

Congress next Wednesday, October 9 during which the work and activities of the SUPPORT Foundation will also be exhibited and I look forward to seeing many of you there.

I have a resolution that I hope to be able to bring up which will join with the House in extending the welcome of Congress to Her Majesty, the Queen. We look forward to discussing that with the leaders on both sides. And I hope to be able to address that later on.

SENATE INACTION

Mr. BOND. Mr. President, I think it is time that we take a look at where we are and determine what is happening in this body. We have not completed an energy bill, a Defense authorization bill, a terrorism reinsurance bill, a homeland security bill, or a bill to provide a prescription drug benefit.

Even though we are beginning the new fiscal year today, this is not a happy occasion. We have not considered a budget on this floor. We have not completed and sent to the President a single 1 of the 13 appropriations bills. I fear that the President's pen may dry up before we send him a bill to sign or veto.

Our distinguished former colleague and leader, Senator Bob Dole, once said:

I do believe we spend a lot of time doing very little, and that may be an understatement.

Meanwhile, there are great needs. Our economy struggles. We have not passed a terrorism risk reinsurance bill that would put our construction industry back to work. We haven't passed an energy bill that could put literally three-quarters of a million people to work in the construction area, in the development of the goods and the products, the pipelines we need to secure our energy future.

The economy is a problem. This summer, the Governor of the State of Missouri announced that Missouri's relative job loss was the highest in the Nation over the past year. There are measures pending before us that have been recommended that we have not passed. Here we are, the first day of the new fiscal year, and we have not yet begun to debate a budget that would be the framework for our appropriations bills. It was to be completed on April 15. We worked on it in the Budget Committee. It was a contentious debate. But we said at the time that the bill that was reported out of the Budget Committee was not one that could pass. Unfortunately, we were correct. It has not even been brought up.

The majority has not even brought up their own budget bill to be amended or to be debated on the floor. Even if the bill is not perfect, we should at least bring it up for debate so we can proceed to get a budget. Since 1976, when the Congressional Budget Act of 1974 first went into effect, this has never happened. This is the first time

the Senate has not seen fit to consider a budget since the Ford administration.

Historically, the budget resolution has been a difficult matter to resolve. On average, it has been adopted late some 40 days. It is never pleasant. I see the distinguished former chairman of the Budget Committee on the floor. He has fought many difficult battles, but he has accomplished the purpose. And we passed a budget so we could pass appropriations bills; so we have some discipline. This one is over 5 months late and counting.

One of the key congressional responsibilities provided for in the Constitution remains unscheduled. Furthermore, as of midnight last night, there are no budget enforcement provisions, no pay-as-you-go requirements, no points of order against overspending. They are all relaxed. As of today, all budget enforcement provisions have expired. I hope nobody will take this as an invitation to break the budget with more directed spending.

On top of this, we have not completed a single appropriations bill, which was supposed to have been completed by midnight last night. We have begun the fiscal year of 2003 with a record of zero for 13—not a very good average. Only three bills have completed Senate consideration in appropriations.

We all know resolving spending matters is always difficult. There is always someone else to blame. But clearly the Senate has not completed its most primary responsibility, which is expressing the will of the public in the form of a budget. I understand in the last 8 weeks we have not completed action and had a rollcall vote to pass a major piece of legislation. We have been on the Interior appropriations bill for 4 weeks. This is week 5.

In this case, we are making no progress because the majority will not permit the Senate to cast a vote on an amendment designed to prevent forest fires from destroying forests and homes and taking human life.

I know members of the Appropriations Committee are ready to bring their bills before the Senate for consideration. The chairman, Senator BYRD, and ranking member, Senator STEVENS, reported all 13 bills out of the Appropriations Committee by the end of July.

The Senator from Maryland, Ms. MULSKI, and I are ready to bring our bill to the floor to fund veterans and housing and the environment and space and science and emergency management. Well, it is not there. We go into the new year without any of these bills being passed.

I don't want to be confrontational with those managing the Senate, but this is week 5 on a bill that should have taken 2 days. As someone who has spent a lot of time in my few years working with the majority and minority and with the House and the administration resolving difficult matters of disagreement, I know how difficult it is

to complete spending bills. However, I fear this process is bogged down by design.

Last week, we were told we may have to vote on Saturday. But instead of voting on Saturday, we canceled votes on Friday and Monday. On the Interior bill, western Senators have an amendment to protect their forests and their citizens from fire. But the majority, apparently on behalf of certain interest groups, will not permit the Senate to vote. We should vote. That is our job. We vote up or down. We should vote, win or lose. The whole purpose of this delay, regrettably, is to avoid voting.

What is reprehensible is that the authors of the amendment to prevent devastating, deadly fires—deadly to humans, to forests, property, and wildlife—are not even given an opportunity to get a vote. If we would vote, we could get to the remaining amendment, pass this bill, and move on in the next day or two.

Some are suggesting—this I believe is outrageous—that the sponsors of the amendment should have to pull their amendment so we would not have to vote. We have only cast 227 votes this year. I can't remember any year in my history where we passed so few. But this would be a good time to pass another one. We could cast another vote and pass this bill.

The sponsors of this amendment have had people in their States die. They have had millions of acres of trees, including old-growth trees, habitat, and wildlife ruined, killed by fire, and houses burned. They have a solution on which the Senate should have the courtesy, if not the common sense, to vote. How poorly is the majority leadership willing to treat Senators from these States?

The Senators and their constituents deserve a vote, period. If Senators want to vote against it, then do so. Senator CRAIG has not had the opportunity to slip this provision into a conference report, so he is doing what the Senator is paid to do, which is to offer an amendment up or down and have a vote. Why can't we? Should the sponsors be asked to ignore their burning States and set their amendments aside or should the people preventing a vote decide that the Senate should do what we are paid to do? To me, the answer is obvious.

We have been in session for over 4 weeks. The last 4 weeks, we have cast a whopping 19 votes, many of them on noncontroversial judges. I compliment our colleagues from South Dakota for figuring out a way to protect their State from fire. But I want others to have the same opportunity. I have farmers who want farm aid. The Senator from South Dakota got his vote on farm aid. I voted for it. It was not germane to the bill, it was not relevant to the bill, but I voted for it because it is important to farmers all across the heartland of America.

Why can't the Senators whose States are on fire or threatened to be on fire have a vote? I haven't heard one good

explanation as to why Members whose States are on fire should not be entitled to a vote. I would urge the leadership to explain to the people of the western States that are on fire why they are not deserving of a vote.

The amendment is pending. Let us vote. South Dakota got the protection. Are California or New Mexico less important?

Mr. DOMENICI. Will the Senator yield?

Mr. BOND. I am happy to yield.

Mr. DOMENICI. If you think through the Craig-Domenici amendment, which was going to permit us to have a vote in reference to the thinning of forest accumulations in certain parts of the West to avoid fire, here is the logic: We won't let you vote. But do you know why they won't let us vote?

Mr. BOND. I am puzzled why we can't get a vote on this commonsense, sound forest management plan. I defer to my colleague and ask for his guidance.

Mr. DOMENICI. Two reasons: One, some of their Senators would have to vote for it because it is such a good amendment; they know some of them are yearning to vote for it so they get to vote. Secondly, if it got enough votes, they would have to filibuster it—"they" being the other side of the aisle—because it would then be an amendment that the environmentalists who don't support it would insist that their Members on that side vote against.

It is the strangest kind of filibuster you ever saw. It is a filibuster so as to never let an amendment pass so that the majority won't have to vote on it. And if it were to pass, they would have to filibuster it. So they are clean and blaming us for the filibuster.

Mr. BOND. Mr. President, I thank my colleague from New Mexico for the informative discussion. Maybe they have the votes to defeat it. If they defeat it, then there is no problem. But I have to say, having studied this issue and having been added as a cosponsor of this amendment, as one whose hobby and avocation is forestry and having talked to Forest Service personnel in my State, to leading academic foresters from institutions in my State and across the West, this is just common sense. The foresters, the academic foresters, the professional Forest Service people, know you cannot leave the fuel that sets off catastrophic fires in the forests or you will have catastrophic fires.

In my State, we have not only oak decline and beetle infestation; we have had tornadoes. They have knocked over trees. Guess what. It was a very dry summer. These trees have dried out. A spark from lightning or any kind of manmade spark could set these off. Ours is not the biggest problem. The biggest problems are faced by our colleagues in the West. I simply want to get an up-or-down vote. I know somebody might be put in a difficult spot. They have to either vote for their constituents and the safety of forests or

for the environmental groups who don't seem to understand the problems that arise in the forests of the West. I daresay none of those groups live next to the forests, which could become a raging inferno if those fuels are not removed from the forests.

I think we are going to have to make a choice. Do we want to serve our citizens and protect the environment, prevent catastrophic forest fires or do we want to take care of politically active and well-financed interest groups? I can certainly understand the free speech and the desire for people in the environmental groups to have their views and express them, but I don't believe we are obliged to skip a vote on the amendment because they oppose it. They have a right to jump up and explain their arguments and try to urge people not to vote for it. Senator CRAIG, Senator KYL, Senator DOMENICI, and I would be happy to try to discuss that with anybody. But we have discussed it. It is about time we vote. I think it should be resolved with a vote. They can move to table and vote up or down. The effort of Senator CRAIG to prevent forest fires is worth the Senate's time and I would like to hear from somebody why it should not be voted on. We have lost forests the size of New Jersey. Firefighters have died. South Dakota is protected, but Idaho, New Mexico, Montana, Missouri, and other Western States deserve to be protected as well.

I think we at least have a right to have a vote on it. I plead with those objecting to permit us to do what the people sent us to do—cast a vote.

Mr. DOMENICI. Will the Senator yield whatever time he has remaining?

Mr. BOND. Yes. How much time do I have remaining?

The PRESIDING OFFICER. Four minutes.

Mr. BOND. I yield 4 minutes to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to merely comment on the issue raised by my good friend from Missouri. I think the people in the West understand we are not being dealt with fairly. The Western States have this large accumulation of debris and forests are burning down. Our amendment would permit some help to those States where we see these enormous accumulations going up in flames. We could take that out.

NEW FISCAL YEAR—2003

Mr. DOMENICI. Mr. President, Happy New Fiscal Year.

Mr. President, the new fiscal year began at midnight last night and none of the 13 regular appropriation bills has been enacted. Over the last decade, this has happened only two other times—in 1996 and last year.

Now, one could make a good argument that the failure to complete any of the regular appropriations bills last year was completely understandable given the events of last September.

But I think the failure this year to complete any appropriations bills before the beginning of this fiscal year today lies squarely at the foot of the Congress for not adopting a congressional budget resolution last spring.

There is a reason why we have a congressional budget process! And I think if ever we needed an example of why we must not let this process atrophy and die on the vine, this year is a good example of why we need this process.

For the first time in the 27-year history of the Congressional Budget and Impoundment Control Act, the U.S. Senate did not consider and did not adopt its own budget plan for this year.

To be completely accurate, we do have in place a congressional budget resolution but it is the one that I helped to have enacted in the spring of 2001. And that Fiscal Year 2002 budget resolution remains in effect until replaced with a new one, but I think we all know that the economic downturn that became clear after that resolution was adopted and the attacks of last September have made many of the numbers in that resolution outdated for guiding fiscal policy here in the Congress.

Further, let us remember that many of the Budget Enforcement Act provisions that were enacted in 1990 and extended in the negotiated 1997 Balanced Budget agreement, expired at midnight last night.

I am talking about no appropriation spending caps for this year or beyond. This will be the first time since 1987 that we have not had these spending caps to help guide our budgeting and appropriation process.

I am talking about no 60-vote points of order for violation of some of the major points of order in the Budget Act. As I said, until replaced the FY 2002 Budget Resolution with its 10 year numbers is still the enforceable resolution in the Senate even if the numbers in it are outdated. But as of today we can not even enforce that resolution with our normal 60-vote points of order.

We do not have our normal 60-vote point of order for pay-as-you-go violations.

My colleagues will remember that the Senate has operated since the 1990's with this deficit-neutral requirement and they will also know that it was one of our most effective tools in our quest for balanced budgets. In the absence of this pay-as-you-go enforcement provision today, any major tax or entitlement spending program could be considered without addressing the fiscal impact that legislation will have on surpluses or deficits in the future.

Just for the record, in this 107th Congress alone, budgetary points of order have been raised in the Senate over 65 times. And on only 8 occasions did the matter receive sufficient votes—that is 60 or more—to waive the point of order.

I have helped draft with the Chairman of the Budget Committee, Leaders DASCHLE and LOTT, and with the support of President Bush, a simple Senate