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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious Lord, faithfully guide us through life, bringing us where You want us, as we seek Your will. You are our dwelling place, and in Your presence, we find rest. In the shadow of Your wings, we take refuge.

Today, provide safety for the Members of this body. Teach them to delight in Your wise counsel and to hear and do Your will. Give them grace and humility to look to You, to submit to You, and to depend upon You. May the power of Your spirit renew and refresh them physically, emotionally, mentally, and spiritually. Guide them securely down the paths that lead to life until they dwell forever in Your presence.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 6, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, this morning, the Senate will be in a period for the transaction of morning business for 1 hour. The time will be equally divided and controlled. The majority controls the first portion and the Republicans control the last portion. Under an order entered last night, we will resume the Military Construction appropriations bill after morning business. There are five amendments that are remaining that are in order that are going to be disposed of.

After the Senate completes action on the Military Construction bill, the Senate will begin consideration of the Foreign Operations appropriations bill. The managers of that will be Senator LEAHY and Senator GREGG. This should be a busy day with votes throughout the day. In addition, the education reconciliation conference report will be available and, as I mentioned earlier this week, we will act on that measure this week.

I will talk in more detail with the Republican leader when we have a better picture of what is going on with the Foreign Operations bill and how long it is going to take to dispose of the Military Construction-VA bill.

Democrats and Republicans worked well together yesterday. We have a lot to do. One of the things we have to do is look forward to somehow funding the

Government after October 1. There will be consultations between the Republican leader and me and the appropriations people on Capitol Hill. Also, we have the President to deal with on these issues. Even though there has been a lot made about the difference between what the President wants and what Congress wants, it is not that much different. I hope we can work out those issues.

Anyway, we have a picture ahead of us of what we need to do, and we will proceed to do that business as quickly as we can today and hopefully finish everything today, tomorrow and hopefully not have to worry about tomorrow afternoon or even Saturday. I hope we need not do that. We will keep everyone informed as soon as we can.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### SENATE BUSINESS

Mr. MCCONNELL. Mr. President, let me add that I share the goal of the majority leader. There is no reason why the Senate cannot finish not only the bill we will wrap up before noon but also the Foreign Operations-State appropriations bill and the education reconciliation. I will mention that during the years when Senator LEAHY and I handled the Foreign Operations bill—and Senator LEAHY is now the chairman and Senator GREGG is the ranking member—our record, I say to my friend, the majority leader, one year we got it done in one afternoon. I don't know if that is possible this year, but it certainly has happened before.

We will be cooperating to the maximum extent possible to help achieve both these goals before the end of the week.

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



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Mr. REID. Mr. President, this bill we are going to take up also is an interesting bill in that it is \$700 million less than the President requested, and that is unusual, especially in a Foreign Operations bill. We hope we can work through that legislation. Senator GREGG is certainly experienced, as is Senator LEAHY.

On our side, the time for morning business is going to be allocated as follows: 10 minutes each to Senator NELSON, Senator SALAZAR, and Senator SANDERS, the 30 minutes we have that will be beginning soon.

#### 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, the Senate will now be in a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, and with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half of the time and the Republicans controlling the second half of the time.

The Senator from Colorado.

#### EXPANSION OF PINON CANYON MANEUVER SITE

Mr. SALAZAR. Mr. President, I come to the floor this morning to speak about an amendment we will be voting on in probably an hour and a half. It is amendment No. 2662, which has to do with the expansion of a training facility in my State of Colorado called the Pinon Canyon Maneuver Site. It is a training facility associated with Fort Carson.

In February of 2007, a few months ago, the U.S. Army made an announcement it would move forward with an effort to acquire an additional 400,000 acres-plus of land in my State to add to this training facility. What I am asking my colleagues to do today is to join with me and a vast bipartisan majority of the House of Representatives in saying we need a timeout before we move forward. I ask my Democratic and Republican colleagues to join us in supporting amendment No. 2662.

I say to everyone in this Chamber and to those who are listening, if you care about private property rights, you will support this amendment. If you care about ranchers and farmers in America, including those who make a living in southeastern Colorado, you will support this amendment. If you care about being wise in terms of how we spend taxpayers' dollars in expanding our military facilities, you will support this amendment.

I wish to make a few remarks about its history, to put this into perspective.

First, the Army in 1982 acquired 235,000 acres for the training facility now known as Pinon Canyon. That facility has been used since 1982. It is an integral component of the training capabilities for Fort Carson, CO.

In 2005, the BRAC Commission, in its recommendations which were approved in the Senate, recommendations which I supported, added additional troops to Fort Carson. The findings of the Base Realignment and Closure Commission said that Fort Carson had sufficient training facilities to provide all the training that is needed for our troops stationed at Fort Carson.

So the first question to be asked by all those who are going to be impacted by this 400,000-acre expansion is whether that amount of land is sufficient to carry on the training purpose required at Fort Carson. That question simply has not been answered.

If the Army moves forward with the expansion of the additional 400,000-plus acres, we will have a Pinon Canyon Maneuver Site in Colorado that will have 1,235 square miles. That is an area that is bigger than the size of the State of Rhode Island. Yet what the Army has proposed to do is acquire that land through condemnation or whatever necessary means to move forward with an unjustified need for an expansion of Pinon Canyon.

I am not saying we ought not look at whether we need to have additional training facilities at Fort Carson. We certainly should take a look at that. But until we get the answers as to what has changed from January of 2005 until 2007 that requires the expansion of this training facility so we have a training facility the size of Rhode Island-plus, it is important we ask questions of the Army.

I ask my colleagues to join us in moving forward with a timeout, with a 1-year moratorium on the EIS process which the Army has proposed, and during that 1 year we can ask some very important questions that will be important to those who will be most affected—the residents of southeastern Colorado. We need to ask those questions as well for the men and women in uniform, whom we train at Fort Carson and around our country, to be sure we have appropriate and adequate training facilities for them. Those are questions that do need to be asked.

The Department of Defense authorization and appropriations bills will be coming up, and I have proposed and will introduce legislation that will be cosponsored by my colleague, Senator ALLARD, where we get those questions answered. When we have those questions answered, then we can make a thoughtful decision about how best to move forward in a manner that, first, enhances and protects the national security of the United States; No. 2, make sure we are protecting the private property rights of the ranchers who have lived in this area for sometimes three and four generations; and No. 3, the investments we make with

respect to any expansion of Pinon Canyon are investments that make sense from a fiscal point of view.

I ask my colleagues, when we get to amendment No. 2662 in about an hour, that they vote in support of this amendment.

I conclude by saying there are two values that have driven me in my discussions on this issue of the expansion of Pinon Canyon over the last several months. The first of those values is we need to make sure we are providing the necessary training facilities for our soldiers at Fort Carson and those who will train at the Pinon Canyon Maneuver Site. We need to make sure we are doing that, and we have a set of questions that need to be answered in that regard.

Second, we need to be sure we are protecting private property rights. When one thinks about the fact that in these 400-plus acres, there are many ranchers who have been there for three and four generations, ranchers who have come to me with tears in their eyes, who talk about the fact that their wife is buried on their ranch and that they took the ranch from their father and their mother and from their grandparents, it seems to me that if there is an opportunity for us to make sure we are protecting private property rights, this is a time for us to say we are going to protect the private property rights of those ranchers.

I say to my colleagues, I am not asking for the death knell to be put on any proposed expansion by the Army. All I am asking is that we have a 1-year timeout, a 1-year delay so we can get these fundamental questions answered on how we move forward with Pinon Canyon.

I urge my colleagues to please support amendment No. 2662 when we vote on it in about an hour.

Mr. President, I ask unanimous consent to have printed in the RECORD letters in support of my amendment and the position on the Pinon Canyon issue from Otero County, a resolution from Huerfano County, Las Animas County, Colorado Counties, Inc., LaJunta, the Bent County Commissioners, Baca County Commissioners, the Club 20, Action 22, Crowley County, as well as Alamosa County.

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

OTERO COUNTY,  
OFFICE OF THE COMMISSIONERS,  
*La Junta, CO, August 27, 2007.*

Senator KEN SALAZAR,  
129 West B Street,  
Pueblo, CO.

DEAR SENATOR SALAZAR: Through this letter, the Otero Board of County Commissioners officially registers its adamant opposition to the expansion of the current Pinon Canyon Maneuver Site and requests your support of the Musgrave-Salazar amendment. Although this office and individual commissioners have corresponded with you on this matter over the past several months we feel compelled to address once again the U.S. Army proposed expansion.

We appreciate your support in the disallowance of eminent domain to acquire any