

who will recharge the public's imagination and confidence. The public mood can be transformed in an election, a single cycle. Maybe it will take a generation. But it can be changed. Elected officials who cater too much or too little to state interests can be voted out of office. But if the Supreme Court chisels into stone new constitutional restrictions on federal power, new hoops through which Congress must leap, where will we be then? You cannot go to the polls to undo a constitutional ruling of the Supreme Court. There is no further appeal—no appeal to a higher court, no appeal to the voters. Nothing short of a new constitutional convention or an amendment to the Constitution—and you know how easy that is—or will do. James Madison was right: trust the political process. "WE CANNOT AGREE"? Please.

Let me conclude by making the following simple point: if, at the federal level, we are such a failure institutionally, why does the rest of the world look to us to copy our supposed frailties? If we are such a failure—with our last six Presidents supposedly flops—how is that our incomes are actually growing, crime is going down, drug use is down, and our economy is in better shape than that of any nation in the history of the world? How did we produce a nation willing and able, as the President of Bulgaria pointed out, to spend billions of dollars and risk the lives of its men and women to advance the cause of human rights? Did it happen by chance? Did it happen by accident? It happened as a direct result of our unique political institutions.

The Framers set out to create a centralized government robust enough to deal with national problems, but with built-in guarantees that it be respectful of, and sensitive to, local concerns. There is an inherent tension in the document. But look at the sweep of history: as the balance of power has shifted back and forth between the national government and the states, our resilient political branches have adjusted and responded. The rest of the world gets it.

We must remember that politics—and politicians—are not the enemy. The Constitutional Convention was composed of men who were regarded as gifted even in their own day. As the French chargé d'affaires wrote to his government as the Convention convened:

If all the delegates named for this Convention at Philadelphia are present, we will never have seen, even in Europe, an assembly more respectable for the talents, knowledge, disinterestedness, and patriotism of those who compose it.

Above all else, these men were politicians. And I am not suggesting by this that our government today boasts the likes of a Jefferson or a Madison, but I am suggesting that we have fine and decent men and women with significant capabilities who choose public service. And some of you are among them.

The hostility we see from the Supreme Court toward the elected branches of government is the same suspicion we see in the eyes of the ordinary person on the street. "Politics" has become a dirty word. But as those of you here who live in this state of strong local community governments and town hall meetings, know better than anyone, "politics" is fundamental to how we govern ourselves in a democracy. At the end of the day, politics is the only way a community can govern itself and realize its goals without the sword.

So I stand before you today, on this 212th anniversary of the completion of the work of the Constitutional Convention, ready and

willing to defend politics—even national politics. It was what those 50 gentlemen, all strangers, who met 212 years ago defended and vindicated. And it is what, in the end, has made and will continue to make us secure and strong.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. The Senate will now resume consideration of S. 2521, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2521) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. BURNS. The ranking member of this committee has some chores to do. I am finding no one on the floor who wants to talk on this piece of legislation, unless the Senator from Delaware wants to make his Kosovo statement.

Mr. BIDEN. I will do whatever the Senator would like me to do.

Mr. BURNS. I tell the Senator, I have a feeling we are not going to really get into the meat of this bill until after the policy luncheons.

If the Senator would like to open it up, say, with your statement at around 2:15, we might be able to arrange that. Until then, I would put the Senate back into morning business.

Mr. BIDEN. Mr. President, if the Senator will yield, I would be happy to do that. But would I be able to appropriately ask unanimous consent that I be recognized first, unless the managers wish to be recognized, when we reconvene after our party caucuses?

Mr. BURNS. Let's hold up for a minute until we get some consultation.

Mr. BIDEN. Mr. President, let me rephrase that. I ask unanimous consent that after the managers and/or either party leader I be recognized to make my statement on Kosovo.

Mr. BURNS. I have no objection.

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

Mr. BURNS. I thank my good friend from Delaware.

Mr. President, seeing no one to speak on this issue—and I think most everybody is awaiting the debate for this afternoon—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. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. BURNS. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business until 12:30 p.m. today and that Senators be permitted to speak therein for up to 10 minutes.

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

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### THE DISASTER IN NEW MEXICO

Mr. DOMENICI. Mr. President, I note on the floor with me this afternoon is Senator BINGAMAN. We are both here to speak about the disaster and catastrophe that has occurred in New Mexico. I would like to speak maybe for 5 or 6 minutes, then yield to my colleague, and then come back and do a little more.

During my time in the Senate, which is now approaching 28 years, I vividly remember coming down and hearing Senators have to tell the Senate about a disaster of significant proportions in their home State. The Senator wanted to tell us about how bad things were and lay the groundwork for the Congress, the Government of the United States, to do what it must to help those who are victims in a disaster.

To tell you the truth, I have been to Los Alamos, oh, so many times over the last 28 years. Most of them have been very joyous occasions, when we met with some of the greatest scientists in the world, talked about some fantastic science, met some wonderful people, and saw a beautiful town up there in the mountains. It came into being when the United States of America decided a former boys' academy up there in the mountains would be the center around which we would develop our first atomic weapons. It was a closed city for a long time but a beautiful place.

Sure enough, never did I expect to see what I saw last Thursday when Senator BINGAMAN and I, the Secretary of Energy, and James Lee Witt, the head of our emergency disaster relief agency for the United States, and others flew out there. Then we helicoptered around. Then we drove the streets to see what was occurring.

Senator BINGAMAN took a little different tour than I. He saw some of the housing. I saw where they set up the

headquarters to manage and operate things. So he will have some very vivid recollections of what he saw, of houses burned to the ground.

Essentially, it is, indeed, a very sad day when probably one of the greatest laboratories human beings have ever set up—in terms of great science, not just because of great buildings but because great scientists have lived there and worked—is surrounded by flames. Many people supported those most talented of Americans—and even some of our greatest friends from other countries have been there as part of America's research in atomic and nuclear weapons safety, responsibility, and reliability—to go there and see a ghost town as you drive the streets, with smoke on one side, fire on one side, a house burned down, your heart kind of goes out. A great deal of empathy pours from you.

We are very lucky, the Senate should know; even though over 44,000 acres have burned, something like 400 housing units have burned to the ground, and upwards of 25,000 people have been evacuated—many are returning now. Damage and fire are still going in some of the canyons—but, we are very grateful that in the canyons that are still burning there are not very many housing units in the path. The forest is still burning and will burn for a long time. Yet nobody died, nobody got seriously hurt. Two or three firemen were injured, as I understand it, and none of those was serious.

The fire is now no longer threatening the houses of the city of Los Alamos or of White Rock, the adjoining community. In some very miraculous way, none of the big administrative and research buildings of the laboratory was hit by this fire. It went around them and got some housing subdivisions, but only a few buildings of minor significance that are part of this enormous science complex were burned.

The houses that burned, burned right to the ground. All that is left is cement foundations, as Senator BINGAMAN will describe and perhaps show some pictures. If there were houses that had cars in the front yards, the cars were burned to a crisp. The metal is twisted and burned. In some places, you can see an icebox that is hanging over the vacuum that used to be sheltered by walls and roofs. The icebox just melted. It is no longer even noticeable. You cannot recognize it as being such. It is melted and completely different in form.

Essentially, all this was going on right around and close to a laboratory that does an awful lot of nuclear work, that has some compounds that are housed in cement bunkers so nothing can happen to them. And, sure enough, to this day there has been no radioactivity escape from any of these buildings and/or research facilities.

That is not just the Federal Government saying it. The New Mexico envi-

ronmental department has monitored this. The greatest and best monitors from around the country are located there, and the ambient air monitors have indicated there is no radioactivity in the air. So now we have to start back up the path of trying to see how we can rebuild the lives of people there.

I am not going to go into detail other than to say we are beginning to move in the right direction. The laboratory personnel will begin to move in and see what is needed. In one of the communities, people are coming back. Parts of Los Alamos will be reoccupied soon. But I am sure Senator BINGAMAN and I will be asking the Senate, from time to time, to assist us, either with legislation that will direct how this should be handled, or certainly with money that will make the repairs and bring this facility back to where maybe we could say we will make it as whole as possible.

I want to close my first few remarks, and then yield to my friend, Senator BINGAMAN, by saying that right next to this forest, which surrounds Los Alamos, the Los Alamos property that belongs to the Department of Energy, is a national monument called Bandelier. It is rather renowned.

Both Senator BINGAMAN and I have had reason to work specifically for things to preserve and make the Bandelier National Monument a great and beautiful place. But it appears that in order to clear out that Bandelier forest a bit, because so much growth had accumulated and because of so many fallen trees and other things, that a planned burn took place. It looks as if that planned burn got out of hand. It further looks as if it maybe should not have been started at all. I think the House passed a resolution today indicating that the U.S. Government is responsible for all these damages because of this controlled fire that got out of hand. Surely that will be looked at.

The Energy and Natural Resources Committee, chaired by Senator MURKOWSKI, with Senator BINGAMAN as ranking member, has asked the General Accounting Office to begin an investigation. The executive branch has been rather forthcoming. They have told us, by Thursday evening, no later than Friday, they will give us, and I presume the people of New Mexico, the country, and Los Alamos, the results of an evaluation by some of the Government's best experts on controlled fires and forest maintenance. They will tell us what they think went wrong.

At this point, I do not think there is any question that, at least—I start with the proposition, and I am certain Senator BINGAMAN will address the same issue—we are responsible to make that community whole, to make those individual residents who lost their homes and lost their property whole, and whatever expenditures have been incurred by the people and by the com-

munity that we, as a national Government, must make them whole. I am not sure what that means. But it will not take us long to find out.

In the meantime, I am very pleased that New Mexico's delegation is going to meet this afternoon. Hopefully, we will all be working together, the three House Members and the two Senators—Senator BINGAMAN and myself—in an effort to bring before the Senate and the House the appropriate remedies and the appropriate resources that are needed to do everything we can to make that community whole and make the individuals who have been subject to this terrible disaster as whole as possible.

I have additional remarks, about another forest fire occurring in another part of New Mexico and about some of the heroes there. There were heroes in other fires, too. But I yield to Senator BINGAMAN for his comments, and then I will reclaim some time when he is finished.

I thank the Senate and the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico.

Mr. BINGAMAN. I thank my colleague, Senator DOMENICI.

It is a pleasure to work with him in trying to solve some of these imminent problems that afflict our State. We hope very much we can do that in an effective way, with the help of the rest of the Senate and the rest of Congress.

Mr. President, on May 4, National Park Service officials set a fire in Bandelier National Monument to clear brush and deadwood that had accumulated in one corner of the monument, known as the Cerro Grande. We all know now what happened next.

That fire became an uncontrollable wildfire as high winds fanned the flames over the next several days.

Its smoke plume stretched across New Mexico and into Texas and Oklahoma—a plume that was visible from outer space.

The fire spread across the Santa Fe National Forest and torched the northern and western parts of the City of Los Alamos, destroying 260 homes and other residential units that had housed over 400 families.

The fire has, as of yesterday evening, consumed over 44,000 acres. Its perimeter last night was 85 miles.

The City of Los Alamos and the neighboring community of White Rock evacuated a total of over 20,000 people. A voluntary evacuation of 3,000 persons also took place in the next closest city, Española.

The fire has damaged over 10 percent of the Santa Clara Pueblo Indian Reservation, where 1,500 people live, and threatens both the water supply and economic lifeline for that community.

On Saturday, President Clinton declared a Major Disaster in 12 New Mexico counties, as a result of the Cerro

Grande fire and wildfires in several other locations in the State.

This week, and perhaps next week as well, we will be considering appropriations bills that contain emergency supplemental spending for a variety of disasters that have occurred over the past several months. I believe that it is important for the Senate to make some critical adjustments to these spending bills to mitigate the effects of the Cerro Grande fire, and to prevent the occurrence of other catastrophic fires in the West this spring and summer.

As a first step, we should consider additional defense emergency spending to mitigate damage that has occurred at Los Alamos National Laboratory due to the fire. Thankfully, the laboratory was spared major destruction. At the same time, the damage to the laboratory was not zero. A number of buildings and trailers were destroyed, and the fire pointed up some systemic weaknesses in some of the laboratory's emergency and security systems that need to be addressed.

Second, we need to deal with the aftermath of the destruction of dwellings for over 400 families in Los Alamos. The Administration and the Congress needs to act quickly to make them whole for the destruction of their homes and the loss of their belongings. I'm sure we have all seen pictures that show the total loss suffered by many families.

Making these Los Alamos community members and their families whole is not simply a matter of fairness—the government, after all, set the fire that burned them out. What happens to the residents of the City of Los Alamos and the surrounding communities also affects our national security.

The prime national security asset at Los Alamos, when you stop to think about it, is not some scientific facility at the lab or a stockpile of some special nuclear material. The most important national security asset at Los Alamos are the people who work there. It is their brains, their special expertise, and their detailed knowledge of nuclear security issues that won the Cold War. Without the continuance of this human resource, the long-term future of our nuclear deterrent will be in jeopardy, and we may find ourselves prone to unpleasant surprises in a world where nuclear proliferation is still an important threat.

If we do not act quickly to help the scientists and engineers at Los Alamos rebuild their lives there, some of them may take their insurance money and go to rebuild their lives in other places where they can find high-tech employment. That would be a terrible loss to this country's national security. I believe that we have to especially worry about two populations at the laboratory who may find it hardest to rebuild there—the young scientists and engineers who have recently been hired at

the lab, and the scientists and engineers who are nearing retirement.

The young scientist or engineer who has been at the laboratory for only a few years has many other professional options in today's high-tech economy.

For most of them, working at Los Alamos pays considerably less than working for the private sector. Many of these individuals may not be fully insured for their potential losses. If we face these younger investigators with a prolonged stay in temporary housing a substantial distance from the laboratory, or if we ignore their uninsured losses, they may wonder about our long-term commitment to their careers supporting the nuclear security of this country. Already, there have been concerns that the recent attrition rate for these investigators has been higher than the historical average.

Another population at risk for loss to the lab is typified by the senior scientist or engineer who is close to retirement. It is hard for these individuals to start all over again, when they face the prospect of a potential second starting-over when they retire in a few years. These individuals are particularly needed over the next 4 to 5 years. That is the time period during which we will have to make the transition from a laboratory workforce with substantial experience in designing and conducting underground nuclear tests to a workforce that will have to maintain our nuclear stockpile without nuclear tests. According to an analysis carried out last year for my staff, much of the workforce at Los Alamos with substantial experience at the Nevada Test Site testing the primary components of nuclear weapons is aged 56 or older. The lab has an aggressive plan to capture and formalize their expertise in computer models over the next 4 to 5 years. We need to validate the computer codes that will be used in the long-term to certify the nuclear weapons stockpile before these weapons designers with direct test experience retire.

As far back as 1955, laws like the Atomic Energy Communities Act stated that the continued morale of nuclear defense laboratory personnel "is essential to the common defense and security of the United States," and that the federal government needed to maintain conditions in these communities "which will not impede the recruitment and retention of personnel essential to the atomic energy program," as the nuclear weapons program was then called. These principles are still true today. They indicate that we quickly move to restore the homes, the community facilities, and the physical infrastructure of the communities around the laboratory.

In addition to the workers at Los Alamos National Laboratory, the Cerro Grande fire is also threatening some of the most economically vulnerable citi-

zens of northern New Mexico. These are the rural residents and the Native Americans who depend critically on the land that is being burned and its resources for their livelihood. I am particularly concerned about the residents of the Santa Clara Pueblo Indian Reservation, who face the loss of their natural water supply and of numerous sacred and historic sites as the fire progresses. Native American firefighters have been at the forefront of battling this blaze, and have been unstinting in their time and efforts to protect the federal government's property and that of their neighbors. We need to make sure that they are not forgotten in any restitution and recovery plan.

The Cerro Grande fire is one of several major fire disasters now facing the State of New Mexico.

Down in Otero County, New Mexico, near the town of Cloudcroft, the Scott Able fire in the Lincoln National Forest has burned over 21,000 acres. The fire was started last Thursday by a downed power line and is still not contained.

In Otero and Lincoln Counties, the Cree Fire, which started May 7 from a campfire, has burned over 8,700 acres. It has cost over \$1.7 million to fight this fire to date.

Up north in Mora and San Miguel Counties, the Manuelitas Fire in the Santa Fe National Forest, which also started last Thursday from an unknown cause, has burned approximately 1,400 acres. And yesterday, another fire broke out and closed a five-mile portion of Interstate 25 near Pecos, New Mexico.

We need to make sure that we provide the persons and communities who have been damaged by these fires emergency relief and, where appropriate, compensation, as well.

All of these fires, taken together, illustrate the broader danger that States like New Mexico face in this severe fire season from areas of our national forests and public lands that are very close to towns, but in need of management of their vegetation to remove or reduce the dangers of wildfire and to improve the health of the forests. The Forest Service has asked for funds for the past few years to support such activities. This kind of funding would reduce the risk to human life and property while providing a source of local jobs in the rural West. As part of the upcoming emergency appropriations, we need to make sure that we not only provide extra funds for fire fighting, but also for the type of vegetation management, including thinning the forests of certain small-diameter trees, that will help prevent catastrophic fires near cities and towns in the West that are bordered by public forests.

I hope that all my colleagues here in the Senate will join me in making sure that the destruction caused by this fire is quickly remedied, and that the funds

are rapidly made available to help prevent more repeats of that destruction this spring and summer out West.

Mr. President, to reiterate, it is clear now, and acknowledged by the Park Service and by the Secretary of the Interior, that the fire was started by the Park Service on May 4—well over a week ago—and was set as a so-called controlled burn, which got out of control.

This is, unfortunately, not the only instance we know of right at this current time where we have fires out of control which started as controlled burns. So we have a serious problem here.

Let me show you a couple of these photos that have been in the newspapers in New Mexico and in some of the national newspapers to show what we are talking about.

As you can see from this photo, this is the smoke plume from the fire. From the photo, you can see the red. This is Los Alamos. This is the State of New Mexico. This is the State of Colorado above, and then Texas and Oklahoma.

You can see this smoke plume extending to the east out of Los Alamos and out of New Mexico into Texas, into Oklahoma, and into Colorado. That gives you some sense of the size of this conflagration we have been trying to put out as a result of this so-called controlled burn.

I have one or two other photos which I also would like to show, just to give you an idea. This is a picture of the perimeter. Last night the perimeter of this fire was 85 miles. The fire has now destroyed something over 44,000 acres. This photo shows the largest of the fires.

As Senator DOMENICI has said, we have other fires going on in our State. Those have also been devastating for those communities.

Let me just mention those and indicate that we hope that whatever we do here will also provide relief for those communities as well.

The Cerro Grande fire is the largest in our State. But in Otero County, near Cloudcroft, we have the Scott Able fire which has burned over 21,000 acres. The fire started last Thursday by a downed power line.

In Otero and Lincoln Counties, the Cree fire was started May 7 from a camp fire. It has burned nearly 9,000 acres.

Up in Mora and San Miguel Counties, we have another fire that was started last Thursday that has burned approximately 1,400 acres.

We have serious human tragedies resulting from each of these fires. We hope we can get it all addressed.

The particular thing about this large Cerro Grande fire at Los Alamos, as Senator DOMENICI pointed out, is it was started by the Government. The laws we have passed, as I understand them, providing for Federal assistance in the

case of disasters, do not contemplate a circumstance where the disaster was caused by Government action. They are generally disaster relief proposals and resources made available through those statutes, because the Government is stepping in to try to assist where there has been a hurricane or there has been an earthquake or there has been a flood or there has been a fire. Here we have all of that, but we also have the extra overlay and responsibility that I think comes with the fact that the Government set the fire.

Los Alamos National Laboratory was spared major destruction. That is a very important fact. It was not spared totally. There have been some damages. I hope we can see to it that those damages are repaired. But fortunately for the country, as well as for our State and the community of Los Alamos, the major facilities of the laboratories were not burned.

I do think this fire, though, reminds us of our national security assets located in Los Alamos. They are not just the facilities, and they are not just the nuclear material or equipment that has been developed there over many decades; the main asset we have there with a national security significance to it is the scientists and engineers and other people who work at that facility.

For that reason, it is absolutely essential we step up, as Senator DOMENICI said, to make these people whole, do what can be done by way of resources at this point, to help them rebuild, help them get through this period of turmoil, and get back to work on our very important national security needs.

We have various distinctions in our State. One that I have always enjoyed is that we have more Ph.D.'s per capita in New Mexico than any other State in the Union. People say, well, that is an unusual statistic. It is a statistic which relates directly to the Los Alamos National Laboratory and to the Sandia National Laboratory.

We have many extremely well-trained, well-qualified people working there. These are people who have alternative careers they can pursue; these are not people who need employment there. They could go to any of a number of private firms and be compensated, probably substantially better than we are compensating them to do this very important national security work.

We need to keep those people at our laboratory. We particularly need to keep those people, the young ones who have come in recently and those who are near retirement but who have very valuable information and very valuable expertise, in our nuclear-weapons-related work.

I know there is an aggressive plan that the Department of Energy and the Los Alamos National Laboratory have developed for the next 4 to 5 years to

try to capture some of that expertise and ensure that we retain that before some of these people retire.

We cannot allow this fire and this disruption of activity in the laboratory and in the community of Los Alamos to interfere with our ability to keep that expertise at that laboratory. So that is an important reason why this needs to be done quickly, why we need to move aggressively to deal with this.

Let me also mention the other populations in our State that have been very adversely affected by the fire. One, of course, is the Santa Clara Pueblo. If the fire continues—and it has already consumed some 10 percent of their reservation—it continues to threaten that pueblo and the livelihoods of many of those people. We need to see to it that whatever we are able to do benefits them and helps them to recover from the devastating effects of this fire, as well as other individuals in Rio Arriba County, Santa Fe County, and the community of Espanola.

All of those factors need to be taken into account. There is a long list of needs that people will have and a long list of damages that people in the communities involved and the businesses involved will have suffered. I need to just say that, to my mind, we need to step up and accept responsibility. We, the Federal Government, we, the country, need to step up and accept responsibility for making those people whole.

These natural disasters can result in extended litigation and efforts by people to try to get compensated. We hope that can be avoided to the extent possible in this case, because we hope that we can get a sufficiently effective and coordinated and rapid response from the Federal Government to allow that to happen. So I hope very much that all of this occurs.

Mr. President, on behalf of Senator LEVIN, I ask unanimous consent that following the remarks of Senator BIDEN, Senator LEVIN be recognized for up to 30 minutes.

Mr. DOMENICI. On behalf of the manager of the bill, I have been asked to object to that. I object.

The PRESIDING OFFICER. Objection is heard.

The senior Senator from New Mexico is recognized.

Mr. DOMENICI. I thank Senator BINGAMAN for his remarks and his observations.

Mr. President, I've visited Los Alamos countless times during my years of service in the Senate. I've been there for many celebrations, celebrations of their immense contributions that have helped to preserve our national security and maintain our scientific leadership.

Well, I was there a few days ago, and it was no celebration. I witnessed incredible devastation caused by the massive forest fire that is ravaging the area. Thousands of beautiful trees have

burned and smoke was rising everywhere. Hot winds were fanning new flames. Thousands of acres of forest were devastated. The lives of many people were shattered. Over 20,000 people had been evacuated, and were receiving shelter with friends and in public areas. Many homes lay in ruins, consumed by flames.

These are homes of people who have dedicated their lives to preserving our precious freedoms. They are true patriots. It only added to my heavy heart to know that the fire was caused by an ill-advised "prescribed burn" in nearby Bandelier National Monument.

In the face of the tragedy, I was immensely impressed with the superb emergency services that were being provided. The State Governor spent a long night in Los Alamos. The Red Cross set up shelters throughout the northern area. The Forest Service mobilized hot shot firefighting units and brought superb expertise, capabilities, leadership and coordination to this horrible situation. The FEMA Administrator was on site. The Secretary of Energy arrived with some of his key staff.

The local emergency personnel were doing wonderful work, trying their best to safely cope with the immense challenge of protecting public safety during a complex evacuation, while also ensuring that none of the hazardous operations at the Laboratory caused additional concerns. The evacuation of Los Alamos took only about half the time anticipated, partly because they had recently practiced an evacuation drill.

There have been many acts of heroism, in which emergency personnel performed critical functions. Many of the lab personnel who manned emergency posts lost their homes in the fire, yet they continued at their stations to ensure the safety of others. People from throughout New Mexico reached out to help their neighbors. Assistance to evacuees from Pojoaque, Espanola, Taos and Santa Fe, along with other communities throughout the State, has been heart warming. Community leaders of these areas, like Jake Villareal from Pojoaque Pueblo and Richard Lucero from Espanola, were some of the first to offer generous assistance.

Given the state of the devastation, it's amazing that there has been no loss of life, or even serious injuries. The fire burned over bunkers full of high explosives—those bunkers provided the planned levels of protection and there were no accidents. Laboratory buildings, which house hazardous operations, remained secure, thanks in large part to years of careful planning. In fact, Laboratory leadership, under the direction of John Browne, deserves accolades for assuring that the Laboratory did not compound the fire-related crises, and bringing the laboratory through the events without significant

loss of the facilities they require to accomplish their mission.

In the near term, we need to care for the immense human dimensions of the tragedy. We must ensure that people have adequate shelter, that public health and safety are protected, that public services are rapidly restored, and that some semblance of normalcy can return to their lives. We need to provide assistance to people as they rebuild their lives and their houses.

In the longer term, we need to ensure that the town regains its vitality, which is essential for our national Laboratory to return to full productivity. With the cessation of nuclear testing, the challenges facing that Laboratory are even greater than in years past. Now we've asked their staff to assure that our nuclear deterrent is safe, secure, and reliable—and do it without any nuclear tests. Our nation depends on that deterrent. We need these patriots to continue their work.

While I'd like to list the groups and individuals that have worked together to mitigate this catastrophe, that's really an impossible task. I do want to especially thank President Clinton, FEMA Administrator James Lee Witt, and regional FEMA Director Buddy Young for their quick reaction to this devastating disaster. FEMA's assistance has and will continue to be critical in helping to make the community whole again.

Up to this point, much of the focus has been on the tragedy facing the Laboratory and the communities of Los Alamos County, but there are additional dimensions to this horrible fire. It is still burning, and may threaten other communities. In fact, it could burn for months, as dry fuel in these mountain areas is plentiful.

As we are speaking, the Abiquiu land grant has been voluntarily evacuated. Beautiful and sacred areas of the Santa Clara Pueblo are burning or are threatened. We must make the same assistance package being prepared for the Los Alamos community available in these other locations, if this fire damages property there.

Last Wednesday, Governor Johnson requested that the President declare a state of emergency in New Mexico, and President Clinton signed that request within hours. The emergency declaration triggered immediate assistance to Los Alamos, as well as Sandoval and Santa Fe Counties, and Rio Arriba County was added soon thereafter. The emergency declaration provided for short-term assistance including funds for things like: Food, water, medicine and other essential needs; shelters and emergency care; temporary housing assistance; emergency repairs and demolition; and emergency communications service and public transportation.

Over the weekend, at Governor Johnson's request, the President declared parts of northern New Mexico to be a

federal major disaster area. This triggers additional federal assistance from FEMA and other agencies for the following counties: Bernalillo, Cibola, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos and Torrance.

FEMA has only begun the process of assessing the damage, but the assistance will include funds to help individual families with rental housing, hotel/motel costs and other living expenses. Federal aid also will be available for county and city governments to help begin the process of rebuilding their infrastructure.

Thankfully, it is estimated that 98 percent of the homes destroyed or damaged by the fire were insured. But, there are other effects this fire will have on the community, particularly the business community so heavily dependent on the Laboratory for its existence in Los Alamos. SBA will make available low interest loans to help small businesses pay for their property losses and to cover cash flow shortages or working capital deficiencies because of the fire's impact.

FEMA has completed its initial assessment of the situation in northern New Mexico, and I have been assured that all appropriate federal agencies that can provide support will do so. FEMA will coordinate these activities and work closely with local officials to implement a comprehensive plan. No amount of money can replace many of the things which have been lost during this devastating tragedy, but all available federal resources will be brought to bear to do the best job we can.

Over the next few weeks, we will begin to understand the types of assistance that will be required for the Laboratory and its staff to return to productive work. I stand ready to work with all of you to assure that those resources are provided swiftly and surely.

Unfortunately, FEMA may be called upon to assist other communities in New Mexico, as my State is being devastated by a series of major fires. In the southern part of New Mexico, there are fires comparable in size to the Los Alamos fire. My heart goes out to those people as well, as they work to rebuild their lives.

I've joined a call within the Energy and Natural Resources Committee, together with Chairman MURKOWSKI and Senator BINGAMAN, to carefully establish the chain of events that led to the horrific events associated with the Los Alamos fire. The Government Accounting Office has begun a detailed investigation. Even with the limited information we have now, it appears clear that major human errors caused this fire. We need to understand those errors and be sure they don't occur again. We may, for example, need to reexamine the procedures for evaluating the safety of "controlled burns."

It's also clear, even with the information we had last week, that the federal

government is responsible for this disaster. Thousands of people were impacted by this mistake, and hundreds of those people have suffered major financial losses. Those folks are plenty angry, and they have every right to be furious. In Congress, we need to find ways to make those folks "whole" again, as quickly and efficiently as possible, with an absolute minimum of red tape.

All our citizens owe a tremendous gratitude to the workers at Los Alamos. We won the Cold War because of their contributions. Today we enjoy our freedoms because of their dedication. We need their continued dedication to assure that those freedoms survive for our future generations. And they need our help to rebuild their lives and return to their vital missions.

Mr. President, there are a lot of people to thank. I thank the President for acting expeditiously in declaring a national emergency. I thank James Lee Witt, the FEMA Administrator. He visited personally. He has put one of his best directors in charge. I thank Buddy Young from FEMA, who is out there setting up the appropriate centers. Obviously, at the forefront throughout this entire disaster has been our distinguished Governor, Governor Johnson. He probably knows more about it than any outsider today. He has spent untold numbers of hours, along with his wife, finding out what was going on, making sure things were coordinated and organized. I thank him in a very special way for all he has done. There are many others to thank whom I will forget to mention and they are very important.

I think the people in this country ought to know this laboratory was very well organized. It is the center of some very significant activities that require expertise and require that we do things absolutely right. They had an evacuation plan. It was followed to a tee and, believe it or not, with just four roads out of the mountains, all of these people went to other parts of our State 20, 30, 40, 50 miles away. That occurred without anything other than a mild jam up of automobiles on a couple of occasions as they left. They are staying with friends and neighbors everywhere. Motels offered the people from Los Alamos some very excellent, reasonably priced, accommodations and were very generous in doing that. Now, people from Los Alamos are starting to move back and we anxiously await their return. I have a few comments for them.

Without a doubt, it is the people who make this laboratory great. It is imperative that in our efforts to make this community whole, we do so with as much dispatch as humanly possible. Let it not be a long, dragged out, protracted effort to focus our attention and resources on what the people are entitled to and need, and let's get it

done. We don't need any discouragement directed at those who are either new on the job, with great scientific prowess, or those who have been there a long time and are a part of the real nucleus of our nuclear and our deterrent capability. We don't need to discourage them. They should not be discouraged. We hope they come back and take up their jobs. Nobody should lose anything because of this fire in terms of remuneration, or pay, or the like. It is our responsibility.

As I indicated in my remarks, we have acts of God where lightning and other things burn our forests, and we have people in recreation areas who make a mistake and start a fire. This one apparently was started by the U.S. Government, although another department of Government, the Park Service, under the Interior Department; that is different from the Department of Energy that manages this laboratory.

Nonetheless, it seems to me that there are lawyers talking about trying to get our constituents there to sign up with them so they can get remuneration. I am very hopeful, as Senator BINGAMAN has indicated, and as Congressman UDALL from the district where this laboratory lies, who spoke last night at an event. We ought to give our assistance in an effort to make people whole. We ought to do that quickly and make sure the people understand they don't have to go through protracted litigation and courts to get the compensation they are entitled to. We intend to make them whole. But obviously, there may be different definitions, depending upon what vantage point you take, as to what "making them whole" means. But wherever you can measure property losses such as a house, that which was in a house, personal property, automobiles, and the like which might have been damaged or destroyed, it is pretty easy. We need to put somebody in charge. We owe the people for what these destroyed assets were worth to them.

This isn't a town way up in the mountains. It is not going to be easy to build 400 new residences, if that is what people choose to do. It will take some time. The Federal Government has a lot of resources that it puts to bear and focus in emergencies. They will all be there, and hopefully organized in such a manner so that people will not be frustrated, and we will get on with this.

In the meantime, the process of controlled burns ought to be looked at thoroughly by Congress, but also the entire process of how we are maintaining our forests and our national parks in terms of trees that are knocked down; blighted areas where we have timber standing that is totally dry and dead; underbrush that is growing; pine needles that are piled up everywhere making a tinderbox out of some of our

national monuments, some of our national parks, some of our forests, and some of the Bureau of Land Management land. We have to take a look to see what we should be doing about that.

Should we leave that independent kind of situation waiting around for a fire of this magnitude or should we begin some orderly process of doing some things that will clean it up a bit and make it a little more safe? I opt for the latter.

I hope there will be some detailed hearings about that because I believe something should be done.

I understand the Senate is going into recess for the Republican and Democratic lunches. But I am not in charge of that time, unless leadership wants me to do something in that regard.

I yield the floor and thank the Senate.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, is there a unanimous consent agreement?

The PRESIDING OFFICER. There is a unanimous consent agreement that we recess for the caucus meetings.

Mr. CRAIG. Mr. President, starting at what time?

The PRESIDING OFFICER. At 12:30.

#### EXTENSION OF MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent to extend that for 1 minute.

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

The Chair recognizes the Senator from Idaho for 1 minute.

#### FIRES IN NEW MEXICO

Mr. CRAIG. Mr. President, I wanted to respond to the senior Senator from New Mexico and his colleagues who have just spoken. All of us have watched with great concern as this fire has caused such devastation in the mountains of New Mexico and around Los Alamos.

I chair the Subcommittee on Forestry and Public Lands. For the last decade we have known as a country that our forests are rapidly growing unhealthy, largely because we have not managed them as skillfully as we should. In areas that are natural and left to be natural, we understand not touching them. But where we have forests in what we call urban interface today, where houses are built amongst the trees, there ought to be an aggressive effort to keep fuel loading down and to disperse trees in such a way as to disallow these kinds of crises from developing. It is happening now in New Mexico because of a major error on the part of a Federal agency.

We literally have millions and millions of acres of forested public lands