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## Senate

The Senate met at 2:30 p.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Liberating Lord of all, we begin the work of this week remembering what took place 140 years ago yesterday on September 22, 1862. President Abraham Lincoln, a humble instrument in Your mighty hands, issued the life changing, values-reorienting, culture-reforming Emancipation Proclamation. The right to life, freedom, and citizenship was assured for all persons regardless of race, origin, or circumstance. This courageous position of valuing all human life by freeing the slaves was the direct result of biblical truth which could no longer be denied.

Now, 140 years later, we ask for Your strength to continue to overcome any vestiges or prejudice in our hearts. We still need Your emancipation from customs that constrict, practices that patronize, superiority that scrutinizes, and attitudes that anger. Keep us in the battle for equality in education, job opportunities, and social advancement for all Americans. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 23, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN D. ROCKEFELLER IV, a Senator from the State of West Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. ROCKEFELLER thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. REID. I thank the Chair.

### SCHEDULE

Mr. REID. The Chair will announce shortly that there will be a period for morning business until 3:30 p.m. today, with the first half under the control of the Republican leader. I see Senator THOMAS is here to lead the Senate in discussion this afternoon. The second half of the time is under the control of the majority leader or his designee.

At 3:30 p.m., the Senate will resume consideration of the Interior Appropriations Act, with 60 minutes of debate in relation to the Dodd amendment regarding recognition of Indian tribes. Following this debate, there will be 60 minutes of debate in relation to cloture on the Byrd amendment regarding the fire service and agricultural disaster funding.

At 5:30 p.m., there will be two rollcall votes, first in relation to the Dodd amendment and second on cloture on the Byrd firefighting repayment amendment.

Following these votes, the Senate will resume consideration of the Homeland Security Act under the management of Senator LIEBERMAN and Senator THOMPSON.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each. Under the previous order, the first half of the time will be under the control of the Republican leader or his designee.

The distinguished Senator from Wyoming.

### CHOOSING PRIORITIES

Mr. THOMAS. I thank the Chair.

Mr. President, I wish to take a few minutes to talk about where the Senate is and where the Senate is going. Obviously, we are coming to the end of the session. I presume the maximum we will be here is 2 weeks after this week, a total of 3 weeks, unless circumstances change.

We have, of course, as usual, a lot of legislation that could be done. There are a lot of issues about which we have talked this year that need to be finalized. All those issues rise to the top at the end of a session.

More importantly, we are faced with the fact that there is limited time, and the process takes a good deal of time. Therefore, it is necessary, it seems to me, for us to choose priorities and decide what we must complete before we go into recess for the election and after and, of course, do whatever we can but that those need to be our priorities.

I am one who believes strongly in the fact that one has to make priorities, in any group, although this group is not an easy one to manage. Decisions need to be made with respect to what we need to do and, frankly, finding some limits on how long we can spend on different issues.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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We only have time for a relatively few items to be completed, in my opinion. Some of them are more fairly obvious and some are quite important. Obviously, we have to complete homeland security. We have been on that bill now, I believe, 3 weeks. Hopefully, we will finish it very soon. Because of the time, it needs to be completed soon.

Quite frankly, we find ourselves in a delay, a stalling arrangement here that is not where we need to be. Are there differences of views? Of course, and they need to be resolved, but that is what the system is about, and we need to go on.

We are going to be faced very soon with a resolution with respect to Iraq. In fact, we are working on it now. It is an issue that needs to be addressed and addressed quickly. Again, it will take a certain amount of time, but we do need to address it, and we need to address it on the basis that it is a priority with which we need to deal, however one feels about it.

Defense appropriations: We are going to find ourselves not having dealt with more than half the appropriations bills by the time we go into recess, but many of them can probably be tidied over for several months with a continuing resolution, funding the agencies at the level they have been in the past year. It is not an unusual occurrence. But Defense appropriations, in this instance, is quite different because of the circumstances relating to terrorism.

Defense appropriations need to be completed. More resources obviously need to be available to our military so when we ask our military to do whatever we ask them to do, they have the best support we can possibly give to them.

The CR needs to be dealt with so we do not have the Government being stopped because of no financing. Remember, we did that a number of years ago. We cannot let that happen, of course.

There are lots of issues people will talk about that indeed are important, and if we had our way, they could all be done. Unfortunately, a lot of those issues have not been brought out of committee and to the floor so we can move them forward. I believe 8 out of 13 appropriations bills have not been dealt with yet.

We are going to soon have to deal with a payback for Medicare. I find at home—and I am sure everyone else does, too—more physicians are not treating Medicare patients because the reimbursement has gone down, and it is scheduled to go down more the first of next month. Frankly, this would be a relatively easy issue to fix. We know what the percentages are, and we could do something about that.

An issue that I have talked a great deal about and that is more difficult—and I do not think we will accomplish but many of us would like to—is pharmaceuticals. We need to find a way to make pharmaceuticals more available

to the elderly particularly. We have worked on that a great deal and have not come to a conclusion and will not, in my opinion, by the time this session is over.

We have spent a good deal of time on energy. Certainly, energy is an issue that affects not only the economy but it affects terrorism and the upheaval in the Middle East where we have let ourselves become 60 percent dependent on imported energy. We need to change that. We need to have a policy. We have not had a policy for some time. We are now in the process of developing that policy in a conference committee, and we need to get that finished.

We talked about drought relief. It is on the table. We can do that.

Unfortunately, we will probably not be able to deal with terrorism insurance, which is too bad. It is a good issue because it has to do with the economy. It has to do with the resistance to constructing buildings, for example, when you cannot have insurance for them.

There are lots of other issues, such as tort reform and health care costs. I think we have to move on those issues. We have to move ahead with the budget resolution, which we have not had for the first time in a number of years.

One may say, what is the difference? The difference is not only does it help us deal with what we are going to spend, but it has an operational aspect to it that says if you spend over what you have agreed to for the budget, there have to be 60 votes to pass it, which is the kind of resistance we need when we are spending too much money.

We have already talked about prescription drugs. That is an issue we really need to deal with. There are a number of ideas, and we need to consider them.

The permanent tax cut, of course, again, has to do with stimulating the economy, and we have talked about that a great deal as something we need to do.

There are also the issues of homeland security and welfare reform. Welfare reform is pretty much ready to go in the committee. We are going to have to have a temporary passage to keep that in place because it expires shortly. These are the things we need to deal with, as well as the appropriations bills.

I urge that we set some priorities, decide what it is we are going to do over this time, and set some time goals so we can work at it. Then I think we really have to enforce it.

Today, for example, it will be 5 o'clock on a Monday before we get around to voting, and I suspect we will be out again next Friday. The time has come when we really need to take the time that is available to do what we have to do. That is our challenge, and certainly it is not easy.

It is difficult because we all have different ideas about what issues are most important. We have some compelling issues that clearly need to be moved on

because of the shortage of time. I urge we move that way and complete the work that is necessary for it to be done before we leave in October.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

#### THINNING THE FORESTS

Mr. KYL. Mr. President, in the time I have this afternoon, I want to address three subjects. The first relates to an issue we are going to be taking up tonight, which is the cloture motion on an amendment relating to the Interior appropriations bill. The Domenici-Craig amendment dealing with forest health will go down if cloture is invoked. Therefore, I urge my colleagues not to vote to invoke cloture.

I also acknowledge that the efforts to try to reach a compromise on how to protect our forests from disease, infestation, poor health, and fire have not borne fruit, and it is unlikely there will be an agreement reached in a bipartisan way sufficient to allow us to pass something that will provide relief to those, particularly in the West, who have forests that need this kind of treatment. That being the case, we are going to have to find another way to deal with the issue.

The administration is committed to forest health. The President has laid out a plan, and I think administratively the Departments of the Interior and Agriculture will do the very best they can to work within the existing law to manage our forests to bring them back to health and to prevent fires.

The reality is that this failure to reach an agreement will have disastrous consequences, not just in terms of fire but the health of our forests, particularly in the West, and that is not a situation we should be very proud of in this body.

We tried very hard, particularly those of us who represent the Western States, to educate some of our colleagues about what we mean by forest management. There is not much debate in the scientific community about what ought to be done to our forests, maybe 75 million acres of trees. They need to be treated, and by that we mean there needs to be a process whereby the dead, dying, and diseased timber, as well as the very small diameter timber, is removed so the forest can sustain the larger trees we want to preserve and return forests to the healthy conditions they were in maybe about 100 years ago. This means opening up the canopies and providing more opportunity for grass. The trees that would be thinned would not only remove a source of competition to the larger trees in terms of soaking up the moisture and nutrients from the soil, but also providing fuel for forest fires which, instead of just creeping along the ground as they did 100 years or so ago, are now using these small trees to basically climb a ladder up to the crowns of the big trees.