

Ron Wyden's moment — or hot seat

Another summer. Another wildfire season.

Last year, 7 million acres burned across the nation — 23 people perished trying to put out those fires — and still Congress did nothing. Oh, lawmakers talked about doing something to prevent catastrophic fires. But the only action was a provision exempting lands in then-Senate Majority Leader Tom Daschle's South Dakota from the nation's environmental and forest-management laws. The larger issue was just too hot to handle in an election year.

Will this year be any different?

Well, the season's first wildfire hit Oregon last week, but there's really no reason that Congress should once again do nothing as fires burn this (non-election) year. The House has already passed Rep. Greg Walden's "Healthy Forests Restoration Act," and President Bush has said he'd sign the Oregon Republican's measured approach to treating public and private lands at exceptionally high risk of catastrophic wildfires.

Just how sound is this legislation? Well, its bipartisan journey through a narrowly divided House helps tell the tale. The bill boasted 17 Democratic co-sponsors, and three — Charles Stenholm and Jim Turner of Texas and Jim Oberstar of Minnesota — would be committee chairmen if Democrats ruled the House. In the end, the

"Healthy Forests Restoration Act" passed the House on a 256-to-170 vote. Forty-two of the 256 ayes came from Democrats. It doesn't get more bipartisan than this on significant legislation in the narrowly divided House.

If this bipartisan House support doesn't suggest how solid Walden's nationwide healthy forests bill is, the mud that foes threw at the bill most certainly did. Their case was so weak they had to tell bona fide whoppers.

The bill would free the way for 1,000-acre clear-cuts?

Well, let Forest Service Chief Dale Bosworth clear up the clear-cut issue. "I know that a few critics believe that [your bill] authorizes large clear-cuts without environmental analysis or public input. This is not true," he wrote Walden.

"The law does not change existing laws and rules that regulate the size of clear-cuts; agencies would still be required to do the appropriate environmental review; and projects would be subject to public notice and comment."

In short, existing clear-cut limits would still apply.

The bill would limit judicial review? In fact, the public would still be able to appeal decisions in the courts, but it ensures that last-minute, postage-stamp appeals from people who refused to participate during the initial review process couldn't stall forest-health projects endlessly.

Courts would have to review any injunctions they issue after 45 days to see that they're still justifiable and reach final decisions in 100 days if practical. Also, judges would have to consider long-term, not just short-term, consequences in issuing these injunctions.

These changes make eminent sense when you consider what delay does to our ability to treat unhealthy forests — diseased or insect-ridden forests that account for huge fuel buildups that stoke catastrophic fires — and how damaging these wasteful infernos are to forests and streams, critters and humans.

Now, it's the Senate's turn, and nobody's in a hotter spot than Ron Wyden, who said last week that he welcomed the Walden bill's arrival there. It's the Oregon Democrat who'll have to see that this bill or something like it doesn't become another casualty of a Democratic filibuster. Doubtless other Senate Democrats will back this nationwide forest health bill. What will it say if Wyden, who casts himself as a moderating presence in the Senate, can't keep his party colleagues from once again fiddling while Oregon and the West burn?

It could be a long, hot summer in Washington, D.C., and the West, and another summer's wildfires could become Wyden fires.



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