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Currently the program is scheduled to expire as of September 30, 2009.

In 1992, the Congress granted eligibility for VA home loans to persons who served in the Selected Reserve, including the National Guard. This benefit is a useful recruiting and retention tool. Mr. Speaker, this legislation would also equalize the fees charged to members of the Selected Reserve and active-duty veterans for VA home loans. Currently, qualifying members of the Selected Reserve are charged a higher funding fee than other veterans. According to VA, members of the Selected Reserve have a lower foreclosure rate than other loan guarantee beneficiaries. This higher rate is not justified.

Mr. Speaker, in recent years our Guard and Reserves have been increasingly called upon to participate on active duty for lengthy periods of time. As the recent military actions in Afghanistan and Iraq clearly demonstrate, the Selected Reserve is an integral part of America's total force. Clearly, reservists have earned the right to receive equal lower fees with other veterans.

I am proud to be an original cosponsor of H.R. 1257. This legislation will assist the many members of the Guard and Reserves living in my home State of Maine. I fully support H.R. 1257 and urge my colleagues to pass this measure.

Mr. BOOZMAN. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of the Committee on Veterans Affairs.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding time. I will not take the 5 minutes because this bill has been very adequately explained by my good friend and colleague, the gentleman from Arkansas (Mr. BOOZMAN), and, of course, the author of the bill, the gentleman from Illinois (Mr. EVANS), our ranking member and a very close partner on all veterans issues. I want to commend him for this legislation. At a time when there is some partisanship when it comes to veterans issues, as I just made very clear at a press briefing that we had, the gentleman from Illinois and several members of the committee have always gone out of their way to keep the committee as non-partisan as humanly possible. We do work in a very cooperative way. The bill under consideration really builds on the whole total-force concept that whether you be Selected Reserve or active Army or active military, we should not permit any distinction when it comes to home loan fees. This is a very important piece of legislation. I am very proud to be supporting it. I congratulate the gentleman from Illinois on his authorship of this fine bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1257, the "Selected Reserve Home Loan Equity Act."

H.R. 1257 amends Title 38 of the United States Code, "to make permanent the author-

ity for qualifying members of the Selected Reserve to have access to home loans guaranteed by the Secretary of Veterans Affairs and to provide for uniformity in fees charged qualifying members of the Selected Reserve and active duty veterans for such home loans."

I support H.R. 1257 because it is a way for this body to thank our Select Reservists the same way we thank the brave veteran men and women who have served their country so valiantly. The Department of Veterans Affairs provides our active and inactive military personnel with various services and benefits. One of the benefits provided is guaranteed home loans at reasonable fees.

Presently, members of the Selected Reserves are eligible for Department of Veterans Affairs loans. However, the current program is scheduled to expire at the end of fiscal year 2009. Moreover, Selected Reservists pay a higher fee on guaranteed home loans than do active duty veterans. H.R. 1257 grants Selected Reservists permanent access to guaranteed home loans just as like veterans. Selected Reservist will also be eligible for the same fee structure as veterans.

Our Selected Reservists are an important part of our exemplary military, and are integral to protecting our homeland and bringing peace throughout the world. Providing our military personnel, including members of the Selected Reserve with access to economically beneficial programs like guaranteed loans is one small way to thank them for their service.

Mr. Speaker, I support H.R. 1257, and I urge my colleagues to do the same.

Mr. EVANS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I urge my colleagues to support the Selected Reserve Home Loan Equity Act.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 1257.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BOOZMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. BOOZMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1257.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1904, HEALTHY FORESTS RESTORATION ACT OF 2003

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 239

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 1904) to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risks lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and for other purposes. The bill shall be considered as read for amendment. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, with 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in part B of the report of the Committee on Rules, if offered by Representative George Miller of California or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my namesake, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 239 provides for the consideration of H.R. 1904 under a modified closed rule. The rule provides 1 hour of general debate in the House with 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources,

and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against the bill and provides that the amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The rule also makes in order the amendment printed in part B of the report if offered by the gentleman from California (Mr. GEORGE MILLER) or his designee which shall be considered as read and shall be separately debated for 1 hour equally divided and controlled by the proponent and an opponent. Finally, the rule waives all points of order against the amendment printed in part B of the report and provides one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 1904, the Healthy Forests Restoration Act of 2003, is a measure that would enable the Secretaries of Agriculture and Interior to better protect communities, watersheds, and certain other at-risk lands from catastrophic wildfires by conducting hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands all across the United States.

The summers of 2000 and 2002 were the two largest and most destructive fire seasons in the past 50 years. Last year alone, Mr. Speaker, American taxpayers spent in excess of \$1.5 billion to contain wildfires which claimed the lives of 23 firefighters. This subject hits particularly close to home for this Member because tragically, the summer before last, four of my constituents lost their lives fighting the Thirty Mile Fire in my district. A contributing factor in that fire and many similarly explosive wildfires destroying forests and rangelands at such an alarming rate is the unprecedented buildup of dead, dying, and diseased timber on these Federal lands. For a variety of reasons, including improved firefighting techniques and legally required environmental restrictions, the natural processes by which, until relatively recently, nature has rid forests of highly inflammable undergrowth have been overridden. The result has been to turn many of our forests and rangelands into virtual tinderboxes waiting to explode with oftentimes tragic results.

H.R. 1904 is designed to restore some much-needed balance to the management of our forests and rangelands. Through the use of environmentally responsible thinning, prescribed burns and other scientifically validated management practices, overstocked forests can be returned to a more natural balance, and the risks of catastrophic wildfires as well as insect and disease infestations greatly reduced.

The Congressional Budget Office estimates that implementing H.R. 1904 would cost \$12 million in fiscal year 2004 and \$278 million over the next 5 years. The bill contains no intergov-

ernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and is projected to impose no costs on State, local, or tribal governments. In fact, Mr. Speaker, Federal funds authorized under this act would actually benefit State, local, and tribal governments. Members from the West and Southeast, particularly, are acutely aware that the fire season will soon be upon us again in full force. We need to move this legislation as rapidly as possible.

Accordingly, Mr. Speaker, I urge my colleagues to support both the rule and the underlying bill, H.R. 1904.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend, the gentleman from Washington (Mr. HASTINGS), for yielding me this time; and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to this restrictive rule and the underlying bill. Typically during debate on the rule, the minority expresses its outrage at the process by which the underlying bill is coming to the floor. We talk about the limited time that we have had to consider the content of the bill as well as the lack of opportunities that we have to offer amendments. Today is no different. I again come to the floor in disgust by the majority's rule which makes in order a meager 1 of the 11 amendments that were offered by Democrats, many of which, I note, addressed some of the bill's most controversial provisions. These common-sense amendments held the potential to transform a controversial bill into one that the entire House can support. Instead, the American people will never hear a discussion on these amendments because the Republican majority has shut off debate.

As I examined the Healthy Forests Restoration Act, it became increasingly obvious that the only "healthy" thing about this bill is the pocketbooks of the timber and logging industries and the only "restoration" that is being done is in the campaign coffers of the majority just in time for election day 2004. President Theodore Roosevelt, the Republican conservationist, told Congress in 1907: "The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life."

We are now faced with a vote clearly indicative of the concerns raised by President Roosevelt nearly 1 century ago. Whether we answer the challenge made by the late President or allow his legacy to fall victim to an influential timber lobby is a decision that Members will have to make later today. Republicans have crafted a bill that makes their approach toward curbing wildfires quite clear: if there are not any trees in the forests, then there will not be any forest fires. This approach is as infantile as it is misguided. The reality is H.R. 1904 opens up thousands

upon thousands of forest acres to logging and destruction. With the passage of this bill, much of the 150 national forests spread across some 230 million acres of land initially set aside for protection nearly 100 years ago will again be under attack.

The majority's drafting of a logging bill under the guise of wildfire prevention mocks the seriousness of the issue. In 2002 alone, wildfires burned more than 6.5 million acres at a cost to taxpayers of more than \$1 billion. Hundreds of families were evacuated, and uncontrollable fires caused millions of dollars of damage and the death of firefighters. This bill not only loosens current law regarding the logging and controlled burning of our Nation's forests but it also eviscerates environmental studies and the ability of organizations and private citizens to submit appeals on the cutting down of as many as 20 million acres. Under the Republican bill, appeals are subject to unnecessary and unrealistic deadlines which insult the process. Federal judges are held to judicial deadlines that fail to consider caseloads and complexities of the appeal.

The irony of a December 2002 White House press release entitled "Reducing the Threat of Catastrophic Wildfires and Improving Forest Health" is shocking. The release notes, "The President's Healthy Forest Initiative will ensure that needed environmental reviews and public review processes are conducted in the most efficient and effective way possible." It continues, "The Departments of Agriculture and Interior will propose steps to promote early and more meaningful public participation on forest health project appeals."

Well, Mr. Speaker, H.R. 1904 certainly ensures that the public review process is efficient. It just eliminates the process before it even begins. Efficient? Yes. Democratic and patriotic? Absolutely not. Democrats, on the other hand, have submitted a fair, realistic, and noncontroversial substitute. It places priority on the protection of communities and water supplies most directly threatened by potential wildfires. And it requires that 85 percent of any funds appropriated under the bill are spent for projects in communities and watersheds. The Democratic substitute also protects community infrastructure and expands areas protected from logging under the bill.

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It does not alter current judicial review and appeals procedures, and it authorizes nearly \$4 billion for hazardous fuels reduction work. The Democratic substitute is as strong as the majority's bill is in areas where our two sides agree. But, most importantly, the Democratic substitute is stronger in the areas where the majority's bill fails.

Teddy Roosevelt once noted, "Forests are the lungs of our land, purifying the air and giving fresh strength to our

people." He continued: "A Nation that destroys its soil destroys itself."

This bill, Mr. Speaker, destroys our national forests and does little to preserve the strength of the American people. We must not allow the late President Roosevelt's warning to be realized by the 108th Congress. I urge my colleagues to oppose the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. LINDER), a valued member of the Committee on Rules.

Mr. LINDER. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS), my friend and colleague on the Committee on Rules, for yielding to me this time.

Mr. Speaker, I rise in support of the modified closed rule and the underlying legislation, the Healthy Forests Restoration Act of 2003. In crafting this rule, the Committee on Rules has worked to maintain the bipartisan coalition of support this important legislation has gathered while also providing the minority the opportunity to offer a substitute amendment drafted by the gentleman from California (Mr. GEORGE MILLER) for the consideration of all the Members of the House.

I commend the gentleman from Colorado (Mr. MCINNIS) for introducing this bill and the House Committee on Resources, Committee on Agriculture, and the Committee on the Judiciary for the time and effort they have invested in bringing this very important and well-crafted legislation to the House floor.

I support balanced forest management designed to protect plant and animal habitats, while ensuring that forests are still available for the enjoyment of local communities. One way I believe we can attain this goal is through President Bush's "Healthy Forests Initiative," which has been introduced as H.R. 1904.

The fire seasons of 2000 and 2002 were by most standards the worst the United States has seen in the past 50 years. Many scientists argue that these wildfires occurred because many forest have unnaturally high fuel loads, such as dead trees and dense undergrowth.

Unfortunately, it currently takes Federal land managers upwards of several years to carry out forest health projects such as controlled burning and thinning, as there are various bureaucratic and judicial obstacles that must be dealt with before a project can begin. H.R. 1904 would empower local land managers with the tools they need to expeditiously carry out forest health projects and would increase the speed and efficiency with which the United States Forest Service and other Federal agencies make regulatory decisions.

Furthermore, this legislation would improve the capacity of the Secretary of Agriculture and the Secretary of the

Interior to plan and conduct hazardous fuel reduction projects on National Forest System and Bureau of Land Management lands to help protect communities and forestlands from catastrophic wildfires. It would also direct Federal land managers to establish early detection programs for insect and disease infestation in forests before they reach epidemic levels.

Maintaining the health of our forests is critical and should not be impeded by needless bureaucratic obstacles. If forest health projects are not carried out, a forest will naturally cleanse itself through wildfires that can cause damage to the health of the forest ecosystems, endangered species and air and water quality.

The American people, their property, and our environment are threatened by catastrophic fires and environmental degradation. These unnaturally extreme fires are caused by a crisis of deteriorating forest and rangeland health, the result of a century of well-intentioned but misguided land management.

Mr. Speaker, I urge my colleagues to support the rule so that we may proceed to debate the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding me this time.

I had hoped today that we would have a fair and balanced rule. Traditionally, when the Committee on Resources, formerly the Committee on Natural Resources, formerly the Committee on the Interior during my time here in Congress, has brought important bills to the floor, they have been under open rules with each and every Member being allowed to offer amendments. I had two amendments that would have improved this bill which might have given it a better chance of actually becoming law instead of just scoring big political points.

Unfortunately, neither of those amendments are to be allowed because the House is in a hurry. A hurry for what? So we can get out for golf games this afternoon? We are going to be done between 4 and 5 o'clock this afternoon so Members can make phone calls for the big Republican fundraiser tomorrow night? I do not know. But for some reason the United States House of Representatives cannot work after 4 o'clock in the afternoon and allow Members whose districts are most affected by this legislation an opportunity to offer amendments. That is absolutely outrageous, unconscionable, and of course violates everything the Republicans promised in the "Contract on America" when they took over the House.

But I am sure there is a good reason why they shut us down and they will not allow the amendments. Maybe because they are afraid some of those amendments might win, might improve

the bill, might go against the wishes of the White House who is running this process.

We had a good, collaborative, bipartisan process going last fall. We reached agreement on a bill. It would have actually had a very good chance of becoming law. Instead, suddenly this bill springs up on a Friday afternoon to be considered in full committee the next Wednesday without one single public hearing, without even consideration in the subcommittee, and it was being driven by the White House.

The Republicans would never vote for this bill if we had a Democratic administration, even this exact bill. It gives total discretion to the Secretary of Agriculture and the Assistant Secretary who runs the Forest Service and the Secretary of the Interior over what and where they will apply this bill. They do not have to prioritize. They do not have to go and protect communities first. They do not have to protect old growth. No. In fact, this bill will rely upon harvesting old growth, which can be done without appeal by the Secretary under this bill. Sometimes only in thousand acre segments, sometimes in smaller segments, timber harvesting.

There is no money in this bill. This is a very expensive process. One hundred years of mismanagement of the national forests cannot be fixed on the cheap. There is no money in this bill. There was money in the bipartisan substitute last fall, but the White House will not allow them to ask for money because they want to pretend this can be done for nothing.

It cannot be done for nothing. They will just give the contracts to people, and they will go out there and clear the stuff out and just take what they get. But, guess what, the brush, the underbrush and the little dead poles and the small trees, they are not worth much. So what are they going to have to do to carry out this bill? They are going to harvest the old growth, the large fire-resistant trees that are what we should be leaving according to all the scientists while we clear out the understory and the underbrush.

But that will be harvested or not harvested at the discretion of Mark Ray and other bureaucrats in the administration. Appointed bureaucrats will have the discretion, total discretion without appeal, virtually without being able to go to court because their decisions have to get deference in the courts.

We could have done something real. We could have done something bipartisan. We could have done something that would become law. We could have done something that would begin to address the 100 years of mismanagement of our forests and deal with the real threats to my community.

There are going to be a lot of people talking today who do not have a darn thing at risk. I have got people and communities at risk. The largest fire in the country burned a good deal of

my district last year, and we are still threatened.

I feel very strongly about this, and I am offended that I cannot offer a single amendment, get one vote on one substitute, and the House is going to rush out of here at 4 or 5 o'clock for people's golf games or fundraising phone calls. That is outrageous.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Washington State for yielding me this time.

Mr. Speaker, I rise in support of the rule and in support of the underlying legislation, and I appreciate the passion that my friend from Oregon brings to this debate because I am trying very hard now to control very real emotion on my side. From my perspective, having represented rural Arizona in the Congress of the United States, having had the Rodeo-Chedeski fire burn hundreds of thousands of acres, Mr. Speaker, I bring to the floor a photo that is worth a thousand words of verbiage because it tells the tale of what transpired in the White Mountains of Arizona in the wake of the Rodeo-Chedeski fire, and it tells the story compellingly.

The area in the upper part of this photograph was treated. Effective forest management was utilized. The untreated area, there were delays through appeals and paralysis by analysis; and the Members see what happened.

I listened with interest to my friend from Florida who in curious fashion said we do not have to worry about trees if there are no trees there. I do not know what rhetorical point he was trying to make, but the fact is Members of this Congress, including 16 of my friends on the other side of the aisle, have signed on to this Healthy Forest Initiative because we have to get something done, precisely because of the concerns of my friend from Oregon (Mr. DEFAZIO) who preceded me here in the well, precisely because of the damage that is done to communities and to people who live in those communities and, yes, to endangered species.

Do my colleagues realize the Rodeo-Chedeski fire, we had air pollution caused by particulates that far exceeds what goes on in the rush hour in the metropolitan area of Phoenix? Do my colleagues realize that, in fact, the water pollution and the damage to watersheds and the ability of people in those areas to have healthy drinking water is taken away because of the fire?

Mr. Speaker, the fact is we are coming here. When we strip away all the histrionics and all the theatrics and all the arguments about process, at the end of the day we are faced with this question: Will the House of Representatives, will this People's House, embrace an effective healthy forest initiative that is broad-based, that will preserve endangered species, that will preserve

the integrity of watersheds, that will preserve air quality if we take these steps now? Because, make no mistake, Mr. Speaker, in the words of Professor Wallace Covington in Northern Arizona University, a widely respected forest health expert, the question is not if there will be another wildfire but when.

Do we continue through theatrics and delay to subject the people of rural America to the threat of catastrophic wildfire?

This is too important to leave to politics as usual. Rise in support of the rule, support the base bill, and reject any amendment that would try to restrict this to certain geographic areas.

I thank my colleagues for their time. Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Just to answer my friend regarding what he thought was a rhetorical question, what I merely was suggesting was that the majority's bill will eliminate forests and if it eliminates forests then there will not be any wildfires.

Mr. HAYWORTH. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, the fact is what happened in that last fire eliminated 100,000 acres of habitat to the Mexican spotted owl. So I would suggest to my friend, rather than any misguided notion on the motives on this side, I am actually working to protect the forests, and I thank him for his concern.

Mr. HASTINGS of Florida. Mr. Speaker, reclaiming my time, if it is that this bill will not destroy forests, then I do not know how to read. It is just that simple.

Mr. Speaker, I yield 3½ minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, this is indeed a very serious bill we have on the floor today of the House of Representatives.

Some time ago, I visited with a couple parents of one of the firefighters who was killed in the fire in Washington State that the gentleman from Washington (Mr. HASTINGS) made reference to. It seems to me in the memory of all firefighters and for those families that the U.S. House of Representatives owes it to the men and women affected by fire to allow democracy on the floor of the House, to give time to a bill where we will consider some of these amendments that should have been allowed for a vote.

Why is the House in such a hurry that it cannot work past 4 o'clock in the afternoon when we have got firefighters potentially losing their lives out in these forests?

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I am ashamed that on the floor of the House of Representatives with that

loss we cannot allow a full and fair consideration of more than one single, lousy amendment to this bill.

I would posit that that great Republican, Teddy Roosevelt, would be spinning in his grave if he knew about this effectively closed rule, because he was a champion of participatory democracy and a champion of the forest. Neither democracy nor forest are served by this rule, which shuts off honest and full debate in this House.

Let me address just one amendment that this rule denies the House the opportunity to deal with, and that was an amendment I had, went to the Committee on Rules with, that would preserve the heart of our environmental policies when it comes to our forests. The heart of the National Environmental Protection Act simply requires our agencies to consider at least one alternative to the proposal on how they are going to deal with the fuel reduction program in a no-action consideration.

Is that too much to ask simply to preserve the heart of our environmental policy when it comes to our forests? Are the special interests so powerful on the floor of the House that we cannot even debate, we cannot even vote on an amendment to preserve the very heart of the EPA act when it comes to our forests?

It is not just me saying it is the heart; it is the law of the United States of America. I want to quote from the Code of Federal Regulations. Right now in our law, our agencies are compelled to one alternative, to consider no action when they consider these fuels reduction programs. It says: "Alternatives including the proposed action. This section is the heart of the environmental impact statement. It should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for the choice among options by the decision-maker and the public."

Is it too much to preserve the heart of environmental protection? My amendment would simply allow the House to vote that we should compel our agencies to think and use their scientific information to think about at least one alternative to the proposal.

We should be working arm in arm to design a bipartisan fuels reduction program, one that protects the public, one that does not allow one person in one bureaucracy to decide we are going down this road and blind ourself to the other. We got into this pickle due to ignorance, and now this rule will continue that path of ignorance in our forests. Reject this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I rise today in support of the rule for the Healthy Forests Restoration Act.

Mr. Speaker, the weeds are in the garden. We had a full congressional

hearing, open to the public, sunshine laws, in Flagstaff, Arizona. Some said they would come and did not show up. Everyone from both sides was invited.

The weeds are in the garden. In your own garden, you weed out those spindly, dry weeds. On the public lands of America, we are being stopped from weeding out those spindly pines called "dog hair thickets." They add so much to the fuel load that when you visit rural Arizona this year, when you come to the Grand Canyon, visit Sedona, I want you to know if a fire starts in Sedona, Arizona, with the upwinds, with the prevailing terrain, it will overtake Flagstaff by that evening. There is nothing to stop it. We have got to be able to thin the forest with a holistic approach.

I want Members to know also the West is being devastated by millions of bark beetles. These bark beetles are growing at such an epidemic proportion that unless we are allowed to thin the forest, we will not be able to take care of this infestation.

I urge full support of the rule for the Healthy Forests Restoration Act. I ask Members on both sides to embrace the idea that we clean the weeds out of the garden.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong support of a bill, but in equally strong opposition to the rule. I do not know how much longer that this House is going to continue to suppress the rights of the minority to be heard on the floor of the House. There was a little news last week about the 51 Democrats in Texas that used the rules of the house to go into Oklahoma to stop a bill from passing. Many people do not understand why they did that.

Today is another example of the frustration on the minority side when the rule does not allow free and open debate on this floor on issues. I disagree with my friend from Oregon and will oppose his amendment. I disagree with my friends on this side of the aisle who contend that this bill does all the bad things to our national forests, because it does not, in my opinion.

I have spent about 6 to 8 years working with chairman BOB SMITH of Oregon, and now the gentleman from Virginia (Chairman GOODLATTE) and listening to all of the opposing arguments. In the Committee on Agriculture we had an open rule. Anybody could offer an amendment and have full debate on these issues.

What is different about the floor of the House? Why is it that, day after day after day, we come here and we say we cannot debate these issues openly and honestly.

I do not understand this. This was not the Contract with America. Some of you remember when I used to stand

with you when you were in the minority and oppose the majority on this side when they would not allow you to have your amendments. And we came up with a rule. We came up with a rule that said if you have got one Democrat and one Republican that is for something, put it out on the floor and let it be discussed. Give us a time limit, 5 minutes, 10 minutes, 1 minute; but just let it be debated.

That is what this House should be all about. That is not what the pattern of rules does. And to those who wonder why the 51 did what they did, remember, who is causing it in the House of Representatives? The same person, same persons, are causing it in the Texas legislature.

What are we afraid of? I am for you. I am for the bill. I think it ought to be voted on. But my colleagues on this side who have a different opinion have every absolute right to have their issues debated within the confines of reasonable time restraints.

I strongly urge my colleagues to oppose this rule today. It will pass. But I have asked the chairman and I ask the leadership and I ask my colleagues on the other side, please do not continue this pattern of not allowing free and open debate. We should not be afraid. We have a good bill today. I am prepared to argue and oppose amendments, I am prepared to support the bill. It is a good bill. But why do we not allow free and open debate?

The answer to that question, to those who wonder why the 51 in Texas exercised their rights under the rules, this is a good example of the frustration building on this side of the aisle.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, we have had some discussion on the floor already about a variety of different fuels reduction plans and whose is best. Let me just show you what a fuel reduction plan is from the environmental community.

This is a fuel reduction plan from the environmental wackos. They want to leave forests in a state where that is the only outcome when a fire starts. You have a conflagration. It is not just a fire; it is a fire that consumes everything in its path for miles around.

Such a fire was in my district in this last year, the 139,000-acre Hayman Fire, just one of several record-breaking fires that touched the West last year in the worst wildfire in Colorado history. The fire destroyed 133 homes and filled reservoirs with soot and sediment.

Another example of that: the Colorado Hayman Fire dumped colossal loads of mud and soot into Denver's largest supply of drinking water.

The air was filled with toxic gas. The State Department of Public Health and Environment advised people living as far from Denver as Wyoming to stay in their homes, shut their windows, and

use fans and air filtration devices until the fire was extinguished.

This is a picture of Denver on June 8, the day before the fire. This is a picture of Denver on June 9, the day of the fire.

By the way, another good example of the bizarre rules in which we operate is that fire, the smoke from that fire, is not counted against Denver for clean air; but any kind of pollution that is prior to that is counted against our clean air days. But a smoke that completely almost blurs the city, that is not counted by EPA.

The Hayman Fire cost more than \$39 million to extinguish and millions more in cleanup and restoration costs that continue to grow. The fire incinerated large areas of habitat for threatened or endangered species. One of those species may even disappear as a result of the fire.

This is not a partisan problem. In fact, the Democratic leader in the U.S. Senate last year became so fed up with the delays and procedural requirements blocking the implementation of thinning work in South Dakota that he inserted a sweeping rider in the 2002 supplemental appropriations bill suspending all legal and administrative requirements in an effort to get the work done.

The fact that such drastic action has to be taken to facilitate the completion is a striking commentary on how broken this process is. Congress should not have to legislate individual thinning projects. Support the rule and support the bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in opposition to the rule and to the underlying bill. I heard my colleagues, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Arizona (Mr. HAYWORTH), speak with great passion about the need to pass legislation that would remove this threat of catastrophic wildfire; and I want to associate myself with their remarks and their concerns.

I heard my colleague, the gentleman from Arizona (Mr. HAYWORTH), talk about the broad-based nature of the bill before us today; but I would beg to differ with my colleague. There are more of us that would join the gentleman if the rule were more broadly structured and if the bill broadened the coalition.

In the end we are trying to raise trust with this legislation. We are trying to create a sense in all of our communities that are threatened by catastrophic wildfire that we will focus our efforts on the so-called red zones and in our watersheds where our water supplies are at risk. In Colorado, the red

zone is 6 million acres alone. That is where people and property come into contact with forests that are in unhealthy conditions.

I offered a number of amendments in the Committee on Resources and the Committee on Agriculture, and I distilled those down to two amendments that I took to the Committee on Rules. One would have focused 70 percent of the dollars that we would spend in the red zones where the risk is the greatest. That amendment was rejected by the Committee on Rules.

I offered a second amendment, also sponsored by my friend, the gentleman from Indiana (Mr. HILL), and the gentleman from Washington (Mr. INSLEE), which would streamline the NEPA process but not entirely toss it out. If we eliminate all public input, we are going to reduce the levels of trust, the levels of involvement; and in the end, we are going to see additional litigation and stalemate.

This legislation needs to be passed, but it has to come out of the House in a form that the Senate would support. I worry. I am concerned. I believe that this bill as it is constructed would not be acceptable to the Senate.

What are we going to find ourselves in again? We are going to be in a gridlock situation and see more litigation, more stall, more lack of attention to our forests; and in the end, our efforts are going to be counterproductive.

So I urge the Members to defeat this rule, to broaden the rule to allow debate, as my colleague, the gentleman from Texas (Mr. STENHOLM), so eloquently pointed out to us earlier. Let us go back to the days of more open rules, where we take the time in the House to really work together to create a broad-based bill that the Senate and the President could support.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, I want to thank my colleagues, and in particular the gentleman from California (Chairman POMBO), the gentleman from Colorado (Chairman MCGINNIS), and the gentleman from Oregon (Mr. WALDEN), for their hard work in bringing this much-needed legislation to the floor.

□ 1215

Through President Bush's leadership, we are at long last taking proactive steps here today to provide some major relief from the regulatory quagmire that continues to put our forests and communities in serious jeopardy. The public health and safety risk posed by catastrophic fires can no longer be ignored. With each passing year that we allow good management to be hijacked by radical environmentalists, people's lives are put at risk. We can't stop these fires, but we know that by thinning our forests in an environmentally sensitive way we can make them healthier and more fire-resilient, reducing their fire size and destructive potential.

But analysis gridlock and the appeals and lawsuits by radical environmentalists have stymied good forest management. The Forest Service chief Dale Bosworth recently testified to Congress that his agency is being strangled by analysis paralysis. They spend up to 40 percent of their time in planning and assessment.

Mr. Speaker, clearly, Congress could not have intended our environmental laws to aid and abet a public health and safety risk and a risk to the environment that they were enacted to protect. I urge my colleagues to support the rule and allow us to consider this important bill which will restore some common sense to a system gone awry.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to my good friend, the gentleman from Oregon (Mr. BLUMENAUER), who has a great deal of insight with reference to environmental matters.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this bill.

Mr. Speaker, I caught a note common to both my friend, the gentleman from Oregon (Mr. DEFazio), and my friend, the gentleman from Arizona (Mr. HAYWORTH), that this is too important to play politics.

There is much divergence on opinion in terms of forest health. There are those in the environmental community that would point out that heavily logged areas actually are those that have suffered most in firefighting.

But there are many areas of agreement. The Democratic substitute captures those areas of agreement. It would focus funding and fire protection activity where it is needed most, in the sensitive interface surrounding communities. It would require that 85 percent of the funding be spent in and around those same communities and water supplies. It keeps the activities out of the controversial areas, like the roadless areas and old-growth forests. It shortens the appeals process but does not shut out the public or tamper with judicial review. Most importantly, it starts rebuilding trust between the many parties that are constantly at odds regarding policies regarding public land.

I understand why some of our friends in the rural communities, some of our environmental friends, get extremely cranky about this. We need to start rebuilding a sense of confidence and trust that we can work together to solve problems. This Democratic substitute would do so.

It would, unlike the underlying bill, actually put authorized money, \$4.5 billion, that could be spent to help these timber-dependent communities revitalize their local economies, putting people to work to make communities safer.

In the long run, unless we are willing to take a broader view of what goes on in the flame zone where the drought areas are and those that have development encroaching in the forestlands,

unless and until we change our view about how we manage and protect them, we are going to be faced with this problem time and time again.

But as dangerous as forest fires are, I would suggest as far as this institution, an inability of our being able to come together to work cooperatively to build the trust out in the broader community is equally as dangerous, equally as troubling.

I am going to vote against the rule and hope that we can change the nature of it so that people like the gentleman from Texas (Mr. STENHOLM) and I on this side of the aisle can debate our legitimate differences, offer up proposals, but allow the whole House to work its will.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Speaker, I rise in support of this rule and the underlying legislation.

This rule is the result of many hours of committee work, many hours of considering all of the amendments that the opponents of this legislation and this rule right now say they have never had a chance to voice or to discuss.

This has gone through the Committee on Resources, it has gone through the Committee on Agriculture, it has gone through the Committee on the Judiciary and the Committee on Rules. At that point and at that time these folks well know that the rendering process, the deliberative process that is provided them in the committee is an opportunity to make those points at that time and avoid that same kind of confusion on this floor.

Now, this is reasonable and it is sensible legislation. It is reasonable if we want to protect the habitat for all species, including those that are endangered. It is responsible if we want to protect the watershed.

Mr. Speaker, the watershed in Idaho is not around the 201 communities. It includes that 35 million acres of Federal ground in the State of Idaho. That is where our watershed is. There is no watershed close to the communities. Most of that watershed is out in the forests. If Members really believe in clean water, then they have to have a clean watershed.

Finally, at no other time could I think of on this floor would this body not come together if they saw a disaster, a natural disaster, a flood, a coming hurricane, that we would not marshal every one of our forces, all of the elements that we have available to us and attack that potential disaster to preserve property, to preserve lives, to preserve habitat, to preserve clean water, and to preserve the values that we have in this Nation.

So I hope that Members will join me in supporting this rule, because those of us who really want habitat, those of us who really want clean water, and those of us who want to avert coming disaster ask for Members' support on this legislation and this rule.

Mr. HASTINGS of Florida. Mr. Speaker, I am privileged to yield 3 minutes to my good friend, the gentleman from New Mexico (Mr. UDALL), a former Attorney General who had responsibilities with reference to the environment close up.

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman from Florida for that introduction.

Mr. Speaker, I want to talk about the issue of how this bill was legislated, because I think it is very important that we understand the process that we went through. The process we used here is an abomination. When we were hearing this bill in the Committee on Resources, we did not even have a bill. It was a committee print is what we are talking about. So we didn't have a bill.

We were given very short notice. It was only a matter of days. That committee print was not even heard in committee. It was directly marked up. So we have completely cut out any legislative history for the Committee on Resources.

This is something that has been unprecedented. It is something on this floor of the House we should not stand for. That alone, that alone, the violation of the Committee on Rules of ramming through a committee print which is not even a bill, that alone should get Members of Congress mad about voting against this bill, and it should be a bipartisan vote against this rule that is before us today.

The thing that I do not understand is why. Why are our friends on the other side of the aisle so worried about letting the public be heard? They have short-changed the public. They have not had a hearing that has allowed the public in. This is something that I think goes to the heart of the democratic process.

The other two good, solid reasons to vote against this rule are that amendments in committee, very, very important amendments in this committee, were voted on in committee and yet denied here on the floor in the rule, in this closed rule process.

The first one was an amendment that I offered in the Subcommittee on Judicial Review, which was also offered in the Committee on the Judiciary by the gentlewoman from Wisconsin (Ms. BALDWIN) and the gentleman from Michigan (Mr. CONYERS). Those amendments have been denied in this rule, even though there were close votes, so there is no attention to this on the floor.

Judicial review, why is that important? The judicial review provisions in this bill rig the system in favor of the Federal Government. The Federal agencies are favored over citizens. Basically, there are provisions telling the Federal judiciary, telling the judiciary, if there is any doubt here, if there is any ambiguity, decide on behalf of the Federal government.

We have never worked the system that way. This is an issue that should

be debated on the floor. We have been denied the ability to debate this issue on the floor, and that alone I think, Native Americans were also shut out on an amendment. That is very important. There is a tradition of working in a bipartisan way.

The second amendment, in addition to judicial review, the second amendment which was offered in committee on this, apparently there was agreement by the bill's sponsor and by others in the room, saying, yes, we forgot Native Americans, we forgot Native Americans. But I have worked all day today to try to get, and since the committee hearing, a Native American amendment in there. Native Americans lost some of the biggest forests, as members from Arizona know. They lost some of the most largest forests in this devastation, and they should have an amendment, they should be included. We should be able to go forward with a Native American amendment. But, once again, it has been denied.

The democratic process has not been followed. Two crucial amendments have been denied on the floor. I would ask that all Members vote to defeat this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3½ minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding time to me.

I have enjoyed this debate today and also have enjoyed this debate we have had over the past couple of years. It sounds as if we have not debated this issue at all. We have. We have had countless hearings, two in Arizona, on this issue. So this issue has been debated.

I would suggest that while we are fiddling here, Arizona is burning. That is what we saw last year, certainly. The largest of the wildfires across the country was in Arizona. We lost a half a million acres. I would suggest that those who say there are differing opinions as to whether or not treated forests fare better after a big wildfire or during a big wildfire than untreated forests, that debate was settled in Arizona. Pictures have already been shown today of the difference in the forests that have been treated and those that have not.

I had the good fortune to grow up just a few miles from where that fire was raging last year. To watch what has happened since then, to watch the devastation in those communities that have not been able to even get into the forest and to salvage what little is left because of lawsuits already filed, or the Forest Service having to wait an entire year to put out contracts, simply to go through the process that it takes.

In Arizona, 11 of the 15 decisions to implement mechanical fuel treatment methods were appealed, and two of those were litigated. We do have a problem.

The Native Americans were mentioned. They certainly need some more

exemptions and need to have their process moved forward.

But I would like to suggest that if you look at the tribal forests, if you look at the reservation land in Arizona, if it fared far better than the other lands simply because they have a more expedited process, that is what we are looking for here.

This is not an extreme piece of legislation. It is more tinkering around the edges if we go with the substitute.

Let me just suggest that while we are talking about what is political and what is good policy, one of the debates that we had and one of the amendments that is part of the Democratic substitute would narrow the so-called red zone around communities where the Democrats would like us to focus all of our activity to one-half mile.

Now, if we consider that in Arizona the fire, the Rodeo-Chedeski fire at times had embers that actually jumped 3 miles, 3 miles, more than six times the so-called red zone that the Democrat substitute would protect, I would suggest that it does no good to go ahead and protect an area for a half-mile around a community when we have a fire that will jump as much as 3 miles.

So if we have a process that actually sets good policy, then we will set politics aside. I would suggest that is what this bill does. I would urge support of the rule and support of the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), who has been a leader on this issue.

□ 1230

Mr. WALDEN of Oregon. Mr. Speaker, I want to show you here on these charts what we are talking about. I think for the folks here in the Chamber and at home, they are tired of talking. They are tired of debating. They are tired of process debates. But what they are really tired of is fires.

Now, this is an area that the President of the United States visited last summer in Jackson County, the Squire's Peak Fire. It is an example of how a fire on treated land looks when it is burning. This is what it looks like after it has burned. So you wonder whether treatment works or not, here is your example. During the burn. After the burn. Here is where it had not been treated.

President Bush stood right here on this area and met with the firefighters who actually took this picture as they escaped this area. They had been doing work there prior to the fire and then converted over to be firefighters. This is what it looks like when you have not treated an area. This is what it looks like after that area burns. This is what it looks like.

I am tired of black forests. I want green forests. The underlying bill

would not touch Squire's Peak because it says 85 percent of the work has to be within half a mile. This is, I do not know, 6, 10 miles away from Medford. It was a long drive up there in the motorcade.

This is what I am trying to prevent from happening. I want treatment on these lands because it is people I represent whose homes are being burned, whose watersheds are threatened. Entire communities are on 30-minute evacuation notices. They are tired of us debating this and putting off decisions. We have another fire season upon us right now. 190 million acres of America's forest lands across this country are subject to this kind of fire if we do not do the kind of forest work that we are advocating in this legislation.

This is what you get. Who wants that? Do you think spotted owls thrive in this? No. Any endangered species? No.

So we want to get in and be able to do this work in an expedited manner that involves people at the front ends like the Western Governors Association that says needs to be done, so that we involve people in the planning process in the beginning rather than let them send in 37 cent appeals at the end when they have never participated in the project. So we do that. We bring them into the front end of this, and we streamline the appeals process.

Yes, we say to the courts, when you do a preliminary injunction every 45 days, you need to find out the effect of taking no action. Because when you are treating lands you are taking action, and you get fires that result in lands that look like that. When you delay and you do not take action, this is the outcome: burned, dead, sterilized forests and soils.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, does the gentleman from Florida (Mr. HASTINGS) have any further speakers?

Mr. HASTINGS of Florida. Mr. Speaker, we have one more speaker, and we are waiting for her to return.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my colleague and my distinguished friend and Member for yielding me time, and I thank the Members that are involved in this debate.

Mr. Speaker, I have been in this body for 17 years; and, as Members know, I work issues involving fire protection. I have been in every State in the country. I have been on the forest fires myself in California, Colorado, Montana, Oklahoma, Washington, and Idaho, to name a few, not as a Member of Con-

gress but as one of those out there trying to learn lessons as to how we can better respond.

Mr. Speaker, I want to support the President's healthy forests initiative, but I am here today to put the President and the administration on notice because I am not happy.

Mr. Speaker, it was just 6 years ago when I chaired the Subcommittee on Research of the Committee on Science; and in looking for solutions to apply technology to solve problems with forests fires, I was able to put \$14 million of DOD money into using our classified satellite system to detect forest and wildlands fires when they start and to have that information transmitted instantly to the local responders. It makes sense. You put the fire out when it starts, you do not have a problem.

Mr. Speaker, that was 6 years ago. The money was spent. The technology was developed. The software system exists, but there was a debate over which agency would head it up, the NRO, NOAA, DOD, FEMA. Guess where it is today, Mr. Speaker, as America burns? The software that we paid for to protect America's forests and wildlands is sitting in boxes in Crystal City because the agencies are feuding over who will run the program.

Mr. Speaker, I will not accept this. I have used the process available to me. I talked to Joe Allbaugh when he headed FEMA. I have talked to the administration, to the White House; and today we have no response. The use of this is scheduled for 2006; \$7 million today would put the program in place in time for this fire season.

So if we do not have it in place, we are going to spend billions of dollars in the amount of money necessary to respond to forest fires when \$6 million today would put into place the fire program that exists in boxes in Crystal City and has been sitting there for 4 years.

We should have offered an amendment to the bill, but I want to give the President the benefit of the doubt. But I am putting you on notice. If we do not get this program operational this year, it is the fault of the White House and this Congress, because the technology is there to detect and deal with these fires as soon as they occur. The firefighters know that. The State forest firefighter leaders know that. It is about time that we responded.

The SPEAKER pro tempore (Mr. TERRY). The Chair will state that the gentleman from Florida (Mr. HASTINGS) has 3 minutes remaining. The gentleman from Washington (Mr. HASTINGS) has 3 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at this time our speaker has not arrived, but I do wish to speak vigorously in closing in opposition to this modified closed rule.

The gentleman from Texas (Mr. STENHOLM) put it best earlier, the question is how long are we going to shut

down the minority views. This is patently obvious from the speakers that we have heard here today that several of them have amendments that would help this process, not harm it at all. And the will of this body is being thwarted by those who would shut off the debate for whatever reason, and it is difficult to fathom a good reason that Members who represent significant numbers of people in this country are not having an opportunity to be heard.

On one matter alone, the curtailing of judicial review, I can speak from personal experience that we talk an awful lot about what impact legislation has on various institutions that are the beneficiaries of what we did. In the Federal judiciary there can be no real guidelines when a judge is trying to understand the process that has come to him or her, and what we have done by restricting judicial review is cause the public to be shut out.

I think that is an abomination. I think this rule is too restrictive, and I would urge all Members to please oppose the rule, notwithstanding your views with reference to the substantive-based bill.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. MCINNIS), the sponsor of the bill.

Mr. MCINNIS. Mr. Speaker, I appreciate the gentleman yielding me time.

I would say I think the rule is very well structured. The rules takes into account all of the different parties that have come together on this bill and some of the parties who oppose this bill. It gives ample opportunity for those who oppose the bill, as well as giving ample opportunity to those of us who feel it is time that we take back the management of these forests and put it in the hands of what we call the "green hats," our forest rangers.

What has happened over a period of time because of a very well-thought-out strategy, and that was in the seventies and the eighties, the radical environmental organizations, some of my colleagues will speak on their behalf today, they decided that they could never win the debate against the people that work for the Forest Service, for the VLM, the people that work in the forest every day of the week, the people that were educated in the forest.

So they decided what they needed to do is manage the forest through a paralysis by litigation, through paralysis by analysis, or through paralysis by emotional-based decision. So what they have done very meticulously is move this to Washington, D.C. where you have heard the argument just a few minutes ago that we in the United States Congress ought to be dictating to the United States Forest Service what the diameter of a tree is before they are allowed to cut it down. Give me a break. That we in the United States Congress ought to be dictating

to the Forest Service that we here in the U.S. Congress know that a fire is going to stop one half mile into the urban interface and not one inch beyond it; and that the U.S. Forest Service should not have the authority to go ahead and thin beyond that half mile. Come on.

This rule allows for ample debate. This is a well-structured rule, and I have been looking forward to this day for a long time to argue about the substance of the issue we have in front of us, and that is do we save our forests or do we not. And I think the answer is going to be very clear. I think with overwhelming support, bipartisan support, this bill is going to pass. I urge support of the rule.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a fair rule and this issue, as has been repeated several times, this issue from a policy standpoint has been debated for a long time. It is time for us to take action in this body. So I urge my colleagues to support the rule and the underlying bill.

Ms. LEE. Mr. Speaker, I rise in opposition to the rule for H.R. 1904 which endangers our national forests and our civil rights.

This bill contains provisions whose impact may stretch well beyond national forests and into our courtroom struggles for civil rights, disability access, and labor protections, but this rule does not give us the opportunity to amend that language.

In the West, we recognize the dangers of fires and the need to protect our communities, but the so-called "Healthy Forest Restoration Act" is not the answer.

This bill ignores common sense ways to reduce the risk of fires to communities, while opening up our national heritage to the timber companies.

In addition to the potential damage to our national forests this bill also has the potential to wreck havoc on our judicial system, and our civil rights.

The far-reaching implications of H.R. 1904's judicial review provisions have sparked opposition to this bill from a diverse coalition, which includes national environmental, civil rights, disability, women's, and labor organizations, including the NAACP and the National Organization of Women.

This bill would place forest projects ahead of any other civil or criminal case before the courts, and it creates inequality in the courts by requiring judges to give deference to Federal bureaucrats.

This would tip the scales of justice in favor of proponents of logging and set a dangerous precedent for favoring agencies when courts consider the public interest that could affect disability, civil rights, and labor law, among other areas.

Rather than protecting national forests and communities, the Healthy Forest Restoration Act threatens our judicial system and our ecosystem with far-reaching consequences.

There are better solutions to preventing wildfires, than increasing rampant logging and interfering with the judicial process. I urge you to vote "no" on the rule and vote "no" on H.R. 1904.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back my time, and I

move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The Chair announces that this vote will be followed by two votes on motions to suspend the rules considered earlier today. These votes will be on S. 330 and H.R. 1925 and will be 5 minutes each.

The vote was taken by electronic device, and there were—yeas 234, nays 179, not voting 21, as follows:

[Roll No. 195]

YEAS—234

Aderholt	English	Leach
Akin	Everett	Lewis (CA)
Alexander	Feeney	Lewis (KY)
Bachus	Ferguson	Linder
Baker	Filner	LoBiondo
Ballenger	Flake	Lucas (OK)
Barrett (SC)	Fletcher	Manzullo
Bartlett (MD)	Foley	Marshall
Barton (TX)	Forbes	McCollum
Bass	Fossella	McCotter
Beauprez	Franks (AZ)	McCrery
Bereuter	Frelinghuysen	McHugh
Berry	Galleghy	McInnis
Biggett	Garrett (NJ)	McKeon
Bilirakis	Gerlach	Mica
Bishop (UT)	Gibbons	Michaud
Blackburn	Gilchrest	Miller (FL)
Blunt	Gillmor	Miller (MI)
Boehlert	Gingrey	Mollohan
Boehner	Goode	Moran (KS)
Bonilla	Goodlatte	Murphy
Bonner	Goss	Murtha
Bono	Granger	Musgrave
Boozman	Graves	Myrick
Bradley (NH)	Green (WI)	Nethercutt
Brady (TX)	Greenwood	Ney
Brown (SC)	Gutknecht	Norwood
Brown-Waite,	Harris	Nunes
Ginny	Hart	Nussle
Burgess	Hastings (WA)	Osborne
Burr	Hayes	Ose
Burton (IN)	Hayworth	Otter
Buyer	Hefley	Oxley
Calvert	Hensarling	Paul
Camp	Herger	Pearce
Cannon	Hobson	Pence
Cantor	Hoekstra	Peterson (MN)
Capito	Hostettler	Peterson (PA)
Carter	Houghton	Petri
Castle	Hulshof	Pickering
Chabot	Hunter	Pitts
Chocola	Hyde	Platts
Coble	Isakson	Pombo
Cole	Issa	Porter
Collins	Janklow	Portman
Crane	Jenkins	Pryce (OH)
Crenshaw	Johnson (CT)	Putnam
Cubin	Johnson (IL)	Quinn
Culberson	Johnson, Sam	Radanovich
Cunningham	Jones (NC)	Ramstad
Davis, Jo Ann	Keller	Regula
Davis, Tom	Kelly	Rehberg
Deal (GA)	Kennedy (MN)	Renzi
DeLay	King (IA)	Reynolds
DeMint	King (NY)	Rogers (AL)
Diaz-Balart, L.	Kingston	Rogers (KY)
Diaz-Balart, M.	Kirk	Rogers (MI)
Doolittle	Kline	Rohrabacher
Dreier	Knollenberg	Ros-Lehtinen
Duncan	Kolbe	Ross
Dunn	LaHood	Royce
Ehlers	Latham	Ryan (WI)
Emerson	LaTourette	Ryun (KS)

Saxton	Stearns
Schrock	Sullivan
Sensenbrenner	Sweeney
Sessions	Tancredo
Shadegg	Tauzin
Shaw	Taylor (NC)
Shays	Terry
Sherwood	Thomas
Shimkus	Thompson (MS)
Shuster	Thornberry
Simmons	Tiahrt
Simpson	Tiberi
Smith (MI)	Toomey
Smith (NJ)	Turner (OH)
Smith (TX)	Turner (TX)
Souder	Upton

Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—179

Allen	Hinchey	Obey
Andrews	Hinojosa	Olver
Baca	Hoefel	Ortiz
Baird	Holden	Owens
Baldwin	Holt	Pallone
Ballance	Honda	Pascrell
Becerra	Hoolley (OR)	Pastor
Berkley	Hoyer	Payne
Berman	Inslee	Pelosi
Bishop (NY)	Israel	Pomeroy
Blumenauer	Jackson (IL)	Price (NC)
Boucher	Jackson-Lee	Rahall
Boyd	(TX)	Rangel
Brown, Corrine	Jefferson	Reyes
Capps	John	Rodriguez
Capuano	Johnson, E. B.	Rothman
Cardin	Jones (OH)	Roybal-Allard
Cardoza	Kanjorski	Ruppersberger
Carson (IN)	Kaptur	Rush
Carson (OK)	Kennedy (RI)	Ryan (OH)
Clay	Kildee	Sabo
Clyburn	Kilpatrick	Sanchez, Linda
Cooper	Kind	T.
Costello	Kleccka	Sanchez, Loretta
Cramer	Kucinich	Sanders
Crowley	Lampson	Sandlin
Cummings	Langevin	Schakowsky
Davis (AL)	Lantos	Schiff
Davis (CA)	Larsen (WA)	Scott (GA)
Davis (FL)	Larson (CT)	Scott (VA)
Davis (IL)	Lee	Serrano
DeFazio	Levin	Sherman
DeGette	Lewis (GA)	Skelton
Delahunt	Lipinski	Slaughter
DeLauro	Lofgren	Smith (WA)
Deutsch	Lowe	Snyder
Dicks	Lucas (KY)	Solis
Dingell	Lynch	Stark
Doggett	Majette	Stenholm
Dooley (CA)	Maloney	Strickland
Edwards	Markey	Tanner
Emanuel	Matheson	Tauscher
Engel	Matsui	Taylor (MS)
Eshoo	McCarthy (MO)	Thompson (CA)
Etheridge	McCarthy (NY)	Tierney
Evans	McDermott	Towns
Farr	McGovern	Udall (CO)
Fattah	McIntyre	Udall (NM)
Ford	McNulty	Van Hollen
Frank (MA)	Meehan	Velazquez
Frost	Meek (FL)	Visclosky
Gephardt	Meeks (NY)	Waters
Gonzalez	Menendez	Watson
Gordon	Millender-	Watt
Green (TX)	McDonald	Waxman
Grijalva	Miller (NC)	Weiner
Gutierrez	Miller, George	Wexler
Hall	Moore	Woolsey
Harman	Napolitano	Wu
Hastings (FL)	Neal (MA)	Wynn
Hill	Oberstar	

NOT VOTING—21

Abercrombie	Burns	Istook
Ackerman	Case	Miller, Gary
Bell	Combest	Moran (VA)
Bishop (GA)	Conyers	Nadler
Boswell	Cox	Northup
Brady (PA)	Davis (TN)	Spratt
Brown (OH)	Doyle	Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). There are 2 minutes remaining in this vote.

□ 1300

Messrs. LAMPSON, MILLER of North Carolina, SHERMAN, HOYER

and DOGGETT changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The motion to reconsider was laid on the table.

Stated for:

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 195, I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. BURNS. Mr. Speaker, on rollcall No. 195, I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. DAVIS of Tennessee. Mr. Speaker, on rollcall No. 195, had I been present, I would have voted "yea."

Stated against:

Mr. BELL. Mr. Speaker, on rollcall No. 195, I was unavoidably detained. Had I been present, I would have voted "nay."

Mr. BISHOP of Georgia. Mr. Speaker, on rollcall No. 195, I was unavoidably detained and was unable to register my vote. Had I been present, I would have voted "nay."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 8 of rule XX, the remainder of this series will be conducted as 5-minute votes.

VETERANS' MEMORIAL PRESERVATION AND RECOGNITION ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 330.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 330, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 15, as follows:

[Roll No. 196]

YEAS—419

Aderholt	Bishop (NY)	Calvert
Akin	Bishop (UT)	Camp
Alexander	Blackburn	Cannon
Allen	Blumenauer	Cantor
Andrews	Blunt	Capito
Baca	Boehler	Capps
Bachus	Boehner	Capuano
Baird	Bonilla	Cardin
Baker	Bonner	Cardoza
Baldwin	Bono	Carson (IN)
Ballance	Boozman	Carson (OK)
Ballenger	Boucher	Carter
Barrett (SC)	Boyd	Castle
Bartlett (MD)	Bradley (NH)	Chabot
Barton (TX)	Brady (TX)	Chocola
Bass	Brown (OH)	Clay
Beauprez	Brown (SC)	Clyburn
Becerra	Brown, Corrine	Coble
Bereuter	Brown-Waite,	Cole
Berkley	Ginny	Collins
Berman	Burgess	Cooper
Berry	Burns	Costello
Biggert	Burr	Cox
Bilirakis	Burton (IN)	Cramer
Bishop (GA)	Buyer	Crane

Crenshaw	Hoyer	Napolitano
Crowley	Hulshof	Neal (MA)
Cubin	Hunter	Nethercatt
Culberson	Hyde	Ney
Cummings	Insee	Northup
Cunningham	Isakson	Norwood
Davis (AL)	Israel	Nunes
Davis (CA)	Issa	Nussle
Davis (FL)	Jackson (IL)	Oberstar
Davis (IL)	Jackson-Lee	Obey
Davis (TN)	(TX)	Olver
Davis, Jo Ann	Janklow	Ortiz
Davis, Tom	Jefferson	Osborne
Deal (GA)	Jenkins	Ose
DeFazio	John	Otter
DeGette	Johnson (CT)	Owens
DeLahunt	Johnson (IL)	Oxley
DeLauro	Johnson, E. B.	Pallone
DeLay	Johnson, Sam	Pascrell
DeMint	Jones (NC)	Pastor
Deutsch	Jones (OH)	Paul
Diaz-Balart, L.	Kanjorski	Payne
Diaz-Balart, M.	Kaptur	Pearce
Dicks	Keller	Pelosi
Dingell	Kelly	Pence
Doggett	Kennedy (MN)	Peterson (MN)
Dooley (CA)	Kennedy (RI)	Peterson (PA)
Doolittle	Kildee	Petri
Dreier	Kilpatrick	Pickering
Duncan	Kind	Pitts
Dunn	King (IA)	Platts
Edwards	King (NY)	Pombo
Ehlers	Kingston	Pomeroy
Emanuel	Kirk	Porter
Emerson	Kleczka	Portman
Engel	Kline	Price (NC)
English	Knollenberg	Pryce (OH)
Eshoo	Kolbe	Putnam
Etheridge	Kucinich	Quinn
Evans	LaHood	Radanovich
Everett	Lampson	Rahall
Farr	Langevin	Ramstad
Fattah	Lantos	Rangel
Feeney	Larsen (WA)	Regula
Ferguson	Larson (CT)	Rehberg
Filner	Latham	Renzi
Flake	LaTourrette	Reyes
Fletcher	Leach	Reynolds
Foley	Lee	Rodriguez
Forbes	Levin	Rogers (AL)
Ford	Lewis (CA)	Rogers (KY)
Fossella	Lewis (GA)	Rogers (MI)
Frank (MA)	Lewis (KY)	Rohrabacher
Franks (AZ)	Linder	Ros-Lehtinen
Frelinghuysen	Lipinski	Ross
Frost	LoBiondo	Rothman
Gallegly	Lofgren	Roybal-Allard
Garrett (NJ)	Lowe	Royce
Gerlach	Lucas (KY)	Ruppersberger
Gibbons	Lucas (OK)	Rush
Gilchrest	Lynch	Ryan (OH)
Gillmor	Majette	Ryan (WI)
Gingrey	Maloney	Ryun (KS)
Gonzalez	Manzullo	Sabo
Goode	Markey	Sanchez, Linda
Goodlatte	Marshall	T.
Gordon	Matheson	Sanchez, Loretta
Goss	Matsui	Sanders
Granger	McCarthy (MO)	Sandlin
Graves	McCarthy (NY)	Saxton
Green (TX)	McCollum	Schakowsky
Green (WI)	McCotter	Schiff
Greenwood	McCrery	Schrock
Grijalva	McDermott	Scott (GA)
Gutierrez	McGovern	Scott (VA)
Gutknecht	McHugh	Sensenbrenner
Hall	McInnis	Serrano
Harman	McIntyre	Sessions
Harris	McKeon	Shadegg
Hart	McNulty	Shaw
Hastings (FL)	Meehan	Shays
Hastings (WA)	Meek (FL)	Sherman
Hayes	Meeks (NY)	Sherwood
Hayworth	Menendez	Shimkus
Hefley	Mica	Shuster
Hensarling	Michaud	Simmons
Herger	Millender-	Simpson
Hill	McDonald	Skelton
Hinchee	Miller (FL)	Slaughter
Hinojosa	Miller (MI)	Smith (MI)
Hobson	Miller (NC)	Smith (NJ)
Hoefel	Miller, George	Smith (TX)
Hoekstra	Mollohan	Smith (WA)
Holden	Moore	Snyder
Holt	Moran (KS)	Solis
Honda	Murphy	Souder
Hooley (OR)	Murtha	Spratt
Hostettler	Musgrave	Stark
Houghton	Myrick	Stearns

Stenholm	Tierney	Watt
Strickland	Toomey	Waxman
Sullivan	Towns	Weiner
Sweeney	Turner (OH)	Weldon (FL)
Tancredo	Turner (TX)	Weldon (PA)
Tanner	Udall (CO)	Weller
Tauscher	Udall (NM)	Wexler
Tauzin	Upton	Whitfield
Taylor (MS)	Van Hollen	Wicker
Taylor (NC)	Velazquez	Wilson (NM)
Terry	Visclosky	Wilson (SC)
Thomas	Vitter	Wolf
Thompson (CA)	Walden (OR)	Woolsey
Thompson (MS)	Walsh	Wu
Thornberry	Wamp	Wynn
Tiahrt	Waters	Young (AK)
Tiberi	Watson	Young (FL)

NOT VOTING—15

Abercrombie	Case	Istook
Ackerman	Combest	Miller, Gary
Bell	Conyers	Moran (VA)
Boswell	Doyle	Nadler
Brady (PA)	Gephardt	Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI) (during the vote). Members are advised there are 2 minutes left in this vote.

□ 1308

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BELL. Mr. Speaker, on rollcall No. 196, I was unavoidably detained. Had I been present, I would have voted "yea."

RUNAWAY, HOMELESS, AND MISSING CHILDREN PROTECTION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1925, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. GINGREY) that the House suspend the rules and pass the bill, H.R. 1925, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 14, not voting 16, as follows:

[Roll No. 197]

YEAS—404

Aderholt	Bilirakis	Burns
Alexander	Bishop (GA)	Burr
Allen	Bishop (NY)	Burton (IN)
Andrews	Bishop (UT)	Buyer
Baca	Blumenauer	Calvert
Bachus	Blunt	Camp
Baird	Boehler	Cannon
Baker	Boehner	Cantor
Baldwin	Bonilla	Capito
Ballance	Bonner	Capps
Ballenger	Bono	Capuano
Barrett (SC)	Boozman	Cardin
Barton (TX)	Boucher	Cardoza
Bass	Boyd	Carson (IN)
Beauprez	Bradley (NH)	Carson (OK)
Becerra	Brady (TX)	Carter
Bereuter	Brown (OH)	Castle
Berkley	Brown (SC)	Chabot
Berman	Brown, Corrine	Chocola
Berry	Brown-Waite,	Clay
Biggert	Ginny	Clyburn
	Burgess	Cole