

Lewiston, ID, on June 3 for the ESA hearing there.

I want to be counted as one who recognizes the value of our fish and wildlife. I have repeatedly said that I cannot support outright repeal of the Endangered Species Act, as many have urged. But the act needs substantial revision if it is to be brought back in balance with the economic well-being of this country and with the needs of its citizens. Far beyond its original intent, the act has been made a bludgeon to suppression legitimate use of public lands and to threaten private landowners and communities.

Nowhere is that fact more obvious than in my State of Idaho. Earlier this year, an Endangered Species Act Law-suit brought by two preservation groups resulted in a perverse opinion which threatened to shut down all economic activity on 14 million acres in Idaho.

Mr. President, that is an area the size of Rhode Island, Connecticut, Massachusetts and New Hampshire combined. If the courts can find reason under the existing law to render such a devastating opinion as was done in this case, then it is imperative that Congress correct the obvious flaws in the law.

As chair of the two subcommittees in the Senate with jurisdiction over forest policy, I have embarked on a series of hearings to understand and correct the myriad of conflicting laws and regulations which have strangled the practice of good forestry in this country. The practice of forestry is at a standstill on our western public lands, and the primary culprit is the Endangered Species Act. The forests are ruled by the Endangered Species Act, not the Forest Service or the Bureau of Land Management, and that is a reality which must be changed.

Senator GORTON's bill provides many of the needed changes. It includes language which Senator KEMPTHORNE and I introduced as S. 455 earlier this year to prevent a repeat of the court opinion I have already described. It would streamline the section 7 consultation process, which has proven to be unworkable in our experience with threatened and endangered salmon. It brings cost-consciousness, state rights and private landowners back into the equation for conservation of species.

I am pleased to be a cosponsor of S. 768. I have told Senator GORTON that I will assist him in any way possible to accomplish a balanced reform of the ESA. It must be done this year—we have waited too long already. I hope our colleagues will join us in this effort.

TRIBUTE TO KRESIMIR COSIC

Mr. HATCH. Mr. President, I stand today to honor the life of Kresimir Cosic, a Croatian patriot and an adopted son of Utah, who died yesterday morning after a long illness. On behalf of Utahns he inspired and charmed for

over a quarter-century, I wish to extend our deepest condolences to his wife and children.

When he died, Kresimir Cosic was the Republic of Croatia's Deputy Ambassador to the United States, a position in which he played an invaluable role. But sports fans in this country and around the world would know him more for his brilliant career in basketball—a career that spanned nearly two decades and brought him to the Olympics four times.

His close ties to our country began nearly 30 years ago, when the coaches at Brigham Young University, who had seen the young Croat from Zadar lead his team from the former Yugoslavia to claim the silver medal in the 1968 Olympics, invited him to play for the BYU team. Kresimir Cosic's decision to accept was, in one way, his first contribution in diplomacy: He would become the first foreign basketball player to win All-American honors, which he did in 1972 and 1973.

At BYU, he endeared himself to Utahns by his brilliant sportsmanship and his personal decency. As a great center he dazzled us all, dribbling behind his back, putting up an amazing defense, and breaking the record of all-time high scorer and rebounder. Off the court, he shared our faith and warmed our homes. In all the years I have known him, including the last year when he was personally suffering a great deal, I never saw him without a smile.

After his 4 years, he was drafted by the L.A. Lakers and the Carolina Cougars, but he chose to return home. Fans of world basketball saw him win most-valued-player honors in the former Yugoslavia, on All-European teams, and in the Olympics, where in Montreal in 1976 his team won the silver medal and in Moscow in 1980 his team beat the Soviets to win the gold.

Kresimir was a Croatian patriot, who dedicated the last part of his life to the rebirth of Croatia's independence, and to building strong relations between his country and ours. The most brilliant sports men and women combine extraordinary skill, a sophisticated sense of strategy, and spirit. I suggest that these are the attributes that also make good diplomats, for Kresimir was one of the best.

Since 1991, Kresimir was one of my wisest counsels on the crisis in the Balkans. Always with optimism, he would outline the regional complexities with a shrewd notion of strategy that effortlessly combined historical sense with the ability to see three moves down the court. In a world where so much foreign policy is merely reactive, Kresimir always counseled on how to anticipate.

While Croatia suffered attack, he did not despair. His love of country never wavered, and his dedication to a free and democratic Croatia was as strong as his character because it was his character. In Washington, he served his country with great distinction, as a

paragon of probity. And always he insisted that Croatia's greatest ally should be the United States. In my experience, no one could embody a greater warmth between two countries than Kresimir Cosic's friendship with Americans.

Kresimir Cosic lived an example of physical discipline, mental focus, and spiritual stamina. He was an inspiration to all who saw him on the court, to all who engaged him in the halls of diplomacy and, above all, to all who had the enriching experience of being his friend. Kresimir Cosic was one of the finest human beings I have ever known. I would like to offer here the deep gratitude of the citizens of Utah for the joy Kresimir gave us from the basketball court, for the faith he shared with us, for the friendship he continued to nurture with us throughout his life, and for the efforts he undertook to strengthen relations between the United States and the Republic of Croatia.

We will miss him.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-136. A resolution adopted by the Board of Commissioners of Ferry County, Washington; to the Committee on Governmental Affairs.

POM-137. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Governmental Affairs.

"LEGISLATIVE RESOLVE NO. 3

"Whereas the Tenth Amendment to the Constitution of the United States states: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.; and

"Whereas the Tenth Amendment defines the total scope of federal power as being that specifically granted by the United States Constitution and no more; and

"Whereas the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

"Whereas today, the states are demonstrably treated as agents of the federal government; and

"Whereas many federal mandates are directly in violation of the Tenth Amendment; and

"Whereas The United States Supreme Court has ruled in *New York v. United States*, 112 S.Ct. 2408 (1992), that the Congress may not simply commandeer the legislative processes of the states; and

"Whereas a number of proposals now pending before the Congress may further violate the Tenth Amendment of the United States Constitution; and

"Whereas numerous resolutions addressing various mandates imposed on the states by federal law have been sent to the federal government by the Alaska State Legislature without any response or result; and

"Whereas the United States Constitution envisions sovereign states and guarantees the states a republican form of government; and

"Whereas Alaska and its municipalities are losing their power to act on behalf of