

that by passing this legislation and changing current law, we can change hearts and minds as well.●

JEWISH HERITAGE WEEK

● Mr. LEVIN. Mr. President, it is with great pleasure I rise today to call my colleagues' attention to Jewish Heritage Week, which was recognized from April 14 through 21, 2002.

Every spring since 1976, during the season in which Jewish people commemorate Passover, Yom Hashoah (Holocaust Memorial Day) and Yom Ha'atzmaut (Israel Independence Day), a week is set aside to promote and encourage all Americans to learn about the history of Jewish Americans and to participate in activities that highlight the accomplishments of these citizens. It is in light of that charge I come to the Senate floor to highlight this important week.

For centuries, Jews from across the globe have come to America seeking the ability to worship in freedom and to pursue their individual and hopes and dreams in peace. Throughout the many years, nearly every facet of American culture has been cultivated and enriched by the talents of Jewish people, including business, education, research, fine arts, and government. In fact many of their names and accomplishments are found in the textbooks of students across this country. Their contributions to our character and culture help make America a better place.

We also commend our friends in Israel as they celebrated the 54th anniversary of the founding of the modern State of Israel. This milestone is a tribute to the strength and resilience of the Jewish spirit in the face of great adversity. At this time, it is imperative that freedom loving people from around the world stand with the people of Israel in affirming Israel's right of existence and its right to defend itself against those who would use terror to achieve their goals.

I know my Senate colleagues will join with me and the millions of Americans to mark this special week to pay tribute to the countless people of Jewish faith and descent who have contributed so much to the definition of our nation and the world.●

CLINTON ADMINISTRATION ROADLESS POLICY: STILL AND ALWAYS A BAD IDEA

● Mr. CRAIG. Mr. President, I rise today to discuss the issue of roadless areas in our national forests and to discuss the manner in which the last administration developed their roadless area conservation rule. Recently, the OMB released a draft report on the costs and benefits of Federal regulations. In this report, the Clinton roadless rule is estimated at costing \$164 million and saving only \$219,000. I find these numbers outrageous and add this to the extensive list of reasons why this rule would hinder our rural

economies. With this, I would like to again express my objections to the Clinton roadless rule and explain why I feel it is still a bad idea.

As chairman of the Subcommittee on Forests and Public Lands of the Energy and Natural Resource Committee I held a series of five hearings between November 1999 and March 2001 to examine the development and potential consequences of the Clinton administration's roadless area conservation rule-making. Our hearing record details numerous questions about the process and data used to develop the roadless area conservation rule. While I will not recite the entire history of this controversy, I do want to highlight some of the key dates and events to help my colleagues better understand this issue.

To begin, the issue of roadless has been around for more than 30 years. In 1972, the Forest Service began Roadless Area Review and Evaluation One, RARE I, to examine how much land should be set aside and recommended for potential Wilderness.

A more comprehensive RARE II inventory was undertaken in 1982. That review examined a little more than 62 million acres. A variety of wilderness bills passed by Congress allocated 24 percent of the RARE II lands to Wilderness. The forest plans completed by the Forest Service between 1983 and 1998 recommended—10 percent of the 62 million acres for wilderness; 17 percent of the land for future wilderness study; 38 percent of the land for other multiple-uses that excludes timber harvesting; and 14 percent of the 62 million acres to be considered as potentially available for timber harvesting.

It is important to know that from the time RARE I was completed, through 1998, that less than 1.1 million acres of the original 62 million RARE II acres were utilized for timber harvesting. Thus, less than 2 percent of the entire 62 million acres had been entered, or would be entered in the next 5 years, for timber harvesting.

In 1998, after an Interior Appropriations vote on funding for Forest Service road construction, I invited then chief of the Forest Service Mike Dombeck to my office to discuss the roadless issue. I offered the chief my help in working to legislatively resolve this thorny issue. I was politely informed by Chief Dombeck that they would rather resolve the issue administratively.

In May of 1999, then Vice President Al Gore, during a speech to the League of Conservation Voters stated that not only would he eliminate all road building, but he would prohibit all timber harvesting in roadless areas. In effect he announced the selection of the final alternative for the Clinton roadless area conservation rule before the draft rulemaking had even begun.

On October 13, 1999, President Clinton, speaking at Reddish Knob, VA, directed the Forest Service to develop regulations to end road construction and to protect inventoried and un-

inventoried roadless areas across the National Forest System.

On October 19, 1999, the Forest Service published a notice of intent to prepare an environmental impact statement to propose protection of certain roadless areas.

In June of 2000, Chief Dombeck, in a letter to his employees on the roadless issue, stated that "Collaboration does not alleviate our responsibility to make decisions that we believe are in the best long-term interests of the land or the people who depend on and enjoy it." Mr. Dombeck made it very clear to me that Mr. Gore's desires would be carried out.

In the 2000 State of the Union Address, nearly 11 months before the final roadless area conservation plan was published, President Clinton said that together, the Vice President and he had "in the last three months alone helped preserve 40 million acres of roadless in the national forests."

On November 13, 2000, the final EIS for the roadless area conservation plan was published. And on January 12, 2001 the final roadless area conservation rule was published in the Federal Register. This meant that over the Christmas holiday the agency read, absorbed and responded to more than 1.2 million public comments in a little less than 2 months.

The Public Lands and Forest Subcommittee hearings that were held, made it clear to me that the decision on what to do about the roadless issue was sealed on October 13, 1999 when the President spoke at Reddish Knob and the rest of this effort was little more than window dressing.

It was also no surprise to me when U.S. Federal District Court Judge Edward Lodge stayed the implementation of this rule in May of 2001. While Judge Lodge's stay has been appealed to the Ninth Circuit Court of Appeals, the fact remains that no administration, not the Bush administration, not the Clinton administration, nor any future administration can ignore Judge Lodge's ruling.

I know that many in the environmental community, proponents of the Roadless Rule, would like to convince us that the Bush administration is somehow skirting the law by refusing to fully implement the roadless area conservation rule. But, the simple fact is that Judge Lodge ENJOINED all aspects of the roadless area conservation rule.

Some have decried the fact that the Bush administration chose not to contest Judge Lodge's decision in the Ninth Circuit Court of Appeals. They claim this action by the Bush administration is an attempt to rollback a much-needed environmental rule. I think we would be wrong to draw this conclusion. The fact is that every administration faced with defending agency decisions in court examines each case on its merit and then decides which course of action is best for the government.

In April of 2001 the Washington Legal Foundation provided an analysis of the Clinton administration's failure to defend or appeal cases that went against its natural resource agencies during its 8 long years in office.

They found "13 occasions when the Clinton administration refused to defend resource management decisions of its predecessors, choosing to accept an injunction or remand from a U.S. District Court rather than defend those decisions in a U.S. court of appeals." [There are] "at least 28 other occasions, when the Clinton administration refused to defend its own resource management decisions in a court of appeals after receiving an injunction or remand from a U.S. district court." In the past, many of the last-minute rules promulgated by a variety of departments and agencies have been pulled-back and reviewed. We must realize that this is normal and rational behavior when the White House changes hands.

So when it came to the roadless area conservation rule, the Bush administration faced a rule that was rushed through the process, that impacted a tremendous amount of land and people, which had been, at least temporarily, struck down by the courts.

I want to shift gears here and help my colleagues better understand what makes this issue so contentious. Beyond the obvious questions of whether or not the process used to develop this rule was honest and fair, we have to remember that every rule and regulation any administration undertakes impacts individuals in some local community in our great country. As we have taken the time to learn more about how the Clinton roadless conservation rule was developed, it has become increasingly clear to me how rushed the process was and how completely the Forest Service failed to include a level of detail needed by local people to assess how the policy might affect them on an individual basis.

While one might be tempted to think the Forest Service was knowingly hiding the details of its proposal, I think we all must understand the enormity of the task they undertook. They had a policy that covered over 60 million acres of our Nation. The last time they attempted a similar policy, in RARE II, the environmentalists successfully sued and the courts found that the policy failed to examine the proposal at the local level and sent the Forest Service back to the drawing board.

Last summer, my staff took time to better understand why people are so upset over the roadless area conservation rule. We found nearly 43,500 acres of State lands within the RARE II roadless areas and more than 421,500 acres of privately owned lands within these areas. This is important because, like any neighborhood, how your neighbor manages his or her lands greatly impacts how and when you can manage your land.

If implemented, the roadless area conservation rule would convey a wil-

derness like management regime on these lands. Think about States that have one or more roadless areas that the Federal Government is managing as a quasi-wilderness.

Imagine for a moment that the State has a constitution that directs State lands be managed to produce revenue to pay for the operation and building of the schools in that State. Such as my home, the State of Idaho happens to have. Don't you think that the State will, in the face of this new roadless area conservation rule, experience a new public expectation that they will manage the State lands in a manner similar to the surrounding Forest Service roadless area.

Let me take this scenario just one more step. Imagine that when Sally and Joe come to Idaho to visit the Panhandle National Forest to hike in the wilderness and roadless areas on that forest. They have absolutely no idea, nor do they care, that the State of Idaho has State lands in the Panhandle National Forest that are surrounded by Roadless lands. They have no idea, nor do they care, that the State of Idaho by law must manage those lands to generate a revenue stream to support its educational system. They arrive in the area knowing they are going into a roadless area where no timber harvesting, or mining, or any other activities are allowed, and they stumble upon a timber harvesting operation on State lands. Most likely they don't even take the time to find out who's land they are looking at. And why should they, they came to the Panhandle National Forest to hike in the wilderness.

If they are like most Americans they don't know that national forests have a different set of rules than National Parks. Then we are off to the races. They go home to New Jersey or California knowing in their hearts that the U.S. Forest Service is carrying out a secret timber sale program to circumvent the hard fought roadless area conservation rule that they have read so much about in their monthly Sierra Club magazine.

They then mount a campaign to end all commodity management on any lands within the bounds of roadless areas, no matter who owns those lands and no matter what the legitimate goals of that State or private landowner might be.

If a local government were going to change the zoning around your home and failed to notify you of the change or what it might mean, I imagine you would be skeptical about the process used to develop the zoning rule. This is no different. The Forest Service developed this rule in a very compressed time frame, with little or no description of the potential impacts of the rule at the local level. As a result a number of local communities and States became so upset that they have gone to court to get this rule overturned. To date there are at least nine cases that have been brought to chal-

lenge the Clinton administration's roadless area conservation rule.

I want to finish up with a series of examples of the types of land and infrastructure we have found in some of the national forest roadless areas that we examined. Interestingly, we found little or no evidence in the Forest Service EIS to suggest that State, private, and other Federal landowners were notified by either national or local Forest Service officials that this policy could affect the National Forests that surround their lands.

Our staff analysis found some very disturbing information. For instance, on the Boise National Forest we found five roadless areas with forest development roads within them. We also found a fire tower and an FAA radar site in a RARE II roadless area, and as a result road maintenance and reconstruction will no longer be allowed.

On the Panhandle National Forest in Idaho, we found 13 roadless areas with National Forest System Roads within them, along with at least three mines, one Forest Service campground and one power line in one or more of the roadless areas.

On the Superior National Forest in the State of Minnesota, we found three roadless areas with National Forest System roads in them, along with four public boat ramps, three Forest Service campgrounds, and one mine in the roadless areas.

On the Chequamegon-Nicolet National Forests in northern Wisconsin we found 1,317 acres of private land and 2,886 acres of State lands within the RARE II roadless areas.

On the Monongahela National Forest in West Virginia we found 10 RARE II roadless areas that contain national forest system roads, along with a pipeline and parts of a railroad right-of-way within the roadless areas. One roadless area that we examined was made up of 75 percent private property.

On the Dixie National Forest in the State of Utah we found 14 RARE II roadless areas with national forest system roads within them, as well as one reservoir and one water pipeline in a roadless area.

On the Gila National Forest, in the State of New Mexico, 11 of the RARE II roadless areas on that forest have national forest system roads within them, as well as one that had a water pipeline within it.

I will finish with the Pisgah National Forest in North Carolina, where we found five areas with one or more national forest system roads within them, and one roadless area with a Federal Aviation Agency, FAA, microwave tower site in it.

The point of going through this litany is to help my Senate colleagues better understand why national policy, such as this, can be better developed at the local level, and to help put Judge Edward Lodge's decision, to stay the implementation of this wrongheaded rule, in a better context.

We can, and will, continue to argue over the environmental policies of this

country in this body. There is room in this debate for opposing views. But in the case of the environmentalist concerns on the Bush administrations new look at the roadless area conservation rule and their efforts to gain political support to ignore the courts on this issue, I would hope that none of us would want this, or any future administration to ignore decisions made by the Federal courts.

In closing, I applaud the efforts undertaken by this administration to take a careful look at this wrong-headed rule. I hope they listen to Judge Lodge and any other court rulings that result from the other cases. I am happy to see that the new chief of the Forest Service is more sensitive to local communities and the private and State landowners who will be affected by this or any new roadless area policy.●

87TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

● Mr. JOHNSON. Mr. President, tomorrow marks the 87th anniversary of the start of the Armenian genocide, and I rise today to honor the victims of this horrific event.

As we take time to reflect on this dark chapter of world history, I am not sure what is more troubling: The fact that so many people no longer remember the Armenian genocide, or that there are still people who deny it ever took place. To those who would deny it, I refer them to the U.S. National Archives which contains thousands of pages of source material proving the Armenian genocide did occur. To those who no longer remember, we must tell the story or face the possibility that history may repeat itself.

On April 24, 1915, approximately 200 Armenian religious, political, and intellectual leaders were arrested in Constantinople and subsequently killed. Shortly afterward, the entire Armenian people were forcibly removed from their homeland in present-day eastern Turkey and deported. Over a million and a half Armenians were killed or died as a result of the deportation between 1915 and 1923, and another 500,000 were forced into exile. All told, one-third of the Armenian population was killed during this brutal episode.

Despite having their population decimated and scattered into exile, the Armenian people have been able to maintain a rich culture and a strong sense of their own history. They should be proud of their many accomplishments in the nearly nine decades since the genocide. It is with this strong sense of the past that the Armenian people today are building a brighter future.

As we know all too well, the Armenian genocide was the first, but not the last, genocide of the 20th Century. We join with the Armenian people to remember the victims and to keep alive the memory to ensure such a tragic event never occurs again.●

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—PM 81

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c) and 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report that my Administration has prepared on the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995.

GEORGE BUSH.

THE WHITE HOUSE, April 23, 2002.

MESSAGE FROM THE HOUSE

At 3:28 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to 15 U.S.C. 1024(a), the Speaker appoints the following Member of the House of Representatives to the Joint Economic Committee: Mr. HILL of Indiana.

The message also announced that pursuant to section 801 of title 2 of the United States Code, the minority leader appoints the following Members to the Congressional Recognition for Excellence in Arts Education Awards Board: Mr. HINCHEY of New York and Ms. MCCOLLUM of Minnesota.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-6554. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Program of Research on Reading Comprehension—Notice of Final Priority" received on April 17, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6555. A communication from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Release of Information Regarding Immigration and Naturalization Service Detainees in Non-Federal Facilities" (RIN1115-AG67) received on April 17, 2002; to the Committee on the Judiciary.

EC-6556. A communication from the Secretary of Health and Human Services and the Attorney General, transmitting jointly, pursuant to law, the fifth Annual Report on the Health Care Fraud and Abuse Control Program for Fiscal Year 2001; to the Committee on Finance.

EC-6557. A communication from the Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Standards: Claims on Securities Firms" (12 CFR Part 3) received on April 17, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6558. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Compensation of Air Carriers" (RIN2105-AD06) (2002-0002) received on April 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6559. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sodium Starch Glycolate; Exemption from the Requirement of a Tolerance" (FRL6833-9) received on April 18, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6560. A communication from the Administrator, Livestock and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Lamb Promotion, Research and Information Order" ((Doc. No. LS-01-12)(RIN0581-AC06)) received on April 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6561. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Cuban Immigration Policies"; to the Committee on Foreign Relations.

EC-6562. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, Presidential Determination Number 2002-14, relative to Palestine Liberation Organization; to the Committee on Foreign Relations.

EC-6563. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the San Bernardino Kangaroo Rat" (RIN1018-AH07) received on April 17, 2002; to the Committee on Environment and Public Works.

EC-6564. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL1715-3) received on April 18, 2002; to the Committee on Environment and Public Works.

EC-6565. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Arkansas: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL1713-7) received on April 18, 2002; to the Committee on Environment and Public Works.

EC-6566. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination that State has Corrected the Rule Deficiencies and Stay of Sanction in California, San Joaquin Valley Unified Air Pollution Control District" (FRL1714-2) received on April 18, 2002; to the Committee on Environment and Public Works.

EC-6567. A communication from the Principal Deputy Associate Administrator of the