

I thank the Chair. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BURNS. Mr. President, I appeal to my good friend from New Mexico who is managing this Energy bill and ask unanimous consent to proceed as in morning business.

Mr. DOMENICI. I have no objection.

Mr. BURNS. For less than 10 minutes.

Mr. DOMENICI. Whatever time the Senator desires. We have no objection.

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

Mr. BURNS. I thank my good friend.

FIGHTING FOREST FIRES

Mr. BURNS. Mr. President, on the floor of the House of Representatives this morning, they are debating a supplemental appropriations bill that deals with some serious issues that are happening under the heading of disasters across this country. The appropriations bill does not designate any money for firefighting in the West. I have been told that right now the Forest Service currently has \$352 million available for wildfire suppression, but that is only going to last the next 2 weeks. The latest projections, which are conservative, I am told, indicate the expected expenditure for fighting forest fires this year is \$775 million.

We have a certain amount of money set aside for prevention; that is—if we didn't have this procedure called appeals—those accounts that are set aside for prevention will now be moved over to fire suppression. We are between a rock and a hard place.

It occurs to me that with the support of the White House, a clean supplemental for fire suppression, under emergency conditions, makes a lot of sense. We have to provide some money for fire suppression. The American people are turning on their television sets every night, and every night our forests are afire.

To give a rundown, they have evacuated all of Glacier National Park. Even some people they said would not have to evacuate—they are inholders in the park and have homes along Lake McDonald—they had to prepare their homes for fire prevention, and they left the park, for example, to get their groceries. Now they will not let those people back in. That is a local situation, and I am sure that is going to get ironed out.

That is how drastic this situation is. I call upon my friends in the House of Representatives: Do what is right to handle the emergencies we now have because, if we don't, when we start run-

ning out of money, then—due to this extended drought, with very hot conditions right now in the Rocky Mountain West—we are going to have these fires far into the month of September. It is just not right.

These fires are threatening our national treasures. McDonald Valley, Glacier National Park, is now on fire on both ends. Remember the book, "The Perfect Storm," about two storms coming together at the right time, and they are only 10 miles apart, that is the "perfect storm," and we could lose that entire forest.

I call upon my colleagues in the House to do the right thing now because we understand they are going to pass this bill and send it to the Senate. The Senate is in a vise. We either take it or we don't. If we don't, it will be zero dollars and the middle of September before any funds will flow into these areas that desperately need the money.

I don't know who is giving advice on this issue. I don't know who is doing the thinking on this issue. But I will tell you right now, it is wrong-headed to do it as the apparatus is set up to get it done now. It is just wrong-headed. I feel powerless to do anything, especially for the forests in my State of Montana, and that is not a very good feeling.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, before the Senator leaves the floor, I wish to make a comment.

First, I was present when Senator STEVENS, the chairman of the Appropriations Committee, spoke, which was prior to Senator BURNS. He heard him, he talked to him, and then he spoke.

I wish to talk a minute about an issue that is dear to the Senator and Senator BINGAMAN, who sits here, and myself. We continue to have meetings in our Committee on Energy and Natural Resources and the Agriculture Committee of the Senate trying to analyze why it is we are unable to address the issue of thinning our forests and getting rid of blighted areas in large manner rather than taking so long and sitting by and watching the forests of America deteriorate to the point that they become tinderboxes. They are so filled with overgrowth that fires are inevitable. And when fires happen, very big trees burn because the bottom is totally filled with too many trees, too much brush, too many of the branches and leaves that have fallen. Then thousands of acres are blighted and dried and nobody is doing anything about it.

Then comes a fire. Then we come along and we say: Let's put up extra money to put out these fires, so-called disaster money. Then groups across America begin to run advertisements, have meetings and say: What is the matter with Congress? We can't get our forests thinned. We can't get them fixed. We cannot get the kind of reform that will get work done.

We have arguments that break along environmental and nonenvironmental lines. We can solve those, perhaps, in the next month or two.

But let me say to the U.S. House, I submit to you the real problem we are having in getting any kind of real cleanup of the forests—that is, preventive work done on American forests, be it BLM forests that belong to Interior or forests that belong to the Department of Agriculture and the National Forest Service—is because there isn't any money to do it.

The question is, why isn't there any money? We are always appropriating money for it. And every year there will be a bill that comes through here, Interior appropriations, and you find money for that, a lot of money for that. But guess what happens. Very shortly as the year starts, we have to put out fires. And then what happens? There is no money to put out those fires.

The disaster money we are talking about today and that Senator STEVENS came to the floor and told the House about, the Departments of our Government say: Well, we have a disaster. We have to spend the money.

Surely, they do. What they do is, they take money from other aspects of the Government. What are those? Many of them are accounts which would be used for major prevention on the forests. If there isn't any money for that, the year will pass. The money will have been spent on the disaster, and we will be here talking about a supplemental that is too late and inadequate, and the prevention will not occur.

It is so desperate that in our Committee on Energy and Natural Resources, there have been suggestions to try to set this money aside, to set up a new fund, a whole new way so that the prevention money is prevention money and nothing else. The distinguished Senator, Mr. BINGAMAN, has suggested such an effort.

I am not sure it will work because obviously once you get a big forest fire going and you don't have any money to put out the fire, they are going to find the money somewhere within the Department, unless you took it out of Interior and put it in the Army and said: You can't get it because it isn't even there. They are going to have to use the money they have and make it fungible, take it away from prevention and use it for disaster.

Somehow or another we have to stop that. While I am not today able to say to the House what they are and aren't doing because I am not privy to what Chairman STEVENS is, it seems to me that something like this is occurring early in the season in this supplemental that the House is talking about. Before we even get seriously into the season, we are having more of this: Well, we are having to put out disasters. We will find the money. And if we didn't put up enough, use other money. And yes, there will be a whole

blighted area somewhere in Alaska or northern New Mexico that is supposed to get money for prevention and clean-up, and they will be out of money.

Essentially, this is not simple fun and games. This is serious business. We sit around and watch the forests of America change so that they no longer look like, behave like, or are like they used to be. Our people know it. We know it. They are filled to the brim with too much growth, too much underbrush. They are not even the forests of old. You can't take your children for a nice walk in the forest in most American forests because you can't even walk in them.

I went up into northern New Mexico to the Jemez area and surrounding where I remember, as a youngster, we used to go. There were huge cottonwood trees, wide open, full of pine needles. And believe it or not, it was filled with beautiful growth, such as mushrooms and things that are very pretty. You find you can't even walk, much less see if there is any vegetation, because we haven't had any prevention. We haven't had any maintenance on those forests.

That is minuscule, because we are minuscule in New Mexico compared to the West Coast—Oregon, Washington, and Idaho. I suspect we are talking about the wrong things in this bill over in the House. We are talking about putting money in the wrong place and not facing up to the reality that there are two very distinct needs. And you cannot continue to rob one to pay for the other unless you quickly meet up before the year is out and replenish all of the money in the Departments that are operational, that are ongoing maintenance and operation of the BLM and the Forest Service of America.

I urge the House to do that and be careful not to rob those accounts so much by not appropriating sufficient money for the disaster straight out and leave that other money to be used for what it is intended.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me compliment my colleague on his statement and also our colleague from Montana.

This is a very serious issue, one we have had many hearings on, one very recently. The problem is just as Senator DOMENICI described it. We have sort of an annual event. Annually, we find out we haven't put enough money in these appropriations bills to fight fires. Accordingly, the agencies involved, in particular the Forest Service, understandably have to go somewhere to get that money. They go into these other accounts. These are the funds they should be using to do the forest thinning and forest health and restoration work we all know is essential.

Last Saturday, I went up to Taos in our home State to see the damage that was done in the Taos pueblo by the

Encebado fire. That was a very substantial fire, burning close to 6,000 acres of land, right behind the Taos pueblo. We got a helicopter tour with the Governor and the war chief and the BIA officials and others to survey all the damage that had been done.

On our way back after we had surveyed the damage, which was extensive, we flew down what is called Lucero Canyon. That area was one that the Governor and the war chief pointed out and said: This is an area which is greatly overgrown and which we need to thin. We very much would like to get some Federal funds to help with this thinning activity because our next forest fire we fear is going to be in this canyon.

It is also part of the Taos pueblo land. It is clearly also in danger of burning. That is one area which is one of many areas in northern New Mexico and throughout the West that could be singled out for high risk of being subject to some kind of catastrophic fire.

As Senator DOMENICI said, there are two separate needs. One, we have to have money to fight fires when fires start. But a separate and equally important need is that we have to be able to use the funds we appropriate for thinning activities and for forest restoration activities. We have to be able to use that money for those purposes and not have it transferred for this other purpose. So I hope we can find a solution.

The proposal I have made is that we essentially give the Forest Service authority to go to Treasury and borrow money so they don't have to take it from their other accounts. To the extent there is a need to fight fires, let them go to Treasury and get that money and then have that money reimbursed by Congress in a supplemental later.

I don't think it is tenable for us to think each year, when we have the fire season, we are going to pass a new supplemental appropriations bill. We may have to do that this year. I am not arguing against doing that this year. But that is not a long-term solution to the problem. We need to recognize this problem is with us. Every year we have these fires and every year we come up short in funds to fight them.

I very much hope we can solve that problem and do it in a way that avoids the robbing of funds from the restoration accounts, which is what we have been doing each year.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, my understanding is that we are on the Energy bill. My colleagues are speaking of forests. I come from a State ranked 50th among the 50 States in native forest land. So I am much less acquainted with the challenges of America's forests, forest fires, and other issues than are my two colleagues. I wanted to make a comment about the Energy bill.

I had come to the floor to speak about trade. My understanding from last evening is that we were going to be on the free trade agreement. My understanding is that perhaps we may still be on that later in the day, after the Energy bill is off the floor. Maybe that is not the case.

Let me just say, as a member of the Energy Committee, I feel very strongly that this country needs a new energy policy, an Energy bill. I think it is unlikely that we will be able to finish an Energy bill by the end of next week. There are very significant issues that remain.

Speaking for myself, I want this Senate to pass an Energy bill. I want it to be a good one, one that does all four things that are necessary in a good bill: One that promotes additional production of the sources of energy that we need; one that promotes increased conservation, which is a significant part of our energy needs; for a barrel of oil conserved is about the same as a barrel of oil produced. So we need production and conservation. We also need strong provisions dealing with efficiencies of all of the things we use day to day that use energy. Fourth, we need an opportunity in this legislation to aggressively pursue both renewable and limitless sources of energy. So production, conservation, efficiency, and renewable and limitless sources of energy are very important provisions.

I want to mention one point with respect to an Energy bill that would be a balanced bill, including those four pieces. In addition to that, we must deal with this question of consumer protection. The reason I say that is, having chaired hearings in the Commerce Committee on what happened in the State of California and in the entire set of Western States some while ago—a year and a half or so ago—it is quite clear to me that having chaired those hearings, we had wholesale cheating going on, and ratepayers from the Western United States were bilked of billions of dollars. I am saying this money was stolen and bilked from consumers. It happened because some companies decided to collude in ways that they were able to cheat the consumers.

Regarding Enron Corporation, for example, we unearthed memoranda that described strategies by which they were going to bilk consumers—Get Shorty, Fat Boy, Death Star. They sound like movies, but they are not; they are strategies by which one company decided to cheat west coast consumers. There are many other companies also.

The FERC, a regulatory agency, has been investigating this. They have come up with some hard words, tough words, but not quite as tough a set of actions as I would have liked. My point is, having learned what we did about what happened in the energy markets on the west coast, we need strong consumer protection provisions in the bill that is voted out of the full Senate to go to conference with the House. I feel

strongly that we need to pass a bill. We will head into the winter with severe dislocations between supply and demand of natural gas. Natural gas prices will increase dramatically. They are already on the rise. That is going to be exacerbated in the coming months. Coming from a northern State where natural gas is a pretty important commodity to us in the cold, with our hard winter climates, this will be a very important issue. We are not going to be able to fix that in the Energy bill in the short run. But we need to tell the American people we have set in place policies that help resolve these issues for the long term and intermediate term. I hope we are able to do that.

I ask the chairman, if I may, I had hoped to be able to make a presentation on the issue of trade. If there are others wishing to speak on energy, I will defer. If not, I would like to proceed perhaps to make the statement on trade, understanding that if Members with amendments are coming back to the floor, they could interrupt me, and I will relinquish the floor so they can clear the amendments. If that is satisfactory to the chairman, I will proceed in that manner.

Mr. DOMENICI. How long might the Senator speak on this issue?

Mr. DORGAN. About 20 minutes, I would guess.

Mr. DOMENICI. We are trying to work out about 5 or 10 amendments. If we get them ready, we will call it to his attention on the bill before us. In the meantime, I am going to have no objection to his proceeding to discuss trade as in morning business.

I ask the Senator if he would permit the distinguished Senator from Idaho, Mr. CRAIG, to speak for a couple of minutes on the issue we have just been speaking on, to wit, the House action with reference to the supplemental. When he yields, I will have no objection to the Senator from North Dakota following him, subject to the understanding that if we need to interrupt him, of course, doing it in an appropriate way, to bring in the amendments, the Senator will have no objection.

Mr. DORGAN. That will be fine. I will relinquish the floor to my colleague from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I thank the Senator for giving me a moment of time to address the stopgap supplemental funding bill that has just come back from the House. I come to the floor as frustrated as the chairman of the Appropriations Committee, Senator STEVENS, who spoke to the issue a few moments ago. Senator DOMENICI spoke, as did Senator BURNS of Montana.

It was 100 degrees in Idaho yesterday. For Idaho, that is hot. It has been that way for 3 weeks. We have dried up. We now have forest fires burning, with literally thousands of acres ablaze. We just lost two people in a wildfire in the

middle of the week. Idaho, Montana, Nevada, eastern Washington, Oregon—all of us are afire at this moment.

The supplemental money we put in for the Forest Service and for wildfires, which the House took out, was to replenish last year's accounts from which we had borrowed to fight last year's fires. The accounts we borrowed from were the very accounts that would allow people to go out on the ground for the purpose of rehabilitation, for doing the kinds of things necessary to begin to environmentally improve the land, the 7.5 million acres that burned last year in a phenomenal wildfire scenario.

We are deeply into that already this year. Fires have burned extensively in Arizona, and as the heat has moved up the Great Basin States, along the Rocky Mountain ridge, of course, these fires now continue.

Why the House has done this, I am not quite sure. They say there is plenty of money. There is not because the money was borrowed from the accounts of other areas within the Forest Service. That is a standard practice we have done in the past. But the problem is, by doing what the House did, we are not replenishing the accounts of last year that we borrowed from. We have always done that on a historical basis because one cannot measure or estimate how extensive a fire season will be, how many acres will burn, how many people will be employed. We have literally thousands of people in Idaho right now on the fire lines, as is true in other States in the West, and helicopters are flying, aerial bombers are flying, at this moment.

A phenomenally large number of people are employed to stop the fires, protect the environment, and try to save the habitat, the wildlife and, in many instances, houses, private property, homes that are built up and within the forests of our country, up to and within the forests of our country. We are obviously going to have to address this in an emergency environment.

I am extremely disappointed with what the House has done. I have talked with the Deputy Secretary of Agriculture who heads up the Forest Service, and the chief, and they are just a week away from having to again start borrowing out of the accounts that have not yet been replenished. So their capacity to pay back until we obviously appropriate is limited.

We will continue to fight the fires. The fires will be fought. It is the rehabilitation, it is the restoration, that is funded by other accounts that will largely be denied.

FREE TRADE

Mr. CRAIG. Turning to the Senator from North Dakota, I thank him for the time he has allotted me. I think he is going to be talking about trade and possibly the Singapore and the Chilean free-trade agreements. The Senator and I worked cooperatively together on

a lot of trade issues, and cochair a caucus on the Hill.

The Senator who is in the chair at this moment is as frustrated as I am about these current free-trade agreements in front of us, because our trade ambassador has stepped into an arena that is frankly none of his business, if I can be so blunt, and that is immigration law. I think the Senator from North Dakota is as frustrated by that as I am. The Senator from Alabama, Mr. SESSIONS, has crafted a sense of the Senate I am looking at that will speak very boldly to the fact that if the trade ambassador wants to send up other free-trade agreements—Senator SESSIONS and I serve on the Judiciary Committee, we will be blunt about it—we are not going to let them out.

This ambassador is an appointed person, not an elected person. He does not have the right to go in and write immigration law. That is not his prerogative. If he has to discuss it, if he wants it to become a part of a trade agreement, then he must tell foreign countries he will offer legislation to Congress to review for the purposes of adjusting trade law, if necessary, where it fits and where a majority of the Congress can and will support it.

The two trade agreements that are in front of us are very frustrating to this Senator because I think we have a trade ambassador who has overstepped his authority and I think it is time we tell him that in as clear language as we possibly can.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

FREE TRADE IMBALANCES

Mr. DORGAN. Mr. President, my colleague from Idaho has described accurately the provision in the free-trade agreement dealing with immigration.

But I must say, and he will agree with me, I am sure, that a sense-of-the-Senate resolution that says, in effect, you better watch it, is the equivalent of hitting someone on the forehead with a feather.

The reason there has to be a sense-of-the-Senate resolution at the moment, if we are to express displeasure, is because we cannot offer any amendments to a free-trade agreement. It is brought to the floor under fast track. This Senate, in its wisdom—or in its lack of wisdom—said we agree to put our arms in a straitjacket so whatever the trade ambassador negotiates anywhere in the world, he can bring it back here and we agree to prevent ourselves from offering amendments. That is fast track.

I do not have any big issues with Chile or Singapore. The free-trade agreement coming to the Senate floor is not even a very big deal with respect to Chile and Singapore, the two countries with whom the agreements are made. The big deal to me is that we have made agreement after agreement in international trade. In each case, this country has lost, and lost big time.