

amendment and urge you to support its passage.

Sincerely,

CAROL SCHWARTZ,  
Chairman.

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

The PRESIDING OFFICER. Under the previous order, the Senate will now continue with the consideration of H.R. 5093, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5093) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 5:15 will be equally divided between the chairman and the ranking member of the subcommittee or their designees prior to a vote on the cloture motion on the Byrd amendment No. 4480.

The Senator from Nevada.

Mr. REID. Madam President, Senator BYRD and Senator BURNS are not here. The Chair has already decreed that we will divide the time. But there have been a number of people waiting: Senator CRAPO, Senator DOMENICI, Senator CRAIG. Just for expedition purposes, if they would like to speak now, that is fine. We would wait until they finish. I do not know in what order they wish to go, so why don't we announce that so people aren't waiting around.

Mr. DOMENICI. How much time are we going to have?

Mr. REID. Half of 40 minutes, 20 minutes.

The PRESIDING OFFICER. Twenty minutes.

Mr. DOMENICI. If you want to let Senator CRAPO go first?

Mr. CRAIG. That will be fine.

Mr. REID. May we have an order?

You are going to use your time probably, now, and then a little over here or what do you want to do?

Mr. CRAIG. Madam President, Senator REID, I assume we would retain the last 5 minutes for closing purposes.

Mr. REID. Because it is your amendment.

Mr. CRAIG. Yes, because it is our amendment. We would want that.

Mr. REID. That is really no problem. It is our cloture motion, but if you want the last 5 minutes, that is fine. So we ask that consent. In the meantime, you use whatever time you need. So you have 15 minutes now.

Mr. CRAIG. I yield the Senator from Idaho 5 minutes.

Mr. CRAPO. Madam President, I rise in support of the efforts to address the serious and devastating impacts of fires that are currently raging throughout the West and to impress upon my colleagues the need for immediate action to reduce this threat in the future.

I thank my colleague from Idaho, Senator CRAIG, for his tireless efforts

to try to find a path forward on a collaborative basis and to build the consensus necessary to address this difficult issue. The Senator from New Mexico as well has been very closely involved in developing these proposals. I commend him for his efforts.

As I begin, I offer my gratitude to the brave men and women who are fighting these fires. Wildland firefighting is a dangerous and exhausting job, and I can't thank them enough for their efforts. Already this year, 6.3 million acres have been burned, and this level of destruction puts us on pace to meet the catastrophic fire season of 2000, when 8.4 million acres burned, with more than a million of those acres in Idaho.

Idaho has been relatively lucky this year. However, with outbreaks of Douglas fir beetles and mountain pine beetles throughout Idaho, it is clear we are poised for another dangerous fire season.

Not all fire is bad. In fact, fire can be beneficial. However, many of the fires we face today are fueled by unnatural fuels and burn with an intensity and size that makes them undesirable in our natural ecology. Additionally, insect and disease outbreaks are often naturally occurring agents of change, yet some outbreaks are enhanced by our past actions and inactions and occur in scopes that are damaging and unnatural.

As a result of the previous fire seasons, Congress acted with an immediate and bipartisan response.

We came forward with funding and direction for a national fire plan. Yet, to date, this plan has not been implemented effectively enough to address the risks facing our communities.

I do not think we should be pointing fingers or making excuses about why or how these fires occurred. We need to look forward and address the problem. We need to do so quickly. I do not want to see another million acres burning in Idaho next year.

In his Healthy Forests Initiative, the President outlined actions that will effectively address the risk of catastrophic wildfires. In the Fiscal Year 2002 supplemental appropriations bill, our majority leader identified a way to effectively reduce the risks in the Black Hills National Forest. Clearly, we all want to protect our forests.

Our forests are an important part of our heritage and have great impacts on local economies and recreational opportunities for local residents and visitors alike. They provide our drinking water and wildlife habitat. In short, healthy forests are vital to all Americans.

The Forest Service has identified 70 million acres of Condition Class III lands. These lands are at catastrophic risk of wildfire and subject to insect and disease infestations, windthrow, and other health risks. It is important to address risks on these lands, but it must be noted that today we are not debating action in all of these areas.

As I said, many of these threats are natural and we may choose to let them occur naturally. However, we must act—and act quickly—to protect our high value forest areas. We must act to protect homes, property, and livelihood, maintain the quality of our watersheds, and take steps to ensure that burned areas are quickly rehabilitated rather than face the dangerous risks of reburn.

Again, the amendments we are discussing do not include the entire 196 million acre National Forest System or 74.5 million acres of condition class III areas, but instead address areas where we cannot allow endless delays. We do so without eliminating public recourse. There has also been speculation the language will do what Senator DASCHLE did and limit all appeals and judicial review. This is not true.

Critics also contend the amendment suspends environmental laws. That is also false. The amendment requires that projects be consistent with the applicable forest plans or resource management plans. I can tell you from experience that these site-specific plans take years of work with widespread public involvement and compliance with all of our environmental laws.

Protecting our environment and the opportunity for public involvement is a vital part of any actions on our public lands. Reducing the risk of fire is no exception. However, the imminent threat demands we act quickly and move past stalling tactics and countless delays.

Damage to our environment from these fires is acute. The harm to local economies is felt in many ways. It is clear our forests have deteriorated to the point where active management is a necessity. I hope my colleagues recognize that and will support the efforts of member's whose goal is to protect their communities and environment.

I encourage all of the Senators to vote against the cloture motion.

Mr. CRAIG. Madam President, I thank my colleague from Idaho for his very thoughtful presentation and his true expression of the real conditions on our forest lands.

I yield 5 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Madam President, I thank my colleague, Senator CRAIG, who has spoken to the broader issue of the problem we face, and the firefighters. And Senator CRAPO elaborated on that some.

Let me speak for a moment about why I support the Craig-Domenici amendment from a local standpoint. It certainly provides a critical tool in doing the job that we know needs to be done. We know there are counter-proposals floating around. From my perspective, that does not accomplish what we need to have done.

Let me speak a couple of minutes about what happened near the town of Durango, CO. I live about 18 miles from

there. In fact, during the Missionary Ridge fire, we watched it with great anticipation from our porch at our ranch.

Durango is a very scenic town in Colorado, home of one of only 13 gold medal trout streams in the whole country, and has some of the finest mountain biking areas in the West.

Two months ago, there was a fire called the Missionary Ridge fire, declared under control on July 28, but only after we had lost over 70,000 acres of forest, 56 homes, 27 adjoining buildings, and the collective cost of \$40.6 million to fight that fire. More importantly, large areas around the Lemon and Vallecito Reservoirs burned so intensely that the soil had become hydrophobic and unable to keep water back. Downstream, the La Plata, Aimas, Los Pinos, and Florida Rivers were now all at risk.

When I was home this past weekend, I was reading in the local newspaper about several homes that were washed off their foundations by the mud slides as a result of that loose soil caused by the fire and the burning of all of the underbrush and trees.

That \$40.6 million lost, to put it in context, is more than double the amount of funding allocated for recreation for all of the 11 forests in Region II, which is Colorado, Wyoming, South Dakota, and Nebraska. It is four times the amount of funding for wildlife for all 11 forests in Region II for fiscal year 2002. It is nearly double the amount of money allocated to the region for hazardous fuels reduction work for fiscal year 2002. So in a little over 1½ months, we spent more allowing that area to be destroyed by fire than we would have spent on wildlife habitat management on all 11 forests over 4 years.

Speaking of wildlife, when the Missionary Ridge fire was at its highest level of intensity, I happened to have a chance to talk to one of the firefighters who had been on the front line. He told me he estimated the fire to be moving at about 50 miles an hour—literally out of control—and actually saw birds being burned out of the sky because they were unable to outfly that fire, and that a number of small animals literally burned alive because they could not outrun that fire. There are just terrible stories about what happened.

I ask unanimous consent to have printed in the RECORD some excerpts of stories in the local newspapers in Durango of September 8, 10, 13, and 14.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 8, 2002

The Valley Fire began on June 25th and quickly consumed 10 homes and 378 acres, about 160 acres were burned on private land.

Fall Creek Ranch residents hired a logging company to help remove logs and place other logs around areas where waters tend to flow heavily. The residents have poured \$26,000 into mitigation so far.

Just under an inch of rain in less than an hour created mud and water flows that cover

Florida Road, County Road 501, and County Road 245. About 700 customers at the Bar D Chuckwagon restaurant were trapped until about 10 p.m.

SEPTEMBER 10, 2002

The City of Durango's turbidity went from 2 NTU's (a measure of the number of small particles that are suspended in a water sample) or practically colorless, on Friday, to 440 NTU's, a chocolate brown by Monday.

A waive of ash, mud and debris cascaded down from Missionary Ridge burn area late Wednesday, flooding fields and roads and temporarily stranded some residents north and east of Durango.

SEPTEMBER 13, 2002

Only about a quarter-inch of rain fell, but it was enough to close roads, flood houses and clog culverts.

LaPine County has spend about \$100,000 keeping roads and drainage structures clear of mudslides.

"There are homes out there that never expected to be influenced by flooding that are getting a hell of a surprise," said Doyle Viller La Plata County director of road maintenance.

Dead fish are littering the banks of the Animas River after recent mudslides in the Animas Valley, and there could be hundreds more beneath the murky water.

The mud is so thick that they (the fish) can't breath in the water said Mike Japhet, State of Colorado Division of Wildlife.

He received one report that the fish were "gasping for air and trying to swim out of the water onto the bank" near 32nd Street in Durango on Sunday.

All the fish around the 32nd Street Bridge, appear to be dead, Japhet said, and the death zone could extend north for several miles to where the mud entered the water.

SEPTEMBER 14, 2002

The county estimates that more than \$100,000 has been spent on clearing roads and ditches near Lemon and Vallecito Reservoirs, and there has been more than \$1 million in personal property damage from flash flooding.

OCTOBER 2002 BICYCLING MAGAZINE ARTICLE—RUSSELL ZIMMERMAN, DURANGO BICYCLE SHOP OWNER

"The last time I rode here, the forest was so dense you could see no more than 100 feet ahead. There is nothing left today, no living thing within a mile to interrupt the barren landscape. No fallen trees, no bushes, no grass.

"The bottom of my wheels disappear into the three-inch-deep layer of ash. The route is the same, but the trail is different. Roots are gone, burned away. Some of the rocks have even been vaporized."

"My tires kick up a fine dust that covers the bike, and me. No one could follow me; they'd choke." Before the fire, I'd spot a porcupine every ride. Or a deer, or elk or bear. Not this time."

Mr. CAMPBELL. Madam President, the result now, of course, is that on the Animas River, which goes through the town of Durango, dead fish are littering the banks because so much mud has come into the water.

Mike Japhet of the Colorado Division of Wildlife said that in some places fish are actually trying to get out of the water because they cannot breath. He received one report that fish were actually "gasping for air" as they tried to stay alive.

The local county has spent over \$100,000 just clearing mud from roads and ditches near the Lemon and

Vallecito Reservoirs that were affected by this fire.

I want to add my voice to the Craig-Domenici amendment. I just want to point out from a local point of view the catastrophic results.

Our little town of Durango in fact relies heavily on tourism. An old train takes tourists through the mountains. They had 28,000 cancellations in just 2 weeks because of that fire. Those cancellations, of course, result in money lost to the local community. The estimated loss of revenue during the month after that fire in the town of Durango was estimated to be about 40 percent from the normal resources they would have been able to rely on from tourists who stay in motels and who eat in the restaurants.

The facts are clear: unnaturally dense forests result in unnaturally hot burning and fast moving fires, like we experienced in Colorado.

Our proposal would address the problem in a balanced way—even providing greater review of projects than the majority leader's plan that takes care of his own state that he managed to attach to the emergency supplemental bill.

We know what needs to be done, but now opponents are opposing our bill and offering counterproposals that will do absolutely nothing to help forest managers thin these forests to reduce the risk of these catastrophic fires, nor allow for any salvage operations to help pay for the rehabilitation of these areas.

What does the counterproposal do? Their proposal does nothing more than sell the public a false bag of goods—it does nothing but create false expectations in the public.

My state of Colorado has experienced enough from prior bad policies. I am offended that some would now suggest new ones.

Since my friends on the other side know what needs to be done, why are they proposing such ineffective policy?

Because we are in an election year and some politically-active environmental groups are drafting the policy. It is not a secret. They say there is a lot of campaign money at stake—television and radio ads that could be poured into your State if you oppose doing the right thing.

It is time to do the right thing. It is time for these environmental groups to start looking at policies that benefit the environment rather than maintaining the political hammerlock they have on the Forest Service and BLM.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, time will be charged equally to both sides.

The Senator from New Mexico.

Mr. DOMENICI. Madam President, how much time do we have?

The PRESIDING OFFICER. Seven minutes.

Mr. DOMENICI. Madam President, I yield 3 minutes to the distinguished

Senator on our side, and then I will be glad to offer the remainder to Senator BYRD.

Mr. REID. Madam President, that wouldn't give the Senator the last 5 minutes.

Mr. DOMENICI. Madam President, fellow Senators, I come today to the floor because there is a very important amendment that is attached to the Interior appropriations bill, and it is a second-degree amendment attached to the Byrd amendment.

The only thing I would like to say today, since cloture has been called for on the Byrd amendment, is that if in fact cloture is invoked, our amendment will disappear. We believe our amendment is a good amendment and it deserves an up-or-down vote.

We have not been delaying things. We have been waiting for an opportunity to have a vote. We would like an up-or-down vote on our amendment, which is an effort by a number of Senators on both sides of the aisle to permit the Forest Service and the BLM of the United States to go into our forest lands that desperately need cleanup and to look at just four types of properties that belong to our Federal Government: those that have blown over and are there, and where they are unable to do anything—the trees are, in fact, dormant—forests that have been bitten and eaten so that the bugs have infested them, so they are useless, but we leave them there instead of removing them, and removing all of the substance that is there with them. And there are two other kinds similar to that, and we address them.

All we try to do is say: Can't we expedite the removal of that substance I have just described which causes fires? Because once any of that starts, you cannot stop it, and it goes like wildfire. And since our forests are not maintained properly, it burns thousands and, in some instances—like this year—millions of acres.

As I see it, it is time we do something practical. Our amendment is commonsense cleanup for the forests that are being destroyed. I do not believe the amendment—that will be offered later on, if we lose—does that in a proper manner. I believe it makes it just as difficult, if not more difficult, to remove this kindling, this buildup that is permitting our forests to burn.

We are not delaying any bill. We are asking for a chance to vote. Whenever it is possible in the Senate, we want a vote. That is all we ask. We will have more time then to explain it in detail.

It is common sense. It is not anti-environment. It is a rational, reasonable way to clean four kinds of forests that none of us would like to leave in their current situation so that they will become the essence of the next firestorms of the West.

If I have not used all my time, I yield the remainder of it to Senator CRAIG for his allocation or use. I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from West Virginia.

Mr. BYRD. Madam President, how much time remains?

The PRESIDING OFFICER. Nineteen minutes.

Mr. BYRD. How much of that time—

The PRESIDING OFFICER. I am sorry, 19 minutes remain for the Senator from West Virginia.

Mr. BYRD. I thank the Chair.

Madam President, the underlying first-degree amendment, which is the subject of the cloture vote this afternoon, provides \$825 million in emergency funds to the Forest Service and the Bureau of Land Management. That money will be used to repay the extraordinary fire suppression costs incurred by those agencies over the past several months.

As many of our colleagues know, particularly those who represent Western States, 2002 is turning out to be one of the most devastating fire seasons on record. Over the past 10 years, the average number of acres burned by fire between January 1 and September 16 has been 3.4 million acres. This year, however, the comparable number of acres burned is 6.4 million; almost twice the 10-year average.

But this problem is much more than just the numbers of acres burned. The devastation and destruction resulting from these fires is almost too much to comprehend. Fire suppression costs will exceed \$1.5 billion. Nearly 3,000 structures have been destroyed, including 1,313 homes. And, most tragic of all, 21 citizens have lost their lives fighting these treacherous fires.

Clearly, Madam President, this situation amounts to a domestic emergency of historic proportions.

That is why Senator BURNS and I proposed this amendment and why so many of our colleagues have joined us in this endeavor. Indeed, even the President has come to appreciate the need for this assistance, as evidenced by his August 28 funding request to Congress.

Madam President, it is of the utmost importance that we move forward on this matter, and that we do so in a timely manner. In fact, I would remind my colleagues that the authority to designate such funds as an emergency expires on September 30. Consequently, if this bill is not signed into law by the end of the month, there is a very real possibility that these funds will not be made available. I urge my colleagues to support the cloture motion, and help us in our effort to help our firefighters.

Madam President, I yield the floor.

How much time does the distinguished Senator from North Dakota wish?

Mr. CONRAD. Five minutes.

Mr. BYRD. I yield 5 minutes to the distinguished Senator from North Dakota, Mr. CONRAD.

The PRESIDING OFFICER (Mr. MILLER). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I understand certain comments were made about the slowness of the appropri-

tions process and the assertion that not having a budget resolution pass the floor is the reason for that.

I do not think that is supported by the facts. The appropriations process is moving slowly for reasons that have no relationship to a budget resolution or having one or not having one.

The fact is, the appropriators agreed to an amount for a budget that was what was recommended in the resolution that went through the Budget Committee. The appropriators agreed unanimously—Democrats and Republicans—to adopt the budget amount for this year that the committee recommended.

So there is nothing to prevent appropriations bills from coming to the floor in an orderly process. The appropriators gave to each of the committees an allocation that added up to the amount of money that was provided for in the recommendation by the Budget Committee. So that is not the problem here.

No. 2, I think it should be pointed out that we had an opportunity on the floor to pass a budget for this year and got 59 votes. We got 59 votes. Now, it required 60 votes. But we had a bipartisan supermajority in the Senate for a budget amount for this year—not a budget resolution but a budget amount for this year. We fell one vote short of getting that amount approved.

Frankly, all of this misses the larger point. The reason we are in deep financial trouble now has nothing to do with the budget resolution for this year at all. The real problem is the budget resolution that passed last year. The budget resolution that passed last year put us on the course of a 10-year plan that has contributed to the most dramatic reversal in our fiscal fortunes in our Nation's history.

It was the budget resolution that passed last year that contained a massive and unaffordable tax cut that has undermined the fiscal strength of this country for years to come.

Last year, we were told we would have \$5.6 trillion of budget surplus over the next decade—\$5.6 trillion. Now, if we look at the Congressional Budget Office's new report, what we see is no surpluses; the money is all gone.

If we just adopt the President's recommendation on spending and taxes for the next 10 years—no additional spending by Congress, not a dime—if we just adopt his proposals, we will be \$400 billion in the red. That is after being told last year we had \$5.6 trillion of surpluses over the next decade. Now we are \$400 billion in the hole. That is a \$6 trillion turn.

And what are the reasons for it? The No. 1 reason is the tax cuts that were in last year's budget, pushed by the President, passed by the Congress. That accounts for over a third of the disappearance of the surplus.

The next biggest reason: technical considerations that apply to revenue not meeting the estimates. That is the second biggest reason—not related to

the tax cut, but it is the second biggest reason.

The third biggest reason is the increased costs because of the attack on the United States.

I am talking now about, over the 10 years of the President's budget plan, what are the contributing factors to the disappearance of the surplus. The biggest reason—over a third—is the tax cut, 34 percent. The second biggest reason: revenue not meeting expectations, apart from the tax cut; that is 29 percent. Twenty-two percent is increased costs associated with the attack on the country. And the last, and smallest, part of the problem is the economic slowdown, representing 14 or 15 percent of the disappearance of the surplus.

That is the reality. The appropriations process not moving forward has nothing to do with the budget resolution being passed or not passed. The simple fact is, the appropriators agreed to the amount that was in the budget proposal that passed the Budget Committee. They did so on a unanimous basis, and they proceeded to stay within that amount. That is the reality.

The bigger truth, the larger reality is that we have fiscal problems because of the budget that passed last year. That put us on a course that does not add up, never has added up, and will require serious work in the future, if we are going to get back on track.

I yield the floor.

**THE PRESIDING OFFICER.** Who yields time?

Mr. CRAIG. Mr. President, I have the 5 remaining minutes prior to the vote reserved. We have no more time to allocate on our side. The assistant leader said we could use time if there were no speakers from the other side. Senator BYRD is here.

Mr. BYRD. How much time do I have remaining?

**THE PRESIDING OFFICER.** Ten minutes.

Mr. BYRD. Mr. President, does the Senator want more than 5 minutes? Do you need more?

Mr. CRAIG. I think our colleague from Oklahoma would like to speak for 5, and then if I could use 5 to close it out, then we could advance the vote.

Mr. BYRD. It is fine with me if the Senator closes. The Senator wants 5 minutes over there. How much time does the Senator need?

Mr. BURNS. Two. That is all I need.

Mr. BYRD. I yield 2 minutes to the ranking member and I will yield 5 minutes to the distinguished Senator. I am always very accommodating, most always, to Senators from the other side of the aisle. Then will I have any more time left?

**THE PRESIDING OFFICER.** If the Senator yields 10 minutes, that would exhaust his time.

Mr. BYRD. I thank the Chair. I won't need it.

**THE PRESIDING OFFICER.** The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank my colleague and friend from West Vir-

ginia for his yielding a couple minutes. I will be brief.

I urge my colleagues to vote no on cloture. I say that knowing my friend and colleague from West Virginia, I guess, is going to support it. But he is chairman of the Appropriations Committee. I have been on the committee. I have been in the Senate for a long time. It is a very bad idea to start filing cloture on any amendment that you don't like on appropriations bills. It is a bad idea for a couple reasons. One, it won't work. You are not going to be able to take a cloture vote and say, "We will have a fire amendment and it is going to spend several hundred million dollars on fire, but we will not have any other amendment dealing with this issue," because it won't work.

The Senator from Idaho is entitled to his amendment. Even if cloture is invoked, we can still get a vote on the Senator's amendment, or some other Senator can offer a similar amendment.

I will, first, tell my colleague from West Virginia, I don't like cloture. To me, it should be used very sparingly. It is becoming far too prevalent in the Senate where somebody says: We will just file cloture.

Someone told me: We will file cloture on homeland security. We will wrap that up.

Of course, that would deny us the opportunity to offer the President's bill on homeland security. They may file it, but they will not get cloture. The President is entitled to have a vote on his homeland security proposal, and we are going to get it, just as the Senator from Idaho is entitled to have his vote on fire control. Other Senators have ideas.

My point is, you can waste days on cloture. We wasted 3 days. No one on this side of the aisle was filibustering the Interior bill or filibustering homeland security, nor should they, in my opinion. I hope we don't have filibusters ever, frankly, on appropriations bills. We need to decide how much we are going to spend and how we will do it.

Maybe if somebody came up with an amendment that is so offensive, so intrusive, so anti an individual State that they would filibuster, that might be unique, but I haven't found that yet in my Senate career on an appropriations bill. I can't remember filibusters on appropriations bills. I have only been here 22 years—not nearly as long as my friend from West Virginia. It is a terrible idea if somebody says: I don't like that amendment so we will file cloture on it and hope it goes away. If cloture is adopted, the Craig-Domenici amendment will disappear.

I am telling my colleagues, it will not disappear, even if cloture is invoked. And if it is, I might tell my friends, we could spread out, we could waste another couple days. I don't think anybody wants to do that because we have no interest in filibustering anything.

My colleague from New Mexico is a very good legislator, and he has a couple ideas on fire management, and so does my colleague from Idaho. I know the other Senator from Idaho and other Senators have ideas, and they are entitled to have their amendments considered. And they will be considered at some point.

I urge my colleagues, let's not get in the habit of going the route of cloture if an amendment appears and we say we don't really like it. That process will not work. We only have a week from Monday to complete action on the appropriations bills, if we are going to have them done by the end of the fiscal year. That is only 13 days. We have already spent a week and a half on the Interior bill and we are not even getting close.

We have basically had an amendment on drought, and we were precluded from offering another drought amendment. And now we have a fire amendment, appropriating money for fire, and my colleague is trying to be denied a vote.

This side is going to find a way to get some votes on this bill. We can spend weeks doing it or we can spend days. We can spend an hour. I heard my colleague from Idaho said he is willing to have a time limit. He is willing to have a side by side. I know the Senator from New Mexico has a fire amendment. Great. Senator BINGAMAN, I think, that is a different fire amendment, and I think that is fine. Let's vote on those amendments.

I appreciate my colleague from West Virginia yielding. I urge my colleagues to vote no on cloture.

**THE PRESIDING OFFICER.** The Senator from Montana is recognized.

Mr. BURNS. I thank the Chair. I thank my chairman of the Appropriations Committee.

Mr. REID. Mr. President, how much time does he have? How much time is left on the other side?

**THE PRESIDING OFFICER.** The Senator from Montana has 4 minutes 20 seconds; the Senator from Idaho, 4 minutes 10 seconds.

Mr. BURNS. I will take the first 4 minutes. I thank my good friend from West Virginia also for allocating the time.

As he believes very much in the Constitution of the United States, I also believe in some of the rulings of the Senate. And I think I would be remiss as ranking member on this committee and a comanager on this bill if I did not fight for the rights of the rest of the Members in this body to have a vote. I think it is what it is all about. That is for debate.

I haven't heard anybody come down here and talk against the merits of this second-degree amendment. It will not go away. And silence tells me that maybe the case has already been made and hard to defend of what we are trying to do as far as forest health is concerned. Twenty years, 25 years is a track record, a known track record.

And now we see the culmination of those management practices over that many years in the growth of the forest and what it can lead to if we allow folks who probably don't have all the experience in the world, on the ground management of a renewable resource, what that brings us to.

So I would hope that we would support cloture or deny cloture so this issue can be talked out because it will not go away. I am not real sure it is not the shortest way to arrive at a vote and settlement of the issue.

I thank my good friend from West Virginia.

Mr. BYRD. Mr. President, why do we want to vote down cloture? There are other appropriations bills coming to the floor. I am supporting the Senator's amendment. I never said a word against his amendment. I would be very supportive of it. I am not filibustering it, and I haven't filibustered anything else. I haven't filibustered the homeland security bill, either. I have heard some intimations this afternoon that I have filibustered. My Lord, some people around here wouldn't recognize a filibuster if they met it on the way home. I know what a filibuster is. But I am not against this amendment. Why would we want to vote against this cloture?

Mr. NICKLES. Will the Senator yield?

Mr. BYRD. Yes.

Mr. NICKLES. Correct me if I am wrong. If cloture is invoked, the amendment of our friend from Idaho would no longer be germane and it would fall. We would like our colleague to have the right to offer his amendment.

Mr. BYRD. Mr. President, there are other appropriations bills coming. Why not vote for this bill and do some of the good things that are being done with this bill, and the Senator can come back another day with his amendment? I am not opposed to his amendment. Why do we want to penalize other parts of the country and other Senators for good things that are in the bill because some Senators don't want to vote for cloture on this?

This is an appropriations bill. Those advocating voting against cloture, in many instances, are Senators who are on the Appropriations Committee. Why? We need to get on with this. Let's vote cloture on this and the Senator will have another day, another opportunity on another appropriations bill.

I am for his amendment. I think he has made a good statement in support of it. I cannot understand why we want to cut off our nose to spite our face on this bill.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Mr. President, I will use my leader time to make a couple final remarks before I leave the floor for another event I need to attend.

The Senator from West Virginia just now said it so well. There is an ongoing filibuster on this amendment, but not

on this side. It is not on this side. There is no question that, on controversial issues, this Senate must acquire 60 votes to pass an amendment. The Senator from Idaho has offered an amendment that does not have the requisite 60 votes. The Senator from New Mexico and others on our side have offered an alternative that we acknowledge does not have 60 votes. Over the course of the last several weeks, we have attempted to find common ground and, at least to date, have failed. In fact, I recall vividly last week on the floor the Senator from Idaho indicated they were going to make another effort yesterday to attempt to reach that common ground. That has not happened.

So it is fair to say that both sides have failed to reach the Senate requisite for controversial amendments, which is 60 votes. We had offered a procedural compromise since we could not find a substantive one. That compromise would be to have side-by-side votes, to indicate that there is support, but not the level of support required under Senate rules. That, too, failed.

So the bottom line is that we have an amendment pending that 1 week ago today generated 79 votes; 79 people went on record—Republican and Democrat—supporting drought assistance on an amendment that supports firefighting assistance. The President and others have said the firefighting money is urgent. I would like to reread the speeches made last week about the urgency of getting something done on drought assistance, about how important it is to get out there and provide this help now.

Well, in the next 5 minutes we will have a chance to provide this help now. The Senator from Idaho is not precluded from reoffering this amendment to the Interior appropriations bill. He can do that. So to say it is now or never for them is just not correct. There is nothing to preclude them from going back and offering this amendment to the underlying bill—nothing. So if they vote against cloture, they are voting against firefighting assistance, against drought assistance, and there can be no other conclusion.

Don't tell me you have to do it on this amendment or you cannot do it at all. That is not right. So let's get real and be honest here. There is a game being played here that I think ought to be shown for what it is—a game that, for whatever reason, is denying this amendment passage today, even though the debate and consultation and the continued cooperative effort to see if common ground can be achieved. I just talked, moments ago, to Senator BINGAMAN. He said he has another meeting scheduled—I think it is this afternoon—with Senators on both sides of the aisle to see if they can reach common ground. If they can, it can be offered to the bill.

For the life of me, I don't understand why anybody can say, on one hand, how urgent it is to get firefighter as-

sistance, drought assistance—by the way, I ask unanimous consent that the votes of those Senators who supported that amendment a week ago be printed in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE ROLL CALL VOTES, 107TH  
CONGRESS—2ND SESSION (2002)

(As compiled through Senate LIS by the Senate Bill Clerk under the direction of the Secretary of the Senate)

#### VOTE SUMMARY

Vote Number: 212.

Vote Date: September 10, 2002, 10:45 a.m.

Question: On the Motion (Motion to Wave CBA RE: Daschle Amdt. No. 4481).

Required for Majority: %.

Vote Result: Motion Agreed to.

Amendment Number: S. Amdt. 4481.

Statement of Purpose: To provide emergency disaster assistance to agricultural producers.

Vote Counts: Yeas 79; Nays 16; Not Voting 5.

#### ALPHABETICAL BY SENATOR NAME

Akaka (D-HI), Not Voting

Allard (R-CO), Yea

Allen (R-VA), Yea

Baucus (D-MT), Yea

Bayh (D-IN), Yea

Bennett (R-UT), Yea

Biden (D-DE), Yea

Bingaman (D-NM), Yea

Bond (R-MO), Yea

Boxer (D-CA), Yea

Breaux (D-LA), Yea

Brownback (R-KS), Yea

Bunning (R-KY), Yea

Burns (R-MT), Yea

Byrd (D-WV), Yea

Campbell (R-CO), Yea

Cantwell (D-WA), Yea

Carnahan (D-MO), Yea

Carper (D-DE), Yea

Chafee (R-RI), Yea

Cleland (D-GA), Yea

Clinton (D-NY), Yea

Cochran (R-MS), Yea

Collins (R-ME), Yea

Conrad (D-ND), Yea

Corzine (D-NJ), Yea

Craig (R-ID), Yea

Crapo (R-ID), Yea

Daschle (D-SD), Yea

Dayton (D-MN), Yea

DeWine (R-OH), Yea

Dodd (D-CT), Yea

Domenici (R-NM), Yea

Dorgan (D-ND), Yea

Durbin (D-IL), Yea

Edwards (D-NC), Yea

Ensign (R-NV), Yea

Enzi (R-WY), Yea

Feingold (D-WI), Yea

Feinstein (D-CA), Yea

Fitzgerald (R-IL), Yea

Frist (R-TN), Yea

Graham (D-FL), Yea

Gramm (R-TX), Yea

Grassley (R-IA), Yea

Gregg (R-NH), Not Voting

Hagel (R-NE), Yea

Harkin (D-IA), Yea

Hatch (R-UT), Yea

Helms (R-NC), Not Voting

Hollings (D-SC), Yea

Hutchinson (R-AR), Yea

Hutchison (R-TX), Yea

Inhofe (R-OK), Yea

Inouye (D-HI), Yea

Jeffords (I-VT), Yea

Johnson (D-SD), Yea

Kennedy (D-MA), Yea

Kerry (D-MA), Yea  
 Kohl (D-WI), Yea  
 Kyl (R-AZ), Nay  
 Landrieu (D-LA), Yea  
 Leahy (D-VT), Yea  
 Levin (D-MI), Yea  
 Lieberman (D-CT), Yea  
 Lincoln (D-AR), Yea  
 Lott (R-MS), Nay  
 Lugar (R-IN), Nay  
 McCain (R-AZ), Yea  
 McConnell (R-KY), Yea  
 Mikulski (D-MD), Yea  
 Miller (D-GA), Yea  
 Murkowski (R-AK), Yea  
 Murray (D-WA), Yea  
 Nelson (D-FL), Yea  
 Nelson (D-NE), Yea  
 Nickles (R-OK), Nay  
 Reed (D-RI), Yea  
 Reid (D-NV), Yea  
 Roberts (R-KS), Yea  
 Rockefeller (D-WV), Yea  
 Santorum (R-PA), Nay  
 Sarbanes (D-MD), Yea  
 Schumer (D-NY), Yea  
 Sessions (R-AL), Nay  
 Shelby (R-AL), Nay  
 Smith (R-NH), Not Voting  
 Smith (R-OR), Yea  
 Snowe (R-ME), Nay  
 Specter (R-PA), Yea  
 Stabenow (D-MI), Yea  
 Stevens (R-AK), Yea  
 Thomas (R-WY), Yea  
 Thompson (R-TN), Nay  
 Thurmond (R-SC), Yea  
 Torricelli (D-NJ), Not Voting  
 Voinovich (R-OH), Yea  
 Warner (R-VA), Yea  
 Wellstone (D-MN), Yea  
 Wyden (D-OR), Yea

Mr. DASCHLE. Mr. President, there can be no doubt. If we are serious about moving this legislation forward and providing this assistance, we take care of this amendment and move on to other issues. We have been on this bill now for 3 weeks. We will be on it for another couple weeks, the way it looks. There comes a time when we just have to move on and when we have to recognize that, under Senate rules, we either have to accommodate the rules, or reach some compromise, or drop the amendment. We have those three options.

We cannot accommodate the rules today because neither side has 60 votes. Let's recognize it for what it is. This is a delay. Until we get over this delay, we cannot provide the kind of assistance to firefighters and farmers and ranchers that is absolutely critical across the country. And the very speeches we made last week are just as real and important and urgent today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, for the life of me, I must tell the majority leader, I cannot understand what you speak of. There has been no filibuster on this bill, and a second-degree amendment is not extraordinary nor does it require 60 votes. You know the rules as well as I do. The chairman of the Appropriations Committee just came to the floor and made the right speech, talking about the urgency of his amendment and firefighting money. I support it totally.

If we don't deal with his amendment and deal with my amendment in concept as a new public policy for this country, he as chairman, or another chairman, will be coming to the floor every year and asking for \$1.5 billion to \$2 billion of taxpayer money to fight the wildfires of the West, across the Alleghenies, and down to the Blue Ridge. That is the reality of a misguided public policy that has put our national treasures at risk, the U.S. forestlands.

This year, we burned over 6.5 million acres; the chairman spoke to that. We lost 2,100 homes; the chairman spoke to that. We lost 21 lives; the chairman spoke to that, too. This is a tactic to stall? Not at all. No, the majority leader, in my opinion, misspoke. There has been no filibuster. I have kept him and the assistant leader in full consultation as we have tried to resolve and bring, in a bipartisan way, a clear new adjustment in public policy. We cannot arrive at that. It is my amendment that is now up as a second degree, and appropriately so.

I ask for a vote on it, an up-or-down vote, as it is entitled to. I would accept a side-by-side debate with Senator BINGAMAN's alternative but not a 60-vote, no—51 or 50. Majority rules here, except under the rules that require a 60 vote. In this instance, it is not required.

I hope my colleagues will join with us this afternoon and say no to cloture, and maybe then we can move expeditiously because we have lost days when this could have been resolved very quickly.

I don't blame the Senator from West Virginia for being frustrated. He is chairman of the Interior Subcommittee. He brought a bill to the floor that most of us want. The majority leader knows I supported the aid to farmers and ranchers that have experienced catastrophic drought. It is not my intention, nor anyone else's, to hold up that money. But it is our intention, it is our purpose, and we will have a vote, to deal with national forest policy that will slightly adjust our ability to get active on the land, to remove the fuel, to improve the forest health, to save the watershed, to save the wildlife habitat, and, also, to save homes and people's lives and the beautiful landscapes of the public forests of these United States.

Shame on us for failing to address a policy that, this year, has allowed the burning of 6.5 million acres of public land, and the fires will continue year after year into the future until the public stands up and says: Congress, United States Senate, change your ways. Your policy isn't working. Your policy is not working, and our forests are burning and our forests are being lost because of public policy.

Mr. DOMENICI. Will the Senator yield for a question?

Mr. CRAIG. I will be happy to respond to a question.

Mr. DOMENICI. Mr. President, I say to the Senator, did I hear the majority

leader say that if we lose and we are knocked down by cloture, we can offer this legislation later?

Mr. CRAIG. The Senator did hear that.

Mr. DOMENICI. I wonder how we could be delaying the bill then.

Mr. CRAIG. We are not.

Mr. DOMENICI. How could we be delaying it? If we have a chance to do it later, wouldn't we be delaying it then, too?

Mr. CRAIG. It is not our intention to delay. We have never intended to delay the bill.

Mr. BYRD. Will the Senator yield?

Mr. CRAIG. I will be happy to yield if I have time remaining.

Mr. BYRD. Why won't Senators vote for cloture? There are many other needs being addressed by this bill. I have said I will support the Senator on another bill later.

The PRESIDING OFFICER. The time required for the cloture vote—

Mr. BYRD. Mr. President, I ask unanimous consent to proceed for 2 minutes.

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

Mr. BYRD. I am trying to salvage a bill.

Mr. DOMENICI. Which bill is the Senator referring to, our amendment or the big bill?

Mr. BYRD. Why vote down cloture on this amendment? What is wrong with it?

Mr. DOMENICI. It is an amendment properly to the Interior bill. Why would we knock it down? It is germane. It is relevant. And put it where? Where would we put it? The Senator said put it on another bill. Where? It is a very important subject matter. It is just as important as the burning amendment.

Mr. BYRD. If they intend to bring it up later, why not vote for cloture here? Senators can always bring up something later.

Mr. DOMENICI. I say to the Senator from West Virginia, this is the most appropriate bill for it to be on.

Mr. BYRD. Of course it is, but if you cannot get it on one bill, you try on another.

Mr. DOMENICI. Why does the Senator want us to vote to take it off the bill? Those who have worked hard on this issue want it on the bill.

Mr. BYRD. I have not opposed that. I tried to be very understanding with the Senator. We cannot have everything the way we want it. I have lost a few amendments in my time that were of interest to my part of the country, too.

Mr. DOMENICI. The majority leader is even wrong in saying this amendment needs 60 votes. It does not need 60 votes, even with a budget resolution. It is just an authorization bill. It is implementing what you put in the bill, the \$825 million. It is not subject to 60 votes, which means—why not have cloture; they both need 60 votes anyway. That is not so. Our bill does not need 60 votes, nor does Senator BINGAMAN's amendment need 60 votes. Pure and



simple: 51 votes on a bill on which they belong. So why would we, who have struggled with it, vote to kill it? We want it alive. We want it to go to conference with the Senator when we all go to conference.

Mr. BYRD. Why don't Senators help me get this bill to conference? That is what I am asking. Why don't Senators help me get this bill to conference?

Mr. DOMENICI. We are going to help with the Interior bill—both bills.

Mr. BYRD. I hope so.

Mr. DOMENICI. This is the only measure in which we are interested. We have gotten together for hours in the offices of five different Senators because it is important. And then somebody comes along and says: Let's have a cloture vote and kill the bill.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on Senator BYRD's amendment No. 4480.

Joseph Lieberman, Harry Reid, Jean Carnahan, Daniel K. Inouye, Christopher Dodd, Herb Kohl, Jack Reed, Richard J. Durbin, Kent Conrad, Paul Wellstone, Patrick Leahy, Jeff Bingaman, Barbara Boxer, Byron L. Dorgan, Mark Dayton, Debbie Stabenow, Jim Jeffords, Robert Torricelli.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the Byrd amendment No. 4480 to H.R. 5093, the Department of Interior and Related Agencies Appropriations Act, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. SCHUMER) is absent because of a death in the family.

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 217 Leg.]

#### YEAS—50

Akaka	Dodd	Levin
Allard	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Miller
Bingaman	Feinstein	Murray
Boxer	Graham	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Reed
Cantwell	Inouye	Reid
Carnahan	Jeffords	Rockefeller
Carper	Johnson	Sarbanes
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Dayton	Leahy	

#### NAYS—49

Allen	Bond	Bunning
Bennett	Brownback	Burns

Campbell	Gregg	Santorum
Chafee	Hagel	Sessions
Cochran	Hatch	Shelby
Collins	Helms	Smith (NH)
Craig	Hutchinson	Smith (OR)
Crapo	Hutchison	Snowe
Daschle	Inhofe	Specter
DeWine	Kyl	Stevens
Domenici	Lott	Thomas
Ensign	Lugar	Thompson
Enzi	McCain	Thurmond
Fitzgerald	McConnell	Voinovich
Frist	Murkowski	Warner
Gramm	Nickles	
Grassley	Roberts	

#### NOT VOTING—1

Schumer

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. DASCHLE. I enter a motion to reconsider the vote by which cloture was not invoked on amendment No. 4480.

The PRESIDING OFFICER. The motion is entered.

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

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

Mr. DASCHLE. Mr. President, shortly we will dispose of the Lieberman and Thompson amendments.

Mr. STEVENS. May we have order, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DASCHLE. If I could just restate: We will dispose of the Lieberman and Thompson amendments. It is my understanding, once that has occurred, Senator BYRD will offer his amendment. It is my understanding that debate will take place tonight, and of course tomorrow.

With that understanding, there will be no more rollcall votes this evening. I yield the floor.

Mr. SPECTER. Mr. President, I seek recognition first to thank Senator BYRD, the Chairman of the Senate Appropriations Committee and its Interior Subcommittee and the Subcommittee Ranking Republican, Senator BURNS, for their efforts in drafting the fiscal year 2003 spending plan for the agencies under their jurisdiction. Also, I want to call attention in particular to two competitively awarded initiatives that, unfortunately, the annual Department of Energy, DOE, budget submission routinely underfunds and expects Congress to correct.

First, Air Products and Chemicals, Inc. and its partners, DOE, Ceramatec, ChevronTexaco, Eltron Research, McDermott Technology and Concepts NREC, are developing a unique, oxygen-producing technology based on high-temperature, ion transport mem-

branes, ITM. The technology, ITM Oxygen, would be combined with an Integrated Gasification Combined Cycle, IGCC, system to produce oxygen and electric power for the iron/steel, non-ferrous metals, glass, pulp and paper, cogeneration, and chemicals and refining industries. The ITM Oxygen project is a cornerstone project in DOE's Vision 21 efforts and has the potential to significantly reduce the cost of tonnage oxygen plants for IGCC systems.

The DOE fiscal year 2003 cost-share requirement is \$6.5 million from the Fossil Energy Research and Development, Coal and other Power Systems, President's Coal Research Initiative, Advanced Systems budget under IGCC, Vision 21. Unfortunately, DOE requested only \$3.5 million for the ITM Oxygen project. Underfunding ITM Oxygen in fiscal year 2003 by \$3 million would result in a delay of the program, by at least one year and I am advised it would add approximately \$10 million to the program's costs.

Second, DOE's ITM Syngas program is developing a ceramic membrane reactor able to separate oxygen from air and partially oxidize methane to produce synthesis gas in a single step. Development of this technology will lead to numerous applications including clean transportation fuels, hydrogen for fuel cell applications, and chemical feedstocks. A critical application is gas-to-liquids, GTL, conversion where ITM Syngas technology will significantly improve the overall economics of GTL and permit the economical recovery of more than 37 trillion cubic feet of stranded Alaska North Slope gas.

Air Products and Chemicals, Inc. is leading a research team comprising Pacific Northwest National Laboratories, McDermott Technology, Ceramatec, ChevronTexaco, Eltron Research, Norsk Hydro, the University of Alaska-Fairbanks, the University of Pennsylvania, and Pennsylvania State University.

The DOE fiscal year 2003 cost share requirement is \$5.5 million from the Fossil Energy Research and Development, Coal and Other Power Systems, President's Coal Research Initiative, Fuels, Transportation Fuels and Chemicals program. DOE's fiscal year 2003 budget request of \$5.0 million for the Fossil Energy Research and Development, Coal and Other Power Systems, President's Coal Research Initiative, Fuels, Transportation Fuels and Chemicals program budget includes just \$2.4 million to continue the ITM Syngas/Hydrogen project. Underfunding ITM Syngas in fiscal year 2003 would result in stretching out the program and increasing overall program costs.

I want to thank the Senators from West Virginia and Montana for having supported in the past both the ITM Oxygen and Syngas programs. Because of their attention, both development efforts have remained on cost, on schedule and promise to be true success stories. Now I want to thank them again,

for adding \$6 million to the DOE's request for IGCC programs and \$15 million for transportation fuels and chemicals programs. This additional funding will ensure that ongoing programs like the ITM Oxygen and ITM Syngas are fully funded in fiscal year 2003. I look forward to working with both the Senator from West Virginia and the Senator from Montana as they conference with our colleagues in the House of Representative to ensure that \$6.5 million is provided for ITM Oxygen and ITM Syngas is funded at \$5.5 million.

#### HOMELAND SECURITY ACT OF 2002—Continued

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

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

#### AMENDMENT NO. 4534 WITHDRAWN

Mr. LIEBERMAN. Mr. President, on behalf of the Senator from Florida and myself, I withdraw the pending amendment to the Thompson amendment.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn.

The Senator from Tennessee is recognized.

#### AMENDMENT NO. 4513

Mr. THOMPSON. I urge the adoption of the pending Thompson amendment, No. 4513.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 4513) was agreed to.

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

Mr. LIEBERMAN. 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 Nevada is recognized.

Mr. REID. It is my understanding, under the order previously entered, the Senator from West Virginia is now in order to offer an amendment; is that the order?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I ask the Senator from West Virginia if he intends to do that tonight or tomorrow.

Mr. BYRD. Mr. President, I would rather not do it tonight.

Mr. REID. I say to the two managers of the bill, Senator BYRD, who has been involved in the Interior bill all day, indicated he would rather that he lay it down in the morning, when we get back on the bill tomorrow.

I ask the two managers, is that appropriate?

Mr. LIEBERMAN. Mr. President, I have no objection whatsoever. We will look forward to a good, hearty debate on Senator BYRD's amendment tomorrow.

Mr. THOMPSON. I have no objection, Mr. President.

Mr. REID. Mr. President, I suggest the absence of a quorum—I withhold that request.

Mr. BYRD. Mr. President, I thank both Senators.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I also need to get home. My wife is recuperating from an appendectomy and doing very well. I think I need to go home. I thank both Senators for their understanding and consideration.

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

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business until 7 o'clock with Senators allowed to speak therein for up to 5 minutes each.

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

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

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

Mr. REID. Mr. President, we are in morning business until 7 o'clock; is that right?

The PRESIDING OFFICER. The Senator is correct.

#### TRIBUTE TO VICE ADMIRAL NORBERT ROBERT RYAN, JR.

Mr. LOTT. Mr. President, I rise today to honor Vice Admiral Norbert Robert Ryan, Jr., United States Navy, who will retire on Sunday, December 1, 2002, after 35-years of faithful service to our Nation.

Hailing from Mountainhome, PA, Vice Admiral Ryan graduated from the U.S. Naval Academy in 1967. Following graduation he attended flight training and was designated a Naval Aviator in 1968. After completing additional technical training, he spent three years with Patrol Squadron EIGHT conducting antisubmarine warfare patrols during the height of the Cold War.

Returning to the Naval Academy from 1972 to 1975, Vice Admiral Ryan helped shape future Navy leaders while serving as a Company Officer and Mid-

shipman Personnel Officer. While at the Academy he concurrently attended graduate school, earning a Master of Science degree in Personnel Administration from George Washington University.

In 1975, Vice Admiral Ryan returned to the fleet, commencing a period of nine straight years of sea-duty assignments in which he served on a Carrier Group Commander's staff and flew P-3 Orion aircraft in three different Patrol Squadrons, including service as the Commanding Officer of Patrol Squadron FIVE. From 1984 to 1986, he was assigned as the Operations Officer on the staff of Commander, Patrol Wing ELEVEN and then as Force Operations Officer for Commander, Patrol Wings, Atlantic.

After serving two years as the Administrative Assistant to the Chief of Naval Operations, Vice Admiral Ryan completed studies at the John F. Kennedy School of Government, Senior Officer National Security Program, enroute to command of Patrol Wing TWO.

From 1991 to 1993, Vice Admiral Ryan served as Executive Assistant to the Vice Chairman, Joint Chiefs of Staff. During the period of 1993-1995, he was assigned to the Bureau of Naval Personnel, first as Director for Total Force Programming and then as Director for Distribution.

Vice Admiral Ryan returned to the fleet as Commander Patrol Wings Pacific/Commander Task Force 12 and then to the Pentagon where he performed superbly as the Navy's Chief of Legislative Affairs, serving in that important post from 1996 to 1999.

In November 1999, Vice Admiral Ryan assumed duties as Chief of Naval Personnel/Deputy Chief of Naval Operations, Manpower and Personnel. In this position, he distinguished himself through exceptionally meritorious service as he expertly developed and executed a visionary Navy personnel strategy, dynamic assignment system placement improvements, intelligent manpower allocations and many carefully crafted quality of life initiatives. His relentless efforts directly provided an unprecedented level of personnel readiness throughout the Navy.

A leader by example, Vice Admiral Ryan fostered creative concepts for taking care of people by applying focused mentoring and one-on-one leadership with the individual Sailor foremost in mind. He was the driving force that positioned the Navy's human resource organization for optimum support of the Service's needs. A true visionary, he supported manpower reform, new Fleet personnel requirements, and innovation in personnel management and manpower preparation for new operational platforms and weapons systems.

During his tenure as Chief of Naval Personnel, Vice Admiral Ryan oversaw unprecedented success in quality of life enhancements for all Navy men and