

to implement scientifically supported management practices on Federal forests, in consultation with local communities, while establishing new conservation programs to improve water quality and regenerate declining forest ecosystem types on private lands.

The legislation will reduce the amount of time and expense required to conduct hazardous fuels projects. But it also will require rigorous environmental analysis of such projects.

Over the past few years, we have seen many communities destroyed and many firefighters' lives lost due to forest fires that could have been prevented. Instead of managing our national forest treasures, the U.S. Forest Service has been forced to spend great amounts of time and resources battling lawsuits. The result has been months and even years of delays in fuel reduction projects. Our forests have continued to suffer, and they have continued to burn.

I have also introduced, with 13 cosponsors, an amendment to title I of the bill which contains several modifications to the House bill the committee reported. This amendment embodies recommendations made by a bipartisan group of Senators who are committed to getting this legislation passed and signed by the President.

The amendment establishes a predecisional administrative review process. It allows an additional analysis under the National Environmental Policy Act. It directs the Secretary of Agriculture to give priority to communities and watersheds in hazardous fuel reduction projects. It contains new language protecting old growth stands. And it encourages the courts to expedite the judicial review process.

The reported legislation contains a biomass title authorizing grant programs to encourage utilization of certain forest waste materials. Another title in the bill provides financial and technical assistance to private forest landowners to encourage better management techniques to protect water quality.

The pest and remote sensing titles would authorize funding for the U.S. Forest Service, land grant institutions, and 1890 institutions to plan, conduct, and promote the gathering of information about insects that have caused severe damage to forest ecosystems.

Title V, the Healthy Forest Reserve Program, is a private forestland conservation initiative that would support the restoration of declining forest ecosystem types that are critical to the recovery of threatened, endangered, and other sensitive species.

Two additional titles were added to the House-passed bill by our committee. One would establish a public land corps to provide opportunities to young people for employment and at the same time provide a cost-effective and efficient means to implement rehabilitation and enhancement projects in local communities. The other new title will promote investment in forest-resource-dependent communities.

This legislation provides new legal authority to help us manage the Nation's forests in a safe and effective manner. The bill will help us do a better job of safeguarding these priceless national resources. I urge the Senate to support this bill.

RECOGNITION OF ACTING MINORITY LEADER

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, has morning business time started?

The PRESIDENT pro tempore. We have not instituted that as yet. I intend to do that now as soon as the Senator has spoken.

FINISHING APPROPRIATIONS BILLS

Mr. REID. If I may be heard briefly, the Presiding Officer is chairman of the Appropriations Committee. I know the chairman of the Appropriations Committee and Senator BYRD have worked very hard to get appropriations bills through this soon.

I want to respond to my friend from Mississippi to indicate we may not like what is proceeding—that is, the Healthy Forests initiative and the way it has been brought to the floor, and class-action legislation. They are important pieces of legislation; we understand that. But the most important business to be conducted in this body is to finish our appropriations bills. We simply are not doing that.

I am extremely concerned the House is out of session this week. They will be in one week. They have conferences that cannot be completed because they are not here. They are AWOL. In addition to the conference reports—and there are a significant number of those: military construction, Energy and water, Interior, and Labor-HHS—there are six other bills people on the majority side are talking about lumping into one big omnibus bill. That really doesn't work well. Those bills are so large and unwieldy, it is difficult to get the detail to find out what is in them. They become a mishmash of legislation.

I hope Members understand the best thing we can do is work to get these appropriations bills passed. There is no reason we cannot pass them. The bills that have come before the Senate have passed in a reasonably short period of time.

I hope in addition to the other things the majority leader wants to do, he will focus on these appropriations bills. They are important. It is not good to have large, unwieldy omnibus bills, and it appears it is being done for reasons I don't fully understand. Part of it is simply that the numbers are not there and there is some effort being made, especially in light of the \$87 billion and the attention focused on that, the \$21 billion spent on Iraq and very little being spent in America—the American

people are concerned. These bills being brought to the Senate would focus more direct attention on that.

The PRESIDENT pro tempore. The acting majority leader.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the time for morning business be extended to 2:15 p.m.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, I say to my friend, is there any way we could get a little more time on that?

Mr. COCHRAN. I am advised there are Senators who have been told they could come over and talk on the motion to proceed to consider the class action at 2:15.

Mr. REID. That will be fine. I ask that the time between now and 2:15 be equally divided, even though my friend gave a very fine speech and took a long time. But we won't count that against morning business.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, according to this unanimous consent request, there will be a period for the transaction of morning business until the hour of 2:15, with the time equally divided between the two leaders or their designees.

Mr. COCHRAN. Mr. President, I yield the Senator from Idaho such time as he may consume.

The PRESIDENT pro tempore. The Senator from Idaho.

FOREST HEALTH

Mr. CRAPO. Mr. President, I rise to speak for a moment on the Healthy Forests bill which, as we just heard from previous discussion, will not be brought up. I understand the points made by the Senator from Nevada with regard to the importance of the appropriations bills. None of us deny the fact that we have important work to do with regard to our budget and the appropriations process. However, there are other critical pieces of legislation this Senate must consider. Among the most critical of those is the Healthy Forests bill. I serve as chairman of the subcommittee of the Agriculture Committee which handles forestry issues. It was that committee to which this legislation was referred when it came to the Senate. Our distinguished chairman of the Agriculture Committee, Senator COCHRAN, has worked closely with me as we have crafted bipartisan legislation to bring before the Senate. We have also worked closely with the Energy Committee, Senator DOMENICI, and Senator CRAIG, my colleague from

Idaho, who happens by coincidence to chair the forestry subcommittee of the Energy Committee, and other Senators on the Republican side of the aisle as we worked to craft a meaningful piece of legislation.

We also reached out and worked closely in a bipartisan fashion with Senators from the Democratic side of the aisle because we knew this important legislation should not be stalled as a result of partisan politics. The result of those efforts, the initial effort in committee and subcommittee, was bipartisan legislation which Democratic Senator BLANCHE LAMBERT LINCOLN from Arkansas and I cosponsored to bring before the full Committee on Agriculture. The Agriculture Committee then made several amendments to the legislation, working in a bipartisan fashion with other Senators on the committee, and brought that legislation out to the floor. At that time there were still concerns being raised and, therefore, our leader, Senator COCHRAN, brought together a group of Republican and Democratic Senators with concerns about our forests and the conditions they face, and for several months we negotiated—again, on a bipartisan basis—to address the needs of our forests and the concerns raised by those who wanted to be sure we had a bipartisan, balanced bill.

We achieved that support. We came forward in a group of bipartisan Senators, Republicans and Democrats, with legislation that expanded the number of Democrats who would join with us on the legislation, including our minority leader and other leaders in the west from areas where serious forest fire problems are facing us.

Now after that long period and working in a bipartisan fashion, as we are prepared to bring the legislation forward, we are told it cannot be brought forward because there is objection to the unanimous consent request. We don't want to have a filibuster fight. We don't want to have a cloture vote. We have been working to build a balanced approach which can achieve support in the Senate.

It is my concern that what we see now is further delay, coming at a late time in the session, when we will jeopardize the ability of the Senate to meet its time considerations to address critical issues.

Our forests need support and help now. All anyone has to do with regard to the threat of fire danger is look back at the last 3 or 4 or 5 months to see the kind of threat our forests face. In addition, we expanded the legislation to deal not simply with fire threats but also threats from insect infestation—some of the most critical needs facing our forests in America today.

This legislation, as Senator COCHRAN indicated, is balanced. It is fair. It protects old-growth forests. It makes certain that public participation in the process of decisionmaking is preserved. It assures that the implementation of

management plans by experts on the forests has a meaningful chance to proceed so we aren't tied up in litigation paralysis, and it gives us an opportunity to move forward and develop a plan that will help us achieve our objective, which is healthy forests.

I commend all Senators who have been working together on this issue, Republicans and Democrats. I particularly thank my colleague from Idaho, Senator CRAIG, and our colleague from New Mexico, Senator DOMENICI, as they have worked so closely with us at the Energy Committee level; and especially my chairman, Senator COCHRAN, who also worked closely with us; Senator LINCOLN, who has worked with us from the start, Senators WYDEN, FEINSTEIN, BAUCUS, and others; Senator KYL, Senator MCCAIN. Many Senators have come together to work with us.

I am hopeful this critical, bipartisan, balanced legislation will not fall prey to the loss of time we face on the Senate floor at these late days in the session as we are moving forward. I urge Senators to come forward and help us find a path by which we can bring this legislation before the Senate and achieve its early consideration.

Mr. REID. I yield 5 minutes to the Senator from New Mexico.

Mr. BINGAMAN. Mr. President, over 6 weeks ago, the Senate appointed 13 conferees to the conference with the House on the Energy bill. Six of those conferees are Democrats. They were appointed to represent the 49 Democrats who serve in this body.

The day after our appointment, there was one meeting of the conference to allow for opening statements. Since then, there has been no opportunity for Democratic conferees to actually act as conferees. Some of the proposed text for the conference report, which was written without our involvement, has been circulated to us for comment by our staff.

On the most important issues before the conference—that being electricity and ethanol—we have not yet seen a draft text. Our concern about the way the conference has been conducted is not new information to this body. I have conveyed those concerns directly to the chairman of the conference. I have been joined publicly in expressing those concerns by other Democratic conferees, both in the Senate and House.

The blackout on information about the conference became even more complete during this past weekend. We understand there are agreements on most of the issues involved with the Energy bill. In fact, the settled energy provisions probably represent well over 500 pages of legislative text.

This text contains many details and it is important that we be able to view the text before we are called into a final conference meeting for an up-or-down vote. Our staff was standing by all weekend in hopes of getting to see this text. We were not able to do so. I personally cannot think of any valid

reason why the completed text—those portions that have been completed by the Republican conferees—should not be distributed to the rest of the conferees immediately.

There are numerous new sections on topics that have not been yet dealt with, as we understand it. We need to see those. Some of those may be provisions that were neither in the House nor the Senate bill. Others may entail spending of which we previously have not been informed.

I have spoken to the chairman of the conference in the last few minutes. He has informed me that he and our majority leader are insisting that this conference not be concluded until we are given the full text of this bill and until we have at least 24 hours to review the text and have a final meeting at which we can raise objections and offer amendments. I appreciate that courtesy.

This is far short of what I think would be required in an appropriate conference, but it is certainly some effort to accommodate, which I very much appreciate.

I do believe the sections that have not yet been released—that being the sections on electricity and ethanol—need to be released at the earliest possible moment, and hopefully today. These are very important sections. They are going to affect Americans in their pocketbook in very real ways. It is very important we get the provisions out so we can understand them, debate them, and consider them before we are called upon to finally pass on this conference.

The right thing to do is to make the documents—that is, the text of this proposed Energy legislation—public as soon as possible. There is no doubt in anybody's mind that this is what the Democratic conferees continue to ask for. I hope this is the course of action that will be taken by the leadership of the House and Senate at the earliest possible moment.

With that, I yield the floor.

The PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I yield 5 minutes to the distinguished Senator from Idaho, Mr. CRAIG.

Mr. DOMENICI. Will the Senator yield?

Mr. CRAIG. Yes.

Mr. DOMENICI. Senator BINGAMAN spoke to an issue to which I would like to respond.

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senator from New Mexico be granted 2 minutes, not to be taken from my time. I think it is critical that he speak to the issue of the energy conference.

Mr. REID. Reserving the right to object, whose time is it taken from?

The PRESIDENT pro tempore. The majority's time.

Mr. DOMENICI. Mr. President, I say to Senator BINGAMAN that I heard what he said. He and I have talked a number of times. I would like to share with

him the following so there is no misunderstanding. I have taken the position—although I have not been able to tell him every day and I have not issued a release about it every day—that the Senator must have the bill for 24 full hours prior to markup. We have taken that position with our leadership and with everyone who has to do with the hierarchy of this bill. That is where we are. That will be enforced. I now have the support I need for that to happen.

Secondly, I will do my very best to get you the portion of the bill that you would like to see on electricity even before that. I am working very hard on seeing if I can do that. There are a whole lot of people who want to look at that provision, and I want to get it to you as soon as possible.

I thank the Senator for his comments, and I understand his concern. I hope that, in the end, whatever your concerns are for that bill—let's hope you are for it, but I hope you will conclude that you have had a chance to review everything and offer amendments. I thank the Senator for yielding.

The PRESIDENT pro tempore. The Senator from Idaho is recognized for 5 minutes.

Mr. CRAIG. Mr. President, I had hoped that today I would be on the floor debating with my colleagues the issue of Healthy Forests and H.R. 1904. When the chairman of the Agriculture Committee brought the bill to the floor today asking unanimous consent to move forward, there was an objection heard from the other side. I must tell you it is phenomenally frustrating to me that we have worked on this issue in a totally bipartisan mode since the day it came from the House and, yet, there is still objection from the other side on this issue.

The bill brought to the floor today, chaired and lead-sponsored by the chairman of the Agriculture Committee, Senator COCHRAN, has Senator DASCHLE, Senator DOMENICI, Senator WYDEN, my colleague from Idaho, Senator CRAPO, who chairs the Forestry Subcommittee on Agriculture, Senators FEINSTEIN, LINCOLN, BURNS, JOHNSON, MCCAIN, and CRAIG, who chairs the Forestry Subcommittee in the Energy and Natural Resources Committee, together on this issue.

Yet the other side is saying no. Is it because the fire season is over? Is it because of the rains starting to hit the forests of the Great Basin West, and the smoke clouds that filled the air of the West this summer are depleted? Is that why there is objection now to this legislation?

I and others have been on this floor for the last 3 years pleading with the Congress of the United States, and especially this body, to craft a forest health bill that allows us to begin some active management of our forests, to change the character of our forests, and to improve their health. The House acted this year. The bill came to the Agriculture Committee. My colleague

from Idaho, Senator CRAPO, chaired the subcommittee, and the work began under the leadership of Senator COCHRAN. They produced a very good bill. We looked at it in the Energy and Natural Resources Committee. It is not that our committee has not seen it. You darn right we have seen it; for 3 years, this issue has been before the Energy and Natural Resources Committee and my forestry subcommittee. Now the ranking member, Senator WYDEN of Oregon, and I—myself chairing—have agreed this is the bill that ought to come to the floor. Yet we are still being told that, no, somehow it hasn't been vetted enough and somehow there is no understanding of this issue.

There is a lot of understanding of this issue. There is a fundamental disagreement between those who want the forests left alone to burn, to let Mother Nature take her course, and those of us who have said the economies of the West, the watersheds of the West, the wildlife of the West, and of all of our public land forests deserve a policy of active management so our forests can return to a state of good health, so our watersheds can produce clear and valuable water for our urban environments, and so the wildlife can flourish; they deserve that. Yet it is being denied by a select few who would see it in an entirely different way.

The President began to speak out on this issue a couple of years ago. He stood in the ashes hip deep in Oregon, where fires ravaged nearly a million acres, and said that somehow this country has to change its policy.

Guess what. Eighty-seven percent of Americans in a recent poll agree that something is wrong in our national forests. It looks something like this: 79 percent of the folks in the West say: Got to fix it. In the Midwest, 82 percent say: Got a problem, ought to fix it. In the South, 84 percent say—and this is the area the chairman of the Agriculture Committee is from—got a problem in our public forests, ought to fix it. And the chairman of the Agriculture Committee, Senator COCHRAN, set out to do that, along with the Senator from Idaho, Mr. CRAPO, and myself.

This is a national issue today. It is not an issue of the elitist or the select few of the environmental community who say nothing should happen on our public lands; that they should be a preserve only managed by Mother Nature. We have seen what Mother Nature has done in the last 5 years. She has burned 3 million to 5 million acres a year. She has destroyed watersheds. She has destroyed wildlife. In many instances, she has destroyed thousands of homes, and she has cost Americans their lives. Many Americans have died in the last few years just trying to fight these unusually hot and devastatingly damaging wildfires that have swept the West.

Here are the facts. The American public understands these fires are de-

stroying our forests. They understand that we need to do more thinning.

Eighty-three percent of the wildland firefighters have told this Congress and the public that the most important step we can take to increase their safety—is to thin these forests.

Because the Sierra Club and the Wilderness Society and other radical environmental groups want no timber harvesting in our Federal forests, we are destroying 6 to 7 million acres of land each year—6 to 7 million acres of wildlife habitat are being destroyed each year.

The bipartisan amendment that was reached as a compromise with 13 of my colleagues responds to the needs of the American public. It responds to those who are concerned about the loss of wildlife habitat. It responds to the wildland firefighters who tell us we need to increase the number of acres thinned each year. And, most importantly it responds to the needs of our forests.

We have seen communities destroyed by fire and important wildlife habitats destroyed. Yet we, in this Senate, fiddle.

I am tired of our fiddling around. We all know that this body must address this issue. We all know that the bipartisan amendment is a good one that is fair and balanced and good for our forests.

Last year, all we asked for was an up-or-down vote on our amendment, but the minority would not allow that.

This year, a few Members seem to be saying no debate, no vote, and yes to the destruction of our forests. This simply has to stop.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. CRAIG. Mr. President, that is the issue before us today. It is an issue that this Senate ought to debate. I plead with my colleagues on the other side to work with us to get this bill to the floor for purposes of debate and passage.

Mr. COCHRAN. Mr. President, I yield the remainder of the time on this side to the Senator from Wyoming, Mr. THOMAS.

The PRESIDENT pro tempore. The Senator is recognized for 2 minutes 9 seconds.

Mr. REID. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The Senator from Nevada.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, Senator HATCH has been courteous as always. He is slated to speak at 2:30 p.m. He said the time for morning business can be extended until 2:35. It is OK with him that we extend morning business until 2:35 with the time equally divided. I ask unanimous consent that be the case.

The PRESIDENT pro tempore. Is there objection to extending the time