

Of course, under the statute, States could adopt forced busing if they wanted, and the Federal courts could still order busing. The statute merely prohibited the Department of HEW from forcing States to bus children on its own motion.

In his brief challenging that law, Mr. Lee stated that the congressional amendments "demonstrate discriminatory intent to interfere with desegregation."

Of course, that is an unfounded and unfair charge to make. Many people—I know Senator BYRD, on the other side of the aisle, had led the fight for that statute. He was not trying to undue and return to segregation. He simply was concerned, as millions of Americans have been, that the experiment with busing was not working. And he did not want the Department of Education, on its own, requiring it, and since, as years have gone by, it has been well-recognized that the experiment with busing has not achieved the goals that were intended, and is, in essence, for all practical purposes, a failure.

Parents of all races oppose mandatory busing, and the law in *Brown versus Califano* reflected this. Again, the Federal courts rejected Lee's argument and upheld the statute. But that is just another example of where Mr. Lee has sued to implement a political agenda that he lost during the democratic process. That is, he lost it in the hearts and minds of the people and through their elected representatives. And he, therefore, sought to have the courts overturn that.

In another forced busing case, Mr. Lee wrote the following in his brief. This is what he wrote:

The term "forced busing" is a misnomer. School districts do not force children to ride a bus, but only to arrive on time at their assigned schools.

I think many people feel that that is the kind of comment that shows arrogance and insensitivity to those who are concerned about children who have no way to go to school but by bus, to be told, "Well, you don't have to ride a bus. You just have to show up at a certain school on time."

In conclusion, Mr. President, America is at a crossroads in the civil rights debate. The American people believe overwhelmingly that government services and benefits should be administered in a color-blind fashion. As a nation we have made tremendous progress toward racial harmony, and though our work to eradicate racism is not finished and much bias and prejudice still exists in our land that we should not tolerate and should seek to eliminate, we should be proud of the great progress that has been made in the past 30 years.

Mr. President, it gives me no pleasure to announce this vote against Mr. Lee. He is an admirable person, a fine lawyer. Please make no mistake, my opposition to him is in no way an attack on his integrity and character.

However, his positions, particularly his tendency to file lawsuits to promote his agenda and his misreading of Supreme Court precedents, simply make him the wrong person at the wrong time to be the Assistant Attorney General for Civil Rights.

I yield the floor.

Mr. THURMOND. Will the Senator yield?

Mr. SESSIONS. I do.

Mr. THURMOND. I wish to commend the able Senator from Alabama for the excellent remarks he has made on this subject.

Mr. SESSIONS. I thank the Senator from South Carolina for his leadership as chairman of the Judiciary Committee and his comments earlier this afternoon.

I yield the floor.

REACTION TO LEACH/MCKINNEY LOGGING PROPOSAL

Mr. GORTON. Mr. President, legislation was recently introduced in the House of Representatives that would ban all commercial logging on Federal lands. This legislation would be devastating not only for the Pacific Northwest, which is highly dependent on its forest products industries, but disastrous for the entire Nation as well.

I'm appalled. Let me state that the bill introduced by Representatives MCKINNEY, LEACH, McDERMOTT, and others has absolutely no chance of passage. None. Yet, it's another confirmation of the radical nature of our opponents in this debate about managing our national resources. After years of talking about compromise and balance, it's clear by the introduction of this bill that their view is that one of our greatest renewable natural resources shouldn't be used for any constructive economic purpose. The sponsors of this bill are clearly indifferent to human costs and economic disruption this radical policy would impose on our Nation's economy, and particularly on our timber dependent communities.

Support for this bill—which I repeat, has no chance of passage—comes from the Sierra Club and other environmental organizations that earlier this year endorsed a policy of zero cut of timber on public lands. More recently, during debate on the Interior appropriations bill, many of these same groups supported an amendment substantially reducing the budget for Forest Service roads. Had these groups succeeded, the Federal Timber Sale Program, which already has been reduced by two-thirds over the past decade, would have been reduced by another 50 percent. This was clearly a tactic employed by radical environmental groups with the ultimate goal of eliminating all Federal timber harvests.

Proponents of a zero cut policy on Federal lands lead an effort to further erode the economic backbone of rural Americans. It is an effort by mostly urban environmentalists—armchair en-

vironmentalists—who have forgotten, or who never knew, what it takes to produce fiber and shelter, and are indifferent to the communities and jobs that produce these commodities.

Published reports about this legislation fail to mention that Federal timber sales are already in severe decline, primarily from the limitations placed on the Forest Service by the Clinton administration's environmental considerations and species protection efforts. In 1987, the Federal Timber Sale Program provided nearly 12 billion board feet of timber. Now, 10 years later, less than 4 billion board feet were sold. This translates to double-digit unemployment in Washington State's timber dependent communities. I cannot imagine how terrible it would be for these already depressed communities if timber harvests were banned on public lands.

For the record, I would like to note that 23 of Washington's 39 counties have been designated as "distressed" counties under State guidelines, meaning that their unemployment rates have been 20 percent above the State average for 3 years and median household incomes less than 75 percent of the State median. This is, to a great extent, the direct result of economic devastation in our timber dependent communities.

These are counties with towns like Port Angeles. A pulp mill closure in February resulted in about \$17 million in direct payroll losses and hundreds of jobs. As I speak today, representatives from the Port Angeles community are hosting a summit for similarly distressed communities that are finding it hard to survive in an era of declining timber sales.

These areas of the State do not share the wealth of the booming Seattle economy. In 1996, 75 percent of the timber sold by the U.S. Forest Service was to small businesses. These small operations are predominately headquartered in rural areas; in places such as Forks, WA, where jobs and the community's stability are dependent upon the timber industry. These are communities struggling under existing environmental restrictions and species protection efforts. The recent House proposal would serve as a death blow to these struggling communities.

Proponents of the zero-cut scheme also erroneously claim it will benefit the Federal Treasury. Nothing could be further from the truth. Despite the fact that annual timber sale revenues dropped by over \$462 million due to logging restrictions, the Forest Service Federal Timber Sale Program generates annual net revenues of \$59 million to the U.S. Treasury.

In addition, due to declining timber harvests, imports of softwood lumber between 1992 and 1995 increased by 4 billion board feet. As a result, the average price of an 1,800 square foot new home has gone up \$2,000. The environmentalists don't like to talk about the

inflationary results of their anti-timber campaigns—where is their righteous indignation when working Americans and families find it increasingly difficult to put a roof over their heads?

What is most disappointing in this debate is that news articles and extreme environmental organizations fail to mention the greatest loser if such a proposal was ever enacted: our public education system. Some 25 percent of the revenue from Federal timber sales goes directly to counties to be used for roads and schools. These counties rely on these Federal revenues. In addition to providing essential local services as schools and roads, these counties also provide direct and indirect services to national forests, national parks, wilderness areas, fish and wildlife refuges, and reclamation areas. Without some timber harvests in these financially-strapped counties, the public education of our children will suffer.

The argument that the only good harvest is no harvest at all overlooks the fact that up to 10,000 acres of Federal timber lands fall victim to forest fires every year. This does not even take into account the insect and disease outbreaks which ravage thousands of acres of public lands.

In 1994, devastating wildfires ravaged forests in Washington State. The fires were fueled by the excessive buildup on the forest floor. The forest floor was composed of dead, dying, insect infested, and diseased timber which had built up due to a lack of active management on Federal forest lands, including thinning and removal of insect-infested trees.

The health of our forests will deteriorate under the status quo, as dead and dying trees are left untouched.

Thinning, on the other hand will create a desired condition in which more trees will survive because of less competition for a limited amount of available moisture. By reducing natural fuel loads through thinning, removal of underbrush, and dead and dying trees, we will be creating a win-win situation in which our forests will be healthier and our mills will be stronger.

I think it is also important to note that as I heap scorn on the proposed legislation in the House and its supporters, we are beginning to see a rejection of this extreme approach by dedicated environmentalists who live in timber-dependent communities. Unlike their counterparts in Washington DC, and other urban areas who are busy turning out fundraising letters, these true conservationists send their children to the local schools, see the devastating impact of these radical policies on the local economy, and fear for their lives, livelihood, and homes due to the severe wildfire threat.

As a member of the Senate Energy and Natural Resources Committee, it was encouraging to see the progress that is being made at the local level in northeastern California. There, local environmentalists, timber workers, and public officials have crafted a rea-

sonable land management plan that restores balance to our forests known as the Quincy Library Group approach.

Unlike this approach—a balanced, responsible approach to forest health and forest management—the zero-cut proposal introduced last week in the House does nothing more than carry out the agenda of extreme national environmental organizations. I urge moderate, responsible environmental organizations to join me in soundly defeating the proposal in the House and here, if and when the bill is ever brought before either chamber.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Oklahoma is recognized.

Mr. NICKLES. I thank the Chair.

(The remarks of Mr. NICKLES pertaining to the submission of S. 1381 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO REAR ADM. (SELECT) JAY M. COHEN, U.S. NAVY DEPUTY CHIEF OF LEGISLATIVE AFFAIRS

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize and say farewell to an outstanding naval officer and good friend, Rear Adm. (select) Jay M. Cohen. For the past 4½ years, Rear Admiral (select) Cohen has served with distinction as the Navy's Deputy Chief of Legislative Affairs, and it is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided this legislative body, the Navy, and the Nation.

A native of New York City, Rear Admiral (select) Cohen was commissioned as an ensign upon graduation from the U.S. Naval Academy in 1968. Since then, Rear Admiral (select) Cohen has spent the majority of his career patrolling the ocean depths as a Navy submariner. Following submarine training, he began his submarine service aboard U.S.S. *Diodon* (SS 349) in San Diego. Nuclear power trained, he has served in the engineering departments of U.S.S. *Nathaniel Greene* (SSBN 636) and U.S.S. *Nathan Hall* (SSBN 623), and

as the executive officer aboard U.S.S. *George Washington Carver* (SSBN 656). In 1985, Rear Admiral (select) Cohen took command of U.S.S. *Hyman G. Rickover* (SSN 709) and skippered the ship on three deployments.

When not underwater, Rear Admiral (select) Cohen has likewise served with distinction on the staff of Commander in Chief, U.S. Atlantic Fleet, as senior member of the Nuclear Propulsion Examining Board and on the staff of the Director of Naval Intelligence. He also commanded U.S.S. *L. Y. Spear* (AS 36), a submarine tender in Norfolk, VA. Following this command tour, he reported, in April 1993, to the Secretary of the Navy's staff as the Deputy Chief of Legislative Affairs. Among Rear Admiral(select) Cohen's many awards and decorations are five Legions of Merit and three Meritorious Service Medals. He is both submarine and surface warfare qualified.

During his tenure as the Deputy Chief of Legislative Affairs, Rear Admiral (select) Cohen provided the Senate with timely support and accurate information on Navy plans and programs. His close work with the Congress and steadfast devotion to the Navy mission helped ensure that the U.S. Navy remained the best-trained, best-equipped, and best-prepared naval force in the world. Faced with countless challenges and a multitude of complex and sensitive issues, Rear Admiral (select) Cohen's unflappable leadership, integrity, and limitless energy had a profound and positive impact on the U.S. Naval Service.

As a testament to his extremely valuable contributions to the national security of this country, the Navy recently selected him to flag rank and I am pleased to say that the Senate recently confirmed his nomination. The Chief of Naval Operations will pin on his star Friday, November 7, in the Pentagon. With this well-deserved promotion, Admiral Cohen will continue his outstanding service to the Navy and the Nation as he moves on to positions of even greater responsibility. On behalf of my colleagues on both sides of the aisle, I wish Rear Adm. (select) Jay Cohen fair winds and following seas. I know we will see and hear from him again.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, November 4, 1997, the Federal debt stood at \$5,432,371,961,282.81 (Five trillion, four hundred thirty-two billion, three hundred seventy-one million, nine hundred sixty-one thousand, two hundred eighty-two dollars and eighty-one cents).

One year ago, November 4, 1996, the Federal debt stood at \$5,248,378,000,000 (Five trillion, two hundred forty-eight billion, three hundred seventy-eight million).

Five years ago, November 4, 1992, the Federal debt stood at \$4,070,185,000,000