

not exist in the countries to which they may be returning. Many of them are eligible for awards from the Victims Compensation Fund, but, as you know, many of the awards have not been processed, or even begun to be processed in many instances. Much work remains to be done.

Although they have been in mourning for nearly a year, many widows and children are waiting patiently for DNA analysis of the remains of their loved ones. Without closure, the grieving process has been prolonged considerably. Because of this delay, many necessary and unfamiliar financial matters have not been adequately addressed. There are homes that need to be sold and other business affairs to be settled before these folks should be returning home.

Also, there are children to consider, many of them in American schools, who have begun their lives. Many of them are American citizens, the children themselves. In fact, I think some of these children could potentially be separated from their parents as we go forward with this whole process. So it is a real issue at a human level on the ground, where people are trying to work their way through this tragic series of events.

While it is difficult to define the precise number of survivors who would be eligible for relief under my legislation, it is safe to say it is under 200. I think it also reflects some problems in the INS. The books and records are not exactly clear on how many folks there are involved. We have identified, in my office, about 80 of these people with whom we are working to try to provide special attention to them. The thought is, it would be close to 200.

Yet despite the fact that this legislation is sculpted very narrowly to address only the most immediate humanitarian considerations for this population, and despite the fact that the number of people included is a narrow 200 or fewer, each time I have attempted to get this legislation cleared, an objection has been raised. Generally, it has been one individual who has used their ability to quietly veto this legislation.

So at this time, with September 11 just 1 day away, Mr. President, I think it is time to pass this legislation. I think it is important. I think it speaks to the nature and the quality of who we are as a nation.

Therefore, I ask unanimous consent that the Senate take up and pass S. 2845, legislation to extend for 1 year procedural relief provided under the USA Patriot Act for individuals who were or are victims or survivors of victims of a terrorist attack on the United States on September 11, 2001.

The PRESIDING OFFICER. Is there objection?

Mr. BURNS. Objection.

The PRESIDING OFFICER. There is objection.

Mr. CORZINE. I appreciate the responsibility of the Senator from Wyoming to carry out the objection.

I continue to have serious concerns that if the facts of this issue were known broadly, they would not be resisted. I personally sought out the assistance of a number of folks who have typically objected to legislation dealing with immigration: Senator BYRD, Senator NICKLES, and particularly Senator HATCH, and they have been very helpful on this—and the Senator from Montana; excuse me. The distinguished Senator from Montana. I apologize. I am tied up in this sense of—

Mr. BURNS. I say to the Senator from New Jersey, I have lived on both sides of the line.

Mr. CORZINE. It is all a beautiful part of the country.

But I must say, of all of the issues that get at human interests, I consider it extraordinarily unusual that we have chosen to put a group of people—a limited group of people—at such risk.

I think this idea of having people be able to secretly hold legislation is a troubling one. I hope we can move on with it. I think this is an important piece of legislation.

I thank the Senator from Montana for his graciousness, and also the Senator from Nevada. I appreciate the opportunity to speak on this important issue.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2003—Continued

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that the time for working on this bill be extended past the hour of 12:30, until Senator BURNS and I can clear these amendments.

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

AMENDMENT NO. 4523 TO AMENDMENT NO. 4472

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Senator BOXER.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report.

Mr. REID. Yes. I failed to ask that. I appreciate that, Mr. President.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. BOXER, proposes an amendment numbered 4523.

Mr. REID. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding 36 undeveloped oil and gas leases in the Southern California planning area of the outer Continental Shelf)

At the appropriate place, add the following:

SEC. . SOUTHERN CALIFORNIA OFFSHORE OIL LEASES.

(a) Congress finds that—

(1) There are 36 undeveloped oil leases on the land in the Southern California planning

area of the Outer Continental Shelf that have been under review for an exceptionally long period of time, some going back over thirty years, and have yet to be approved for development pursuant to the Outer Continental Shelf Lands Act;

(2) The oil companies that hold these 36 leases have expressed an interest in retiring these leases in exchange for equitable compensation and are engaged in settlement negotiations with the Department of the Interior regarding the retirement of these leases; and

(3) It would be a waste of taxpayer dollars to continue the process for approval or permitting of these 36 leases when both the lessees and the Department of the Interior have said they expect there will be an agreement to retire these leases.

(b) It is the sense of the Senate that no funds should be spent to approve any exploration, development, or production plan for, or application for a permit to drill on the 36 undeveloped leases while the lessees are discussing a potential retirement of these leases with the Department of the Interior.

Mr. REID. Mr. President, the pending amendment, which I have offered at the request of Senator BOXER, is a sense-of-the-Senate amendment regarding southern California offshore oil leases. The amendment notes that several leases have not been developed and that the leaseholders are negotiating with the Government to retire those leases. During these negotiations, the amendment urges that no funds be spent on development of the leases.

The amendment has been agreed to by Senator BURNS.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. Mr. President, I would normally object to any amendment that would withdraw any lands from energy development or consideration. However, this one is just a little bit different. This is already tied up in litigation. I think anytime we shield land from energy exploration, we do not do this country a great favor, nor do we help our situation in the Middle East.

So I think should it be in any other form—there are litigation discussions now ongoing that could possibly expose this Government to a massive takings litigation. However, the way it is worded, it is only a sense of the Senate, and I do not object.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4523) was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 4524 TO AMENDMENT NO. 4472

Mr. BURNS. Mr. President, on behalf of Senator BENNETT, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. BENNETT, proposes an amendment numbered 4524.

Mr. BURNS. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To set aside forest legacy program funds for the Castle Rock Phase 2 project and Chalk Creek (Blonquist) project, Utah)

On page 65, line 7, strike "Program," and insert "Program (of which \$2,000,000 is for the Castle Rock Phase 2 project, \$1,600,000 is for the Chalk Creek (Blonquist) project, and none is for the Range Creek #3 project, Utah),".

Mr. BURNS. Mr. President, the amendment reallocates funding provided in the bill for Forest Legacy projects in the State of Utah. The amendment is fully offset, and both sides have agreed to it. I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

Without objection, the amendment is agreed to.

The amendment (No. 4524) was agreed to.

Mr. BURNS. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4525 TO AMENDMENT NO. 4472

Mr. REID. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk on behalf of Senator CLELAND and Senator THOMPSON.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. CLELAND, for himself and Mr. THOMPSON, proposes an amendment numbered 4525.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate concerning adequate funding for the National Park Service)

On page 64, between lines 15 and 16, insert the following:

SEC. 1. SENSE OF THE SENATE CONCERNING ADEQUATE FUNDING FOR THE NATIONAL PARK SERVICE.

(a) FINDINGS.—Congress finds that—

(1) the National Park Service is responsible for the preservation and management of the natural and cultural resources of the National Park System for the enjoyment, education, and inspiration of the present and future generations;

(2) the National Park Service is the caretaker of some of the most valued natural, cultural, and historical resources of the United States;

(3) the National Park System provides countless opportunities for the citizens of the United States to enjoy the benefits of the heritage of the United States;

(4) the National Park Service is struggling to accommodate an increasing number of visitors while maintaining the National Park System; and

(5) in an effort to support the purposes of the National Park System, in recent years

Congress has, with respect to units of the National Park System, substantially increased the amount of funding available for operations, maintenance, and capital projects.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should—

(1) to the maximum extent practicable, continue efforts to increase operational funding for the National Park System; and

(2) seek to eliminate the deferred maintenance backlog by fiscal year 2007.

Mr. CLELAND. Mr. President, I would like to thank Senator BYRD and Senator BURNS, along with their staffs, for the hard work they have put into the Fiscal Year 2003 Interior Appropriations bill. I know that, with the current budgetary constraints, it was not easy task to craft a bill which would fund all of the agencies and programs which fall under this legislation. The FY 2003 Interior Appropriations bill includes close to \$.6 billion for the National Park Service. This is an increase of nearly \$100 million above the FY 2002 funding level and I know it will go a long way in helping the National Park Service meet their responsibilities to maintain our National Park system. However, the National Park Service currently has an estimated \$600 million annual shortfall in operations funding which has significantly contributed to a backlog of unmet needs, threatening the natural, historic, and cultural treasures that the National Park Service was established to protect.

The National Park Service is charged with managing 83 million acres of land, 385 sites, habitat for 168 threatened or endangered species, more than 80 million museum objects, 1.5 million archeological sites, an 26,000 historic structures. Park Service employees do a remarkable job of preserving our heritage and welcoming park visitors, nearly 300 million each year, however, it has become clear that if the Park Service is to continue the good work they do, the Congress must provide substantial increase in funding so as to alleviate the maintenance backlog which is contributing to the physical deterioration of our parks and cutbacks in services provided.

The Chichamauga and Chattanooga National Military Park, located in Georgia and Tennessee, has more than 1,400 monuments and plaques, most erected during the 1890's and early 1900's to honor those who lost their lives during the Civil War. Many of these historic monuments have been vandalized or otherwise damaged over the years and have not been repaired due to a lack of funding. Another National Park Service site in Georgia, the Ocmulgee National Monument, was established to preserve the cultural remnants of 12,000 years of human habitation in the Southeastern United States. While Ocmulgee boasts the second-largest museum collection in the park system, there is no museum curator on site to monitor the artifacts. Funding limitations have also impaired the Park Service's efforts to

teach visitors about the park's cultural resources. Most recently, a week-long program introducing local youth to the park was discontinued, and instead of receiving a guided tour of the park as in the past, visitors are fortunate if there is a ranger available to hand them a brochure upon entering the park.

Earlier this year, Senator THOMPSON and I were joined by 26 of our colleagues in requesting that the Senate Interior Appropriations bill include increased funding for the National Park Service. While the Committee did not increase funding as much as we had hoped for, we are most appreciative for the increase of nearly \$100 million. Today, Senator THOMPSON and I have again worked together to introduce an amendment expressing the Sense of the Senate that the National Park Service is of tremendous importance and value to the American people and that the Congress should significantly increase operational funding and eliminate the deferred maintenance backlog by 2007. I thank Senator AKAKA and Senator GRAHAM for their leadership on this issue and appreciate their co-sponsorship of this amendment.

Mr. THOMPSON. Mr. President, as we debate the Interior Appropriations bill, I would like to take this opportunity to focus attention on underinvestment in our national parks, an issue of particular importance to me and the millions of Americans who visit our national parks each year. Earlier this year I joined 27 of my colleagues in writing to Chairman BYRD and Senator BURNS to request a \$280 million increase above the fiscal year 2002 level for the National Park Service's operating budget. While the bill before us does not reach that goal, it is a step in the right direction and provides almost \$98 million more than last year's funding level. I thank Chairman BYRD and Senator BURNS for their leadership, and especially for their commitment to continue working to increase operational funding for the National Park Service and to eliminate the deferred maintenance backlog by 2007.

Our national parks are a precious resource that we have a responsibility to protect. I have seen first hand the important role that our national parks play in conserving our natural resources and shaping our national heritage, and I have also witnessed the problems associated with a lack of resources for our parks. The Great Smoky Mountains National Park, located in my home State of Tennessee, is the Nation's most visited national park, welcoming more visitors each year than the Grand Canyon and Yosemite combined. Unfortunately, the Great Smoky Mountains National Park, like so many other parks across the country, is struggling to cope with an increasing number of visitors, a deteriorating infrastructure, and a general lack of resources. While Congress has regularly increased funding to operate and maintain the National Park

System, we need to do more. The Federal Government has a fundamental responsibility to ensure that the Nation's 385 national parks are preserved for the enjoyment of current and future generations.

Since 1980, park visitation has grown by more than 40 percent and Congress has added more than 60 new park units. More visitors means more stress on roads, campgrounds, and trails, and requires higher staffing levels to ensure that visitors are kept safe and resources are protected. One might say our parks are being loved to death, and Congress must make it a priority to provide the funding necessary to keep pace with increasing needs. The threats facing the parks can no longer be ignored, and each year of delay only compounds the problem.

The amendment I am offering with Senator CLELAND makes clear the Senate's commitment to meeting our responsibility to our national parks. The amendment expresses the sense of the Senate that Congress should, to the maximum extent practicable, continue efforts to increase operational funding for the National Park System and to eliminate the deferred maintenance backlog by 2007. The President has promised to address the maintenance backlog, and I commend his efforts. The deterioration of our national parks did not happen overnight, and a solution is going to require a long-term commitment from both the administration and Congress.

The national parks exist for the use and enjoyment of all Americans and teach us important lessons about ourselves and the natural world in which we live. At a crucial time in our Nation's history, Americans should be able to visit our national parks and experience them as they were meant to be enjoyed. A neglected and underfunded National Park System is not the legacy that I want to leave to our children and grandchildren. I am pleased that the Senate has recognized the importance of adequately funding our national parks, and it is my hope that Congress will continue to provide increased funding in the years to come.

Mr. GRAHAM. Mr. President, I join my colleagues, Senator CLELAND and Senator THOMPSON, in offering an amendment to the Interior Appropriations bill that shows the Senate's support for funding our national parks.

I am cosponsoring this amendment after hearing comments from park employees, park supporters, and park visitors about the importance of providing adequate funds to maintain our nation's natural treasures during my Third Annual National Parks Issues Forum, held at Zion National Park in Utah.

Tomorrow marks one year since the horrific terrorist attacks on our Nation. Events such as these remind us of the importance of having places of refuge where we can go to refresh and renew our spirits. John Muir wrote in his book *Our National Parks*, "Thou-

sands of tired, nerve-shaken, overcivilized people are beginning to find out that going to the mountains is going home; that wildness is a necessity; and that mountain parks and reservations are useful not only as fountains of timber and irrigating rivers but as fountains of life."

John Muir's thoughts still ring true. Our national parks, be they mountains, deserts, or rivers of grass, are critically important places for Americans to go and escape the trials of civilized life.

Our Nation's cultural and natural heritage are preserved in our parks. We have demonstrated our initial commitment to preserving this heritage by setting aside these special places as national parks. We must now continue to demonstrate our commitment to these special places by providing a level of funding adequate to operate and maintain them.

Throughout the park system there are historic structures and buildings that require rehabilitation; there are utility systems that require repair or replacement; there are roads that require paving. In addition there are units that are woefully understaffed. Given our current fiscal constraints, we must be sure to invest each of our dollars in those places that will do the most good and make the biggest impact in our parks.

I also want to take this opportunity to acknowledge Senator AKAKA's leadership on this and other issues of critical importance to the national parks. Senator AKAKA is the Chairman of the Subcommittee on National Parks and I have long enjoyed our work together to improve our parks.

Like Senator AKAKA, I believe that our national parks are worthy of our investment—worthy of our commitment. I urge my colleagues to help provide our parks with an adequate level of funding.

Mr. HELMS. Mr. President, God blessed this Nation with an abundance of natural resources and places of unmatched natural beauty. I am so glad that as a Nation we have set aside portions of our land for the enjoyment of the American people and have preserved our heritage by the restoration and maintenance of dozens of historic sites around America.

However over the course of my nearly thirty years in the Senate, I have seen the Federal Government fumble year after year its stewardship over the lands it holds as a fiduciary for the American people.

The Federal Government has continued to add acre after acre year after year, when it has been demonstrated that it cannot maintain what it already has. This has placed an enormous burden on the National Park Service and other Federal agencies who manage and hold in trust land for the American people.

The Park Service is charged with managing 385 sites which comprise 83 million acres of land drawing 300 million visitors per year. The Service is

also responsible for, among other things, the care of more than 80 million museum artifacts that trace American history.

According to a report from the Congressional Research Service, the National Park Service estimated that its national maintenance backlog was \$4.9 billion when it submitted its fiscal year 2002 budget request to the Congress. Let me say this again, \$4.9 Billion.

The Appropriations Committee has recognized this and recommended an increase of \$97,990,000 above the fiscal year 2002 enacted level, and \$500,000 above the budget request, and I'm glad the Committee included an additional \$20,000,000 in to meet these needs. Included in that is a 2.9 percent increase for base operations of National Parks in North Carolina. That is encouraging but the Federal Government needs to catch up.

According to the figures supplied to me by the National Park Service the total amount for "deferred repair/rehabilitation construction for the National Park Units in North Carolina is \$65,231,974.

My friend from Georgia, Mr. CLELAND, and my friend from Tennessee, Mr. THOMPSON, have offered a "sense of the Senate" resolution that calls upon the Federal Government to catch up on the hundreds of maintenance and repair projects in our national parks which I support.

Clearly, the Federal Government is behind the eight ball on its fiduciary duty to maintain and operate the National Park System.

In my State of North Carolina there are 9 sites within the State and three other parks service units that we share with other States, including the Great Smoky Mountains National Park we share with Tennessee, the Blue Ridge Parkway that we share with Virginia and the Appalachian National Scenic Trail that we share with the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, West Virginia, Virginia, Tennessee and Georgia. There are a total of 416,620.1 acres of land that the National Park Service manages for the federal government in North Carolina.

The Federal Government needs the resources for proper management and catching up on the backlog of maintenance and construction projects on the Blue Ridge Parkway, Appalachian Trail, Cape Hatteras National Seashore, Carl Sandburg Home and National Historic Site, Fort Raleigh National Historic Site, Great Smoky Mountains National Park, Guilford Courthouse National Military Park, Moores Creek National Battlefield, and the Wright Brothers National Memorial.

These parks and historic sites are among the most visited in the nation and these units in North Carolina are among the most beautiful, spectacular and historically significant in the Nation. The first powered flight occurred

at the site of the Wright Brothers Memorial on December 17, 1903. Next year America will gather at the Wright Brothers National Memorial to celebrate the Centennial Anniversary of flight and I am grateful to the Appropriations Committee for providing needed funding for this event.

The Revolutionary War battle at the site of the Guilford Courthouse National Military Park that was fought on March 15, 1781 is where General Nathaniel Greene and his army of 4,400 patriots severely crippled Lord Cornwallis's professional troops of 1,900 men. Lord Cornwallis lost a quarter of his army and almost a third of his officers.

This was the largest and most hotly contested battle in the Revolutionary War's Southern Campaign and led to the American victory and British surrender at Yorktown seven months later.

The beauty of the Great Smoky Mountains National Park, Cape Hatteras National Seashore, Appalachian Trail and Blue Ridge Parkway are unmatched.

Our National Parks are like the front porch of America, they need to be swept and keep clean and well maintained at all times because it is a reflection of the America people. I do hope the Senate will pass this resolution and that the Federal Government will do a better job in the months and years ahead managing and maintaining land in the National Park Service system for our children and grandchildren.

Mr. REID. Mr. President, this amendment, proposed by Senators CLELAND and THOMPSON, is a sense of the Senate amendment pertaining to funding for the National Park Service. While noting that Congress has substantially increased funding for the Park Service over the past few years, the amendment urges Congress to continue that effort and to try to eliminate the maintenance backlog by fiscal year 2007. The amendment has been cleared by both sides. It is my understanding Senator BURNS has agreed to the amendment.

Mr. BURNS. Mr. President, there is no objection on this side. In fact, we support the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 4525) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4526 TO AMENDMENT NO. 4472

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4526.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows: Q02

(Purpose: To make a technical correction to the conveyance of land to the city of Mesquite, Nevada)

On page 64, between lines 15 and 16, insert the following:

SEC. 1. CONVEYANCE OF LAND TO THE CITY OF MESQUITE, NEVADA.

Section 3(f)(2)(B) of Public Law 99-548 (100 Stat. 3061; 113 Stat. 1501A-168) is amended by striking "(iv) Sec. 8." and inserting the following:

"(iv) Sec. 7.

"(v) Sec. 8."

Mr. REID. Mr. President, this amendment relates to a community about 90 miles outside Las Vegas on the Utah border. We have conveyed land to them on a previous occasion. This is a technical correction. It corrects a subsection number in Public Law 99-548. This has the clearance of Senator BURNS.

Mr. BURNS. I have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4526) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4527 TO AMENDMENT NO. 4472

Mr. BURNS. Mr. President, I send an amendment to the desk on behalf of Senator STEVENS of Alaska.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. STEVENS, proposes an amendment numbered 4527.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill insert the following:

Section 401(e)(4)(B) of Public Law 105-83 is amended after (Not more than) by striking "5 percent" and inserting "15 percent".

Mr. BURNS. Mr. President, this simply changes the administrative cost cap for the Northern Pacific Research Board, an entity that was created by Congress in the fiscal year 1998 Interior bill to conduct marine research. The amendment has been cleared by both sides.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4527) was agreed to.

Mr. BURNS. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4528 TO AMENDMENT NO. 4472

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4528.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To set aside additional funds for permitting of geothermal energy applications, the processing of wind-energy rights-of-way, and Bureau of Land Management realty and ownership management in the State of Nevada)

On page 2, line 14, strike "of which" and insert "of which not more than \$750,000 shall be made available for permitting of geothermal energy applications and the processing of wind-energy rights-of-way in the State of Nevada and \$750,000 shall be made available for hiring additional personnel to perform realty work in the State of Nevada; of which".

Mr. REID. Mr. President, in Nevada, which is growing so rapidly, 87 percent of the land is owned by the Federal Government. There are a number of land applications dealing with all kinds of activities in public lands, and the BLM has not had money to process those applications. What they have done, in an effort to try to speed things up, is they have had people who are actually moving the land applications come and help them in the offices. It just does not work good, even though it may be right. Even though I hate to do this, we have clarified the expenditure of funds so they will have more money to hire BLM people to do this rather than look to the outside sector, which is an obvious, apparent conflict of interest. I should not say an obvious or apparent; I should say it appears to me it is a conflict of interest.

This amendment has been agreed to by both sides.

The PRESIDING OFFICER. Is there further debate on the amendment?

Without objection, the amendment is agreed to.

The amendment (No. 4528) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. BURNS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4529 TO AMENDMENT NO. 4472

Mr. BURNS. Mr. President, I send an amendment to the desk on behalf of Senator CRAIG Thomas of Wyoming.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. THOMAS, proposes an amendment numbered 4529.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 21, line 24, Insert the following after the semicolon: "of which \$750,000 is to conduct an independent and comprehensive management, operational, performance, and financial review of Yellowstone National Park:".

Mr. BURNS. Mr. President, this amendment earmarks funds for a comprehensive financial study of the operations of the Yellowstone National Park. Given that this piece of Yellowstone Park lies in my own State of Montana, I am very familiar with the park and the issues that concern the Senator from Wyoming. I support this amendment and understand it has been cleared on both sides.

Basically what this amendment does, it gives a little extra money to look into the books and the financial situation at the park. We have heard some disparaging stories. The way we take care of those, as the saying goes, is to look into it. It is going to take a little money to do that.

Mr. THOMAS. Mr. President, recently ABC ran a series of stories about the National Park Service and discussed the \$4.9 billion backlog of deferred maintenance nationwide in our National Park System. One segment mentioned that some operations and park programs may need to be curtailed or discontinued as a result of budget shortfalls at Yellowstone National Park.

To be absolutely fair, over the past few years both Senator BYRD and Senator BURNS have been very generous to the National Park Service and to Yellowstone in particular.

Yellowstone is the world's first national park, created in 1872, and one of the biggest. It stretches across volcanic plateaus in northwest Wyoming and into southern Montana and Idaho, and contains more than 2 million acres of geysers, lakes, waterfalls, forests, bison, bears, and tourists. But more than that, Yellowstone is very rich in cultural, historical and natural resources, and in fact, represents—in one part—the multiple facets of park operations and programs found in the individual 285 units of the System.

My amendment would use Yellowstone as a demonstration project for business transformation. The National Park Service depends upon several sources of revenue to sustain operations and modernize facilities, including but not limited to, appropriations, fee income and revenue from concessioners, lease holders and permittees. These funding sources need to be managed in the most cost-effective and efficient manner possible to ensure improvement of services to the park visitor and for the protection of natural and cultural resources. Toward this end, I believe that improved state-of-the-art business practices need to be established in the National Park Service.

This amendment would require the Secretary of the Interior to contract for an independent and comprehensive

management, operational, performance, and financial review of Yellowstone National Park. As I have already stated Yellowstone National Park has a wide range of a natural and cultural resources, programs and visitor services and provides an optimal environment in which to identify and make recommendations for improved management and operational practices that can be proliferated throughout the National Park Service and transform management to provide cost-effective, efficient and responsive programs. I know, the lessons that we will learn from Yellowstone will have application to the rest of the units within the System. I would suggest that the eventual cost savings, redirection of expenditures, and cost efficiencies will more than pay for the cost of this study.

We all are aware that there is a backlog of maintenance, and Congress has attempted to address the situation. But, I have to say that throwing money at the problem does not guarantee that there will not be a deferred maintenance backlog ten years from now. Unfortunately, we have never systematically evaluated the management programs that contributed to the backlog in the first place.

I believe this is a compelling need to establish new and better modern business practices within the National Park Service. With the passage of this amendment we can take advantage of the expertise that the private business sector has to offer so that we can redirect funds to address the backlog where we can, and more importantly, ensure that measures are taken to prevent a re-occurrence of programs and policies which led to the backlog we face today. I believe we can achieve these goals while maintaining important park program and operations.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Without objection, the amendment is agreed to.

The amendment (No. 4529) was agreed to.

Mr. BURNS. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, we have nothing further to bring before the Senate at this time.

Mr. BURNS. Mr. President, I see no one else seeking recognition. I would suggest we recess the Senate for the party caucuses.

Mr. REID. There is already an order in effect.

Mr. BURNS. I move we recess under the previous order.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:36 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CLELAND).

HOMELAND SECURITY ACT OF 2002—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes.

Pending:

Lieberman amendment No. 4471, in the nature of a substitute.

Thompson/Warner amendment No. 4513 (to amendment No. 4471), to strike title II, establishing the National Office for Combating Terrorism, and title III, developing the National Strategy for Combating Terrorism and Homeland Security Response for detection, prevention, protection, response, and recovery to counter terrorist threats.

Mr. FEINGOLD. Mr. President, I commend the chairman of the Governmental Affairs Committee, Senator LIEBERMAN, for recognizing early on that a major government reorganization should be considered in light of the tragic events of September 11th and for his leadership in putting together a basic structure for a new Department of Homeland Security. I also praise President Bush for supporting the existing congressional effort to elevate the authority and the status of the Office of Homeland Security to a Cabinet level position that will be responsive to the needs of the American people.

As we approach the anniversary of September 11th, Congress has been diligently working to insure that America has a Department of Homeland Security that can be responsive to the challenges of the post September 11th world. The Senate has spent the past few months exploring the bureaucratic obstacles that limited our capacity to identify and prevent the terrorist attacks of September 11th. We have considered in hearings whether the steps that have been taken to advance our country's safety and security since September 11 have been effective, and whether they adequately protect our most fundamental civil liberties.

The Congress has always responded to the challenge to protect this nation against any and all threats, including terrorism. I am committed to ensuring that as we build this new agency, we do so in manner that guarantees that basic fundamental rights are not lost or forgotten in a rush to be seen as doing something.

As the Senate moves forward in considering this new government structure, I have been guided by two simple questions: Will this reorganization make all of us safer? And will it preserve our liberties as Americans? That inquiry should continue to guide our consideration for a Department of Homeland Security.