. A true traditional Indian interpretation of cultural significance of any part of Mount Hood whether within the ceded or traditional lands is based on a special relationship of Warm Springs tribal members and their ancestors since time immemorial with Wy'east or Mount Hood. Consent for use has and is still based on ancestral courtesy and custom with regard to exercising aboriginal and treaty rights within the ceded or traditional use lands.

In addition it is the Tribal Council position that "the Federal Government, the State of Oregon, the Federal Court, and the non-Indian public, look to our people for the answers to their questions about what Mount Hood, including Enola Hill, means to the traditional people of this area. We are those people and we should be the only ones to answer those questions."

Sincerely yours,

CHARLES R. CALICA,  
*General Manager.*

#### RESOLUTION

Whereas, The Tribal Council has determined that the controversy over management of the area of Mount Hood National Forest called "Enola Hill" is of great concern to the Tribe; and

Whereas, Non-Indians and Indians from other tribes have made many public claims

about the cultural and spiritual significance of Enola Hill; and

Whereas, The Tribal Council believes that our tribe has primary rights in the Mount Hood area and that we are the only Indian people with the sovereign authority to speak about the importance of Enola Hill to Indian people; and

Whereas, The Tribal Council has reviewed the "Warm Springs Tribal Council Position Paper Regarding Enola Hill" attached to this resolution as Exhibit "A", and believes that the approval of this position paper is in the best interest of the Tribe and its members; now, therefore

Be it Resolved, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon pursuant to Article V, Section 1 (1) and (u) of the Constitution and By-Laws that the "Warm Springs Tribal Council Position Paper Regarding Enola Hill" attached to this resolution as Exhibit "A", is hereby approved and adopted.

#### CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Nineteenth Tribal Council is composed of 11 members of whom 7, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 19th day of January 1993; and that the foregoing resolution was passed by the affirmative vote of 6 members, the Chairman not voting; and that said resolution has not been rescinded or amended in any way.

#### WARM SPRINGS TRIBAL COUNCIL POSITION PAPER REGARDING ENOLA HILL

This paper represents the official position of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon regarding the controversy over logging and other activities in the area of Mount Hood National Forest known as "Enola Hill."

Enola Hill is part of Zig Zag Mountain and is located north of U.S. Highway 26 on the lower slopes of Mount Hood near the community of Rhododendron, Oregon. The entire area surrounding Mount Hood, including the headwaters of the Sandy, Zig Zag, and Salmon Rivers where Enola Hill is located, is very familiar to our people. The seven bands and tribes of Wasco and Sahaptin-speaking Indians who signed the Treaty with the Tribes of Middle Oregon of June 25, 1855, all lived within close proximity to Mount Hood. The mountain itself, the trees and berries and plants that grow on its slopes, the deer and elk and other wildlife that call the mountain home, and the rivers, springs and other waters that originate on Mount Hood, and the fish and other creatures that live in these waters, all occupy a special place in the cultural, spiritual and historical life of our people.

There is no federally recognized Indian tribal government in existence today with closer ties to Mount Hood than the Confederated Tribes of the Warm Springs Reservation of Oregon. In pre-treaty times, Mount Hood rose high into the sky above our traditional homes along the Columbia River and its Oregon tributaries. Today, the mountain is located mostly within our treaty-reserved ceded area and just outside of the Northwest boundary of our present reservation. In short, we regard Mount Hood as our mountain.

Based on our special relationship with Mount Hood, which has existed since time immemorial, we believe that no other tribe, band or group of Indian people has a right greater than or equal to the natural sovereign right of the Confederated Tribes of the Warm Springs Reservation of Oregon to speak about the importance of Mount Hood

from an Indian point of view. Our historic, cultural and spiritual attachment to Mount Hood has caused us to be involved in many public policy, administrative and legal proceedings involving use and development of the mountain. Currently, we are party to several legal proceedings involving land management decisions of the Mount Hood National Forest. We are concerned about these decisions because of the potential impacts of these developments on our treaty fishing rights, and other legally protected interests. We are, for example, the only tribes involved in the Mount Hood Meadows Ski Area expansion proceedings. We believe that Mount Hood National Forest should consult only with our tribe on issues relating to proposed developments on public lands in the vicinity of Mount Hood.

With regard to the area called "Enola Hill," our people are familiar with this place. Many of our elders camped with their families in this area, fished for salmon and picked huckleberries in the general vicinity of Enola Hill. Whether there is special cultural significance to Enola Hill as a whole, and whether there are special religious and spiritual places there, is not something we wish to speak about in a position paper or put down in writing. In the past, our tribal elders have provided such information to appropriate officials once they have been assured of confidentiality and convinced of the serious need for the information. However, we are concerned that culturally sensitive information our elders have disclosed concerning Enola Hill could be exploited and used for improper purposes. Unwarranted public access to such information through the courts or the media only makes our job of protecting our people's sacred sites more difficult. We hope that the cure does not become worse than the affliction.

We believe very strongly that only Warm Springs tribal elders and religious leaders should be questioned on this issue. Certain individuals who are not from our tribe, and indeed some of them are not even Indian, have spoken out frequently and loudly about what they believe is the desecration of sacred Indian religious places at Enola Hill. Mount Hood, including Enola Hill, is not theirs—it is ours. It is not for them to talk about the traditional Indian cultural and religious significance of any part of Mount Hood. It is the mountain of our people and we believe that we should be the only ones asked to give the true traditional Indian interpretation of the significance of any part of the Mount Hood region. For this reason, we oppose the voices of those individuals about the importance of Enola Hill. Furthermore, we ask that the Federal Government, the State of Oregon, the Federal Court, and the non-Indian public, look to our people for the answers to their questions about what Mount Hood, including Enola Hill, means to the traditional Indian people of this area. We are those people, and we should be the only ones to answer those questions.

Dated: January 20, 1993.

#### NATIONAL ORGAN DONOR AWARENESS WEEK

Mr. KENNEDY. Mr. President, this week is National Organ Donor Awareness Week. It is a privilege to be part of this important effort to increase public awareness about the need for donors. Organ donation literally saves lives. It truly is the gift of life.

As Carl Lewis, the Olympic Gold medalist, told the Labor and Human Resources Committee in his testimony this week, "One thing about organ and

tissue donation: it is the absolute definition of altruism—giving solely for the sake of giving . . . It is an opportunity that is almost impossible to find anywhere else you might look. It is the opportunity to actually save the life of another human being."

Eleven years ago, a Massachusetts constituent, Charles Fiske, came to Congress and testified eloquently about the financial and emotional ordeal of his family's search for a liver transplant for their 9-month-old daughter. Out of that testimony came a long-overdue national effort to increase the number of organ donors, enhance the quality of organ transplantation, and allocate the available organs in a fair manner. In 1984, President Ronald Reagan signed the National Organ Transplant Act into law. Its primary goal was to assure patients and their families a fair opportunity to receive a transplant, regardless of where they live, who they know, or how much they could afford to pay. We have not yet achieved these goals, but we are closer to them today.

Additional legislation is now pending. The Organ and Bone Marrow Transplant Program Reauthorization Act was recently approved unanimously by the Senate Labor and Human Resources Committee, and is now awaiting action by the full Senate. That measure will improve the current organ procurement and allocation systems by earmarking funds for public education, training health professionals and others in appropriate ways to request donations, improving information for patient, and increasing the role of transplant recipients and family members in these efforts.

Legislation will help, but the shortage of organs for transplantation cannot be solved by legislation alone. Our goals can be achieved only through broad participation by people across the country.

Every day, eight Americans die who could have lived if they had received a transplant in time. Last year, 3,500 patients died because no donor was available, including 173 from Massachusetts. As technology for transplants continues to improve, the gap between demand and supply will continue to widen. The number of persons needing transplants has doubled since 1990. A new name is added to the list every 18 minutes.

Currently, 45,000 Americans are in need of an organ transplant, including 1,400 children. By the end of this year, the total is expected to exceed 50,000. Despite the need, fewer than 20,000 transplant operations will be performed in 1996—because of the shortage of donors.

In part, we are not obtaining enough donors because of the myths surrounding organ donation. Many citizens don't know that it is illegal in this country to buy and sell organs. There is no age limit for donors. Donations are consistent with the beliefs of all major religions.

Except in rare cases such as kidney transplants among close relations, virtually all donations actually take place after death, in accord with the wishes of the donors and their families. The removal of the organs does not interfere with customary burial arrangements or an open casket at the funeral, since the organ is obtained through a normal surgical procedure where the donor's body is treated with respect.

The decision to become a donor will not affect the level of the donor's medical care, or interfere in any way with all possible efforts to save patients where the patients are near death. We need to do all we can to dispel the myths that contradict these facts.

Most important, as members of Congress, we can lead by example, by signing our own organ donor card. I have done so and I have discussed organ donation with my family, so that they know my wishes. Senator FRIST and Senator SIMON have urged all of us in the Senate to sign organ donor cards, and over 50 Senators have now done so.

I encourage all of my colleagues to become organ donors. We must do more, and we can do more, to save the lives of those who need transplants. Each of us can save several lives by agreeing that we ourselves will be donors. And we can save many more lives as other Americans learn from our examples and become donors themselves.

#### JUNK GUN VIOLENCE PROTECTION ACT

Mrs. BOXER. Mr. President, along with my colleague from New Jersey, Senator BRADLEY and my colleague from Rhode Island, Senator CHAFEE, I have introduced legislation to ban the production and sale of junk guns—or as they are sometimes called, Saturday night specials. My bill would take the standards for safety and reliability that are currently applied to imported handguns, and apply them to domestically produced firearms. It is a simple common sense proposal that deserves the support of all Senators.

I had a meeting with a very special physician today and I want to share with my colleagues some of the things that I learned. Dr. Andrew McGuire is Director of the Trauma Foundation, a nonprofit organization based out of San Francisco General Hospital. The Trauma Foundation has a simple goal: keep people out of the emergency room.

Several years ago, Dr. McGuire was asked to write a policy paper aimed at developing strategies to curtail violence in the San Francisco area. He concluded that something had to be done to curtail the proliferation of handguns. Specifically, he advised banning these cheap, poorly constructed junk guns.

Since then, Dr. McGuire has been on a crusade to educate the country about