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Senate

The Senate met at 1:30 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who is, and was, and is to come, before whose face the generations rise and fall, give us that reverential awe which forms the root of wisdom. Let integrity and uprightness preserve us, for we wait on You. Lord, give us courage to listen to You and to receive strength from Your presence.

Stand by our Senators today, sustaining them in their going out and coming in. You have not failed them in the past, so we trust You with the future. May their love for You ripen as they lean upon Your strength.

Protect our military men and women from dangers seen and unseen. Remind us that You are the sole source of peace and righteousness.

We pray this in Your strong name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. COCHRAN. Mr. President, at the request of the majority leader, I have been asked to announce that this afternoon there will be a period of morning business until 2 p.m. It had been the majority leader's hope, and the desire

of many Members on this side of the aisle, to begin consideration of the Healthy Forests issue during today's session. Unfortunately, there is an objection on the Democratic side of the aisle.

Given that objection, it had been the intent of the leader to begin consideration of the class action fairness legislation. Again, there was an objection to proceeding to that measure on Friday; and, therefore, a motion to proceed was made by the majority leader.

Today, at 2 p.m., the Senate will resume debate on the motion to proceed to the class action bill. Members are expected to come to the floor throughout the day to speak on this motion. If we are unable to proceed on the bill today, it may be necessary to file a cloture motion on that pending motion to proceed.

Under a previous order, at 5:15 today, the Senate will vote on the confirmation of Margaret Catharine Rodgers to be a U.S. district judge for the Northern District of Florida. This will be the first vote of today's session.

UNANIMOUS CONSENT REQUEST— H.R. 1904

Mr. COCHRAN. Mr. President, on behalf of the leader, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the minority leader, the Senate proceed to the consideration of H.R. 1904, the Healthy Forests bill, under the following limitations: that the following first-degree amendments be the only amendments in order, and that any listed first-degree amendments be subject to second-degree amendments which must be relevant to the first degree to which offered: managers' amendment; Leahy-Boxer, buyback provisions; Bingaman-Leahy-Boxer, appeals process; Bingaman-Leahy-Boxer, wildland-urban interface; Bingaman-Leahy-Boxer, NEPA; Boxer-Leahy-Cantwell-Murray, additional

area exclusion; Campbell-Inouye, tribal lands and hazardous fuels; Collins-Snowe, suburban sprawl; Kyl, wildfire research institutes; Kyl, wildland-urban interface; Leahy-Boxer judicial review; Smith, land grant universities; and Ensign, animals.

I further ask unanimous consent that following the disposition of these amendments, the bill be read a third time, and the Senate proceed to a vote on passage, with no intervening action or debate.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, this is bringing a bill up that has some problems in that this matter has not gone before the Energy and Natural Resources Committee, at least as far as Senator BINGAMAN is concerned. I have spoken to him on a couple of occasions, and he has not been given any degree of consideration as to what this final piece of legislation is that is now coming before the Senate.

Additionally, a bill such as this should be brought to the Senate floor and debated like all bills are debated. I do not have a position on this piece of legislation at this time. Personally, I have not read it. I do not know if it is good or bad. But, for the reasons I have announced, in addition to the fact that a number of Senators on this side have some problems, I object.

The PRESIDENT pro tempore. Objection is heard.

The acting leader is recognized.

HEALTHY FORESTS RESTORATION ACT

Mr. COCHRAN. Mr. President, on July 24, the Committee on Agriculture, Nutrition, and Forestry reported to the Senate H.R. 1904, the Healthy Forests Restoration Act.

This bill reflects a comprehensive effort to improve forest health on both public and private lands. The bill provides Federal land managers the tools

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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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