

"SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, the Secretary of Agriculture may use 1 or more competitive grant programs to distribute funding made available under the heading 'Cooperative State Research, Education, and Extension Service' for fiscal year 2007.

**SA 263.** Mr. HATCH submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, after line 6, insert the following:

SEC. \_\_\_\_\_. Notwithstanding section 101, for the Office of Justice Programs, State and Local Law Enforcement Assistance, \$85,000,000 for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of Public Law 104-294 (42 U.S.C. 13751 note). Amounts made available in this Act, except for amounts for defense, homeland security, and chapter 8, shall be reduced on a pro rata basis by the percentage required to reduce the overall amount made available by \$85,000,000.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON RULES AND ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, February 14, 2007, at 11:30 a.m., to conduct a hearing on Senate Committee Budget Requests.

For further information regarding this hearing, please contact Howard Gantman at the Rules and Administration Committee at 224-6352.

### COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 15, 2007, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing the President's fiscal year 2008 Budget Request for Tribal Programs.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Monday, February 12, 2007, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The dual purpose of this hearing is to receive recommendations on policies and programs to improve the energy efficiency of buildings and to expand the role of electric and gas utilities in energy efficiency programs.

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

## APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate on January 24, 1901, as modified by the order of February 5, 2007, appoints the Senator from Tennessee, Mr. CORKER, to read Washington's Farewell Address on Monday, February 26, 2007.

## ORDER FOR STAR PRINT—S. 80

Mr. SANDERS. Mr. President, I ask unanimous consent S. 80 be star printed with the changes at the desk.

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

## ANTITRUST MODERNIZATION COMMISSION EXTENSION ACT OF 2007

Mr. SANDERS. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 742 received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 742) to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

There being no objection, the Senate proceeded to consider the bill.

Mr. SANDERS. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bill be printed in the RECORD at the appropriate place as if read.

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

The bill (H.R. 742) was ordered to a third reading, was read the third time and passed.

## ORDERS FOR TUESDAY, FEBRUARY 13, 2007

Mr. SANDERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, February 13; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business until 12:30 p.m., with Senators permitted to speak therein, with the time equally divided and controlled between the two leaders or their designees; that at 12:30 p.m., the Senate stand in recess until 2:15 p.m., for the conference recess period; that upon reconvening at 2:15 p.m., the Senate resume H.J. Res. 20 and that the time until 2:30 p.m. be equally divided and controlled between the two leaders or their designees; that at 2:30 p.m., without further intervening action or debate, the Senate proceed to vote on the

motion to invoke cloture on H.J. Res. 20; that on Tuesday Members have until 12 noon to file second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SANDERS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to the consideration of Executive Calendar No. 23; that the nomination be confirmed and the motion to reconsider be laid upon the table; that any statements thereon be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

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

The nomination considered and confirmed is as follows:

### DEPARTMENT OF STATE

John D. Negroponte, of New York, to be Deputy Secretary of State.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

## ORDER FOR ADJOURNMENT

Mr. SANDERS. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the previous order, at the conclusion of Senator SMITH's remarks.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. SANDERS. I thank the Senator. Mr. SMITH. I thank the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Oregon.

## CONTINUING APPROPRIATIONS

Mr. SMITH. Mr. President, I have detailed for you the dramatic story of Federal timber in Oregon. That serves as the backdrop for the issue at hand. As I mentioned I before, 25 percent of Forest Service timber receipts have been given to counties—nationwide—since 1908.

The Twenty-Five Percent Fund Act, Public Law 60-136, reads as follows:

### PAYMENT OF RECEIPTS FOR SCHOOLS AND ROADS

On and after May 23, 1908, twenty-five per centum of all moneys received during any fiscal year from each national forest shall be paid, at the end of such year, by the Secretary of the Treasury to the State or Territory in which such national forest is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of

the county or counties in which such national forest is situated:

Provided, That when any national forest is in more than one State or Territory or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by this section shall be based upon the stumpage value of the timber.

Beginning October 1, 1976, the term "moneys received" shall include all collections under the Act of June 9, 1930, and all amounts earned or allowed any purchaser of national forest timber and other forest products within such State as purchaser credits, for the construction of roads on the National Forest Transportation System within such national forests or parts thereof in connection with any Forest Service timber sales contract.

The Secretary of Agriculture shall, from time to time as he goes through his process of developing the budget revenue estimates, make available to the States his current projections of revenues and payments estimated to be made under the Act of May 23, 1908, as amended, or any other special Acts making payments in lieu of taxes, for their use for local budget planning purposes. (16 U.S.C. 550)

#### LAW ENFORCEMENT ASSISTANCE

Officials of the Forest Service designated by the Secretary of Agriculture shall, in all ways that are practicable, aid in the enforcement of the laws of the States and Territories with regard to stock, for the prevention and extinguishment of forest fires, and for the protection of fish and game, and, with respect to national forests, shall aid the other Federal bureaus and departments, on request from them, in the performance of the duties imposed on them by law. (16 U.S.C. 553)

#### EXPENDITURES FOR FOREST FIRE EMERGENCIES

Advances of money under any appropriation for the Forest Service may be made to the Forest Service and by authority of the Secretary of Agriculture to chiefs of field parties for fighting forest fires in emergency cases and detailed accounts arising under such advances shall be rendered through and by the Department of Agriculture to the General Account Office. (16 U.S.C. 556d)

Beginning in the late 1980s, timber sale receipts, the primary funding source for the 25 Percent Fund Act, began a precipitous decline for reasons I have explained earlier.

This plunge in receipts intensified and then bottomed out at a much lower level in the 1990s. The decline in receipts impacted rural communities in the West, particularly communities in Washington, Oregon, northern California, and Idaho.

For example, fiscal year 1998 national forest revenues were \$557 million—only 36 percent of the fiscal year 1989 peak revenues of \$1.531 billion. In fiscal year 2004, national forest revenues were \$281.1 million.

Payments to many States under the 25 Percent Fund Act declined by an average of 70 percent from 1986 through 1998.

Now these are national figures. Those in Oregon were far more severe, reflecting the drastic halt in the Federal timber sale program there.

The problem was compounded because 18 Oregon counties have a dif-

ferent revenue-sharing agreement with the Bureau of Land Management that manages the O&C lands of western Oregon.

In the original 1937 statute, the BLM is required to give 75 percent of timber revenue to the O&C counties. For the benefit of my colleagues, allow me to read this statute:

#### PUBLIC LAW NUMBER 405 OF THE 75TH CONGRESS—H.R. 7618

AN ACT Relating to the revested Oregon and California Railroad and re-conveyed Coos Bay Wagon Road grant lands situated in the State of Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions in the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended, such portions of the revested Oregon and California Railroad and re-conveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities:

Provided, That nothing herein shall be construed to interfere with the use and development of power sites as may be authorized by law. The annual productive capacity for such lands shall be determined and declared as promptly as possible after the passage of this Act, but until such determination and declaration are made the average annual cut there from shall not exceed one-half billion feet board measure:

Provided, That timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained yield capacity when the same has been determined and declared, shall be sold annually, or so much thereof as can be sold at reasonable prices on a normal market.

If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such revested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; but until such subdivision is made the land shall be treated as a single unit in applying the principle of sustained yield:

Provided, That before the boundary lines of such forest units are established, the Department, after published notice thereof, shall hold a hearing thereon in the vicinity of such lands open to the attendance of State and local officers, representatives of dependent industries, residents, and other persons interested in the use of such lands.

Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities. Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized, in his discretion, to reject any bids which may interfere with the sustained-yield management plan of any unit.

Section 2. The Secretary of the Interior is authorized, in his discretion, to make coop-

erative agreements with other Federal or State forest administrative agencies or with private forest owners or operators for the coordinated administration, with respect to time, rate, method of cutting, and sustained yield, or forest units comprising parts of revested or reconveyed lands, together with lands in private ownership or under the administration of other public agencies, when by such agreements he may be aided in accomplishing the purposes hereinbefore mentioned.

Section 3. The Secretary of the Interior is authorized to classify, either on application or otherwise, and restore to homestead entry, or purchase under the provisions of section 14 of the Act of June 28, 1934 (48 Stat. 1269), any of such revested or reconveyed land which, in his judgment, is more suitable for agricultural use than for afforestation, reforestation, stream-flow protection, recreation, or other public purposes.

Any of said lands heretofore classified as agricultural may be reclassified as timber lands, if found, upon examination, to be more suitable for the production of trees than agricultural use, such reclassified timber lands to be managed for permanent forest production as herein provided.

Section 4. The Secretary of the Interior is authorized, in his discretion, to lease for grazing any of said revested or reconveyed lands which may be so used without interfering with the production of timber or other purposes of this Act as stated in section 1:

Provided, That all the moneys received on account of grazing leases shall be covered either into the "Oregon and California land-grant fund" or the "Coos Bay Wagon Road grant fund" in the Treasury as the location of the leased land shall determine, and be subject to distribution as other moneys in such funds:

Provided further, That the Secretary is also authorized to formulate rules and regulations for the use, protection, improvement, and rehabilitation of such grazing lands.

Section 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

The Secretary of the Interior is further authorized, in formulating forest-practice rules and regulations, to consult with the Oregon State Board of Forestry, representatives of timber owners and operators on or contiguous to said revested and reconveyed lands, and other persons or agencies interested in the use of such lands.

In formulating regulations for the protection of such timberlands against fire, the Secretary is authorized, in his discretion, to consult and advise with Federal, State, and county agencies engaged in forest-fire-protection work, and to make agreements with such agencies for the cooperative administration of fire regulations therein:

Provided, That rules and regulations for the protection of the revested lands from fire shall conform with the requirements and practices of the State of Oregon insofar as the same are consistent with the interests of the United States.

#### TITLE II

That on and after March 1, 1938, all moneys deposited in the Treasury of the United States in the special fund designated the "Oregon and California land-grant fund" shall be distributed annually as follows:

(a) Fifty per centum to the counties in which the lands revested under the Act of

June 9, 1916 (39 Stat. 218), are situated, to be payable on or after June 30, 1938, and each year thereafter to each of said counties in the proportion that the total assessed value of the Oregon and California grant lands in each of said counties for the year 1915 bears to the total assessed value of all of said lands in the State of Oregon for said year, such moneys to be used as other county funds.

(b) Twenty-five per centum to said counties as money in lieu of taxes accrued or which shall accrue to them prior to March 1, 1938, under the provisions of the Act of July 13, 1926 (44 Stat. 915), and which taxes are unpaid on said date, such moneys to be paid to said counties severally by the Secretary of the Treasury of the United States, upon certification by the Secretary of the Interior, until such tax indebtedness as shall have accrued prior to March 1, 1938, is extinguished.

From and after payment of the above accrued taxes said 25 per centum shall be accreted annually to the general fund in the Treasury of the United States until all reimbursable charges against the Oregon and California land-grant fund owing to the general fund in the Treasury have been paid:

Provided, That if for any year after the extinguishment of the tax indebtedness accruing to the counties prior to March 1, 1938, under the provisions of Forty-fourth Statutes, page 915, the total amount payable under subsection (a) of this title is less than 78 per centum of the aggregate amount of tax claims which accrued to said counties under said Act for the year 1934, there shall be additionally payable for such year such portion of said 25 per centum (but not in excess of three-fifths of said 25 per centum), as may be necessary to make up the deficiency.

When the general fund in the Treasury has been fully reimbursed for the expenditures which were made charges against the Oregon and California land-grant fund said 25 per centum shall be paid annually, on or after June 30, to the several counties in the manner provided in subsection (a) hereof.

(c) Twenty-five per centum to be available for the administration of this Act, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States:

Provided, That moneys covered into the Treasury in such manner shall be used to satisfy the reimbursable charges against the Oregon and California land-grant fund mentioned in subsection (b) so long as any such charges shall exist.

All Acts or parts of Acts in conflict with this Act are hereby repealed to the extent necessary to give full force and effect to this Act.

Approved, August 28, 1937.

As my colleagues have just heard, the O&C Act mandates permanent timber production from these lands for the benefit of the counties.

This is a drastically different management direction than the National Forests. In fact, the act states that timber production should not be less than half a billion board feet a year—500 million board feet—but within the sustained yield level.

This means harvesting less than the growth rate of the trees, while still meeting goals for protection of water and wildlife.

In the 1980s, the harvest level on the O&C lands was well in excess of a billion board feet per year. By 1990, harvest had fallen to 100 million board feet—a 94-percent drop within a decade.

Between the O&C Act and the 25 Percent Act, revenue sharing with Oregon counties capitalized public services in my State for generations.

These funds literally built the libraries and schools and roads in the rural parts of Oregon. They paid the bills, bought the books and kept communities safe.

And then, all of a sudden, those funds vanished into thin air. Hundreds of communities in my State—landlocked by Federal land—were left to wither and die on the Federal vine.

In some school districts, revenues from the Forest Service have declined by as much as 90 percent. Timber receipts to Grant County, OR, for roads and schools declined from a high of \$12.4 million in 1992 to \$1.9 million in 1997.

Schools there operated 4 days a week. Road crews were laid off. Law enforcement and search and rescue were curtailed.

The evisceration of public services in rural counties was matched by affliction in the private sector. In April 1999, 14 of Oregon's 36 counties had an unemployment rate at least twice the national average of 4.1 percent.

There were six counties with unemployment rates in excess of 10 percent, led by Grant County with nearly 17 percent.

It is by no means an exaggeration that this condition was a direct result of Federal forest management decisions.

And Oregon was not the only State held to the flames. The shadow of the Clinton forest philosophy fell upon every State with public lands.

Impacted communities in Idaho, Alaska, California, Montana, Texas, Arkansas, Mississippi, West Virginia, and South Dakota were in equally dire circumstances.

Congress responded to the outcry of these communities. Led by my colleague from Oregon, Senator WYDEN, and my colleague from Idaho, Senator CRAIG—Congress developed a safety net to stop the hemorrhage.

The future of that safety net—and of the communities helplessly held in it—is why I stand in the Senate chamber today.

Mr. President, I do want to talk about Oregon impacts.

On October 30, 2000, Public Law 106-393 was signed into law to offset the effect of decreased revenues available to States from declining timber harvests on Federal lands.

Also known as the Secure Rural Schools and Community Self-Determination Act, it authorized a temporary alternative to the receipts-based payment of the previous 100 years.

In essence, the Secure Rural Schools Act provided direct funding to counties and States based on historic rather than actual timber harvests and receipts. This statute provided annual payments to States for fiscal years 2001 to 2006. An eligible county had the op-

tion of electing to receive its share of the State's 25-percent payment or its share of the average of the State's three highest 25-percent payments from fiscal years 1986 through 1999.

Of the 717 counties and the 4,400 rural schools in 41 States that were eligible for their share of the State's amount under the act, 550, or 77 percent, initially decided to accept that payment in fiscal year 2001. By 2003, 615 counties, or 86 percent, of eligible counties took the safety net payments rather than payment from actual timber harvests.

The majority of these counties are located in the western and southern portions of this country, while those that have remained under the 25 Percent Fund Act are primarily in the Great Lakes area, where Federal timber harvest has remained sustainable.

Payments from National Forests authorized by the Secure Rural Schools Act have totaled over \$1 billion, and have averaged over \$301 million each year since the act was implemented. Payments have varied by region of the country. For example, the fiscal year 2004 payments distribution included approximately \$37 million to southern States, \$14 million to northeast and midwest States, \$273 million to Oregon, Washington, and California, and \$71 million to the other western States.

I should note that these figures represent Forest Service allocations, and Oregon receives an additional payment for the O&C lands.

Funding derived from the Treasury has provided not only more stable funding but also significantly higher payments than would have been the case under the 25 Percent Fund. For example, if payments were still based on 25 percent of actual timber receipts in 2004, the total payment to all States would be \$71.4 million. In comparison, the full payment amount for all States for fiscal year 2005 is \$395.7 million, an 82-percent difference nationwide.

When President Clinton signed the Secure Rural Schools bill into law, his press release stated:

Rural communities will no longer be dependent on decreasing federal timber sales to staff and equip schools and provide essential government services.

However, the President wrongly assumed that his Northwest Forest Plan was working. Again, his release stated:

The President's Pacific Northwest Forest Plan broke the stalemate over the northern spotted owl, balancing the preservation of old-growth stands with the economic needs of timber-dependent communities.

While the current administration is doing what it can to bring Federal forest management up to speed, Oregon communities find themselves in the same situation they were in a decade ago.

The county payments safety net expired last September. As this Chamber considers this half-trillion-dollar spending bill, Oregon county commissioners are preparing for a budgetary doomsday scenario. Let me describe what this grim situation is looking like to them.

Baker County: Home of the Oregon Trail Interpretive Center, the Geiser Grand Hotel, and named for COL Edward Baker—Mr. President, I will bet you did not know that there is one State that has more than two statues in Statuary Hall. That State is Oregon. We all get two, but Oregon got three because Edward Baker was a Senator killed in one of the first actions of the Civil War at Ball's Bluff, VA. He was also a former law partner to Abraham Lincoln.

He found his way on a speechmaking tour to Oregon. They were so impressed with him they asked him to be their Senator. I have his seat today. He came back here as a sitting Senator and as an officer in the United States cavalry. While serving in both capacities, he lost his life. So Edward Baker, an Oregonian only briefly, has the third statue for Oregon in Statuary Hall. It is said that at his funeral, conducted in the Rotunda, it was difficult to hear because of the audible sobbings of the President of the United States, Abraham Lincoln.

In 2004, the Baker County Road Department received \$577,000 from the Secure Rural Schools and Community Self-Determination Act. If the Baker County Road Department had to rely on actual timber receipt revenue, they would have received only a fraction of that. In 2004, the Baker County School District received \$211,000 from the safety net.

Let me go to Benton County, the home of the Oregon State Beavers. It is one of seven counties nationwide to be named for a U.S. Senator, Thomas Hart Benton of Missouri—a longtime advocate of the development of Oregon country. Benton County stands to lose 15 percent of its general discretionary budget, including \$285,000 from its road department.

Clackamas County, home of Mount Hood and the historic Timberline Lodge that President Roosevelt dedicated. Between 1984 and 2001, timber harvest fell on the Mount Hood National Forest by 97 percent.

Clackamas County stands to lose \$10 million per year without an extension of the safety net.

In 2004, the Clackamas County Road Department alone received over \$4 million from the Secure Rural Schools and Community Self-Determination Act. If the Clackamas County Road Department had to rely on actual timber receipt revenue, they would have received \$333,128 from U.S. Forest Service lands, a 92-percent reduction in these Federal funds.

Clackamas County schools will receive \$1.5 million a year from the Secure Rural Schools and Community Self-Determination Act. That goes away.

Columbia County: In 2004, their discretionary general fund received over \$2 million from the safety net. This represents 31 percent of Columbia County's discretionary general fund.

Coos County used to be home to the world's largest lumber-exporting port.

Coos County has not only been hard hit by Federal timber policies, but by the collapse of federally managed fisheries.

The safety net provides nearly \$8 million a year to Coos County—more than twice what the county can collect in property taxes. Without the safety net, 45 percent of its road and general fund will vanish.

County officials expect to lay off a third of their road crew. Nineteen employees at the Coos County Sheriff's Department have already received their pink slips telling them not to show up for work on February 27. These workers included corrections officers, two patrol deputies, a 911 dispatcher, and two animal control officers. Additional cuts will be made from the district attorney's office, juvenile court counselors, and the public health department.

I should note that these types of services are constitutionally required for counties to provide.

Crook County: Home of the Ochoco National Forest, where timber harvest fell 98 percent between 1991 and 2006. If the safety net is not extended, Crook County stands to lose 28 percent of its general discretionary budget. Its roads and its schools are in great jeopardy.

In 2004, the Crook County Road Department received over \$2 million from the Secure Rural Schools and Community Self-Determination Act. If the Crook County Road Department had to rely on actual timber receipt revenue, they would have received \$33,160 from U.S. Forest Service lands—a 99-percent reduction in Federal funds.

In 2004, the Crook County School District received \$746,535 from the safety net.

Curry County lies in the far southwest corner of Oregon.

Cape Blanco in Curry County stretches out in the Pacific Ocean to form the most western point in the lower 48.

You ought to see how beautiful it is there, Mr. President.

It shares with Josephine County the Siskiyou National Forest, the site of the 2002 Biscuit Fire—the largest in Oregon history. Between 1989 and the year of that colossal wildfire, timber harvest on the Siskiyou National Forest dropped 99.5 percent.

As such, Curry County stands to lose 62 percent of its general discretionary fund. This translates into the loss of seven sheriff's deputies, two county assessors, cutbacks in juvenile services, and loss of a deputy district attorney.

The county sheriff's office presently takes about 52 percent of the county's "safety net" dollars, which means that if they had reductions to cover the amount of their percentage, it would lose all of its patrol deputies, two sergeants, its only lieutenant, and two jailors.

The Curry County Road Department will lose 75 percent of its entire budget.

The Brookings-Harbor School District is going to lose \$700,000 from the safety net. Curry County is one of

those places so dominated by Federal land that new tax revenue from property development is simply impossible. Only 3 percent of the land base is developable.

Deschutes County is a high desert paradise with snow-capped mountains, rugged mountain bike trails, swift whitewater, and the Sisters Rodeo, the "Biggest Little Show in the World." Timber harvest in the Deschutes National Forest fell 83 percent between 1985 and 1999. Large forest fires continue to mar the landscape there, causing evacuations of local communities nearly every summer. We don't manage it. We just burn it now. They are going to lose huge amounts of their county budgets: from the road department, a 79-percent reduction; from the Bend/LaPine School District, they will lose \$651,000 from the safety net.

Then Douglas County, timber capital of the world and home to Johnny Cash's "Lumberjack." Given the wood-basket of Douglas Fir, many believe this county was named after the silviculturist David Douglas. But Douglas County was actually named for Stephen Douglas, Abraham Lincoln's opponent in the 1860 Presidential election. Douglas was an ardent congressional supporter for Oregon's entry into the Union. Timber harvest on their forest, the Umpqua National Forest, fell 99 percent between 1984 and 2004. In 2004, Douglas County's discretionary general fund received over \$26 million from the safety net. This represents 78 percent of Douglas County's discretionary general fund. The Douglas County Road Department received over \$13 million from the Secure Rural Schools and Community Self-Determination Act. If the Douglas County Road Department had to rely on actual timber receipts, they would have received \$791,000, a 94 percent loss of Federal revenue.

The Roseburg School District 4 received a \$1.8 million from the safety net in 2004. That goes away.

Grant County, home of the John Day Fossil Beds National Monument and the Malheur National Forest, timber harvest on that dropped 98 percent. More than 60 percent of Grant County is owned by the public, and their discretionary fund is going to drop a whopping amount as well. They will lose millions in road and school funding. Two of its three county patrol officers will be eliminated. Sixty-two percent of the land in John Day School District is federally owned, so the district was heavily dependent on Federal forest fees. As a result, in 1998, the district went to a 4-day school week. We always talk about No Child Left Behind. We are going to leave a lot of Oregon kids behind if we don't keep this bargain.

Harney County, home of Steens Mountain, part of the county's 77 percent public ownership. You ought to see Steens Mountain, be down on the Alvord flat, a salt flat, and see the sun come up in the morning and hit those

mountains and turn them pink. It is astonishingly beautiful. They are going to get hammered. Their road department is going to lose 70 percent of its funding. Their school district will lose nearly \$700,000.

Hood River County, home of pear orchards, wind surfing, and skiing. In fact, JOHN KERRY still goes there a lot to wind surf, wind surfing capital of the world. Hood River County stands to lose 32 percent of its discretionary funds without the safety net. The road department loses over a million, and their school district will lose half a million and more.

Jackson County, home of the Oregon Shakespearean Festival, dominated by the BLM's O&C lands. Jackson County faces a \$20 million shortfall without a county payments extension, 33 percent of its road and general budget. Jackson County is on the verge of closing all 15 of its public libraries, if the safety net is not extended. The county also plans to lay off 30 positions in health and human services and reduce the number of jail beds. In 2004, the Jackson County Road Department received over \$3.8 million from county payments. If they had to rely on actual timber harvests, they would have received a 97-percent reduction in Federal funds.

Jefferson County, home of Mount Jefferson—that is a pretty place—Black Butte, Warm Springs Indian Reservation, 300 days of sunshine a year. In 2004, the Jefferson County Road Department received \$445,000 from the county payments. If the Jefferson County Road Department had to rely on actual timber receipts, they would have received \$89,000 from the U.S. Forest Service.

Josephine County, the home of Oregon Caves National Monument and the Rogue River, 62 percent of Josephine County is publicly owned. They are going to lose 79 percent of their county's general discretionary funds.

Klamath County, home of Crater Lake, the deepest lake in North America and Oregon's first national park. Klamath County is also the home of the devastating shutoff of irrigation water by Federal agencies in 2001. In 2004, Klamath County's discretionary general fund received over \$3 million from the safety net. This represents nearly 30 percent of their general discretionary budget.

Lake County, home of the Hart Mountain National Antelope Refuge—78 percent of that county is owned by the Federal Government. Lake County stands to lose 50 percent of its discretionary general funds—again, roads and schools.

Lane County was named for the great Joseph Lane, first territorial Governor, first U.S. Senator from Oregon. Lane County is one of the largest recipients of safety net dollars, and for good reason. This was the epicenter of the spotted owl controversy, and timber harvest was cut back there more than anywhere else in the Nation.

Mr. President, I don't want to abuse your time. I am trying to make a point

here. You can probably tell that. I speak more out of sorrow than anger, but I am angry, too. It is a tragedy. Both parties are guilty in the mutation from the Federal Government becoming Oregon's protagonist to its antagonist. I was going to tell you more about Lane County and Linn County, named for U.S. Senator James Linn of Missouri—another Missouri Senator has an Oregon County named for him.

I was going to tell you about Lincoln County, home of Depoe Bay, the whale-watching capital of the world. They will get hammered, too.

Marion County, home of the State capitol, the largest producer of agricultural products in Oregon. The Marion berry—you have probably heard of that—is delicious.

Morrow County; Polk County named for James K. Polk, one of our unsung great Presidents.

Tillamook County—you probably heard of Tillamook cheese. It is fabulous. Their county is in real peril because 64 percent of Tillamook County is publicly owned, and nearly 20 percent of its total discretionary budget is at risk.

Union County, land of the Grand Ronde Valley, is near my home. This county is right in the middle of Federal forest lands. They will suffer a 55-percent reduction in Federal funds.

Wallowa County is a little Switzerland. It is one of the loveliest places on Earth. It is where Oregon joins the Rocky Mountains. Their county stands to lose a tremendous percentage of their ability to continue.

Yamhill County. If you like Oregon pinot noirs—I don't drink them, but a lot of people like Oregon pinot noirs—they come from Yamhill County. They are in trouble. And they are in trouble. Wheeler County.

Mr. President, I have talked enough, and you have been indulgent of me. I promised the majority leader I would take only the time he wanted me to speak. But the Federal Government owns my State—more than half of it. It incentivized the development of Oregon's resources. It laid down the terms for the development of timber in Oregon. It built my State. I will bet it even helped build some of the homes in which you live.

But the environmental ethic changed. Whatever side you come down on, in the middle of that contest are people and counties and governmental services that need to be continued until the Federal Government can figure out the right balance in the economic/environmental equation.

I have been down here talking a long time. I have to look for every opportunity to keep talking because I need to awaken my colleagues to the Federal obligation that exists to real people with real concerns and with a real claim on the Federal Government. As we look for offsets, let me simply say that we are out of time.

The real offset ought to be the honor of the Federal Government. It ought to

meet this obligation until it can resolve this dispute. President Clinton tried, President Bush has tried, but the Congress and the courts have been in the way. In the meantime, my colleague and I need the Federal Government to get out of the way and continue to help us, instead of hurting the people whom it grew Oregon to bless.

I yield the floor.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 7:22 p.m., adjourned until Tuesday, February 13, 2007, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate February 12, 2007:

### NATIONAL CONSUMER COOPERATIVE BANK

JANIS HERSCHKOWITZ, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE RAFAEL CUELLAR, TERM EXPIRED.

DAVID GEORGE NASON, OF RHODE ISLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE MICHAEL SCOTT, RESIGNED.

NGUYEN VAN HANH, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE ALFRED PLAMANN, TERM EXPIRED.

### DEPARTMENT OF STATE

ZALMAY KHALILZAD, OF MARYLAND, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

ZALMAY KHALILZAD, OF MARYLAND, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

FORD M. FRAKER, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA.

### NATIONAL COUNCIL ON DISABILITY

MARYLYN ANDREA HOWE, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE GLENN BERNARD ANDERSON, TERM EXPIRED.

LONNIE C. MOORE, OF KANSAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE MARCO A. RODRIGUEZ, TERM EXPIRED.

CYNTHIA ALLEN WAINSCOTT, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2008, VICE BARBARA GILLCRIST, TERM EXPIRED.

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

W. CRAIG VANDERWAGEN, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES. (NEW POSITION)

### NATIONAL BOARD FOR EDUCATION SCIENCES

DAVID C. GEARY, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010, VICE ROBERTO IBARRA LOPEZ, TERM EXPIRED.

ERIC ALAN HANUSHEK, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010. (REAPPOINTMENT)

CAROL D'AMICO, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2010. (REAPPOINTMENT)

### UNITED STATES POSTAL SERVICE

ELLEN C. WILLIAMS, OF KENTUCKY, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2014. (REAPPOINTMENT)