

the inspectors the needed time to complete their work. In the meantime, we need to provide targeted intelligence to inspectors to facilitate their effort, without disclosing sources and methods, of course. That is our best chance of bringing about Iraq's voluntary disarmament or, failing that, obtaining broad international backing, including U.N. authorization for a multilateral effort to forcibly disarm Iraq.

If we prejudice the outcome of the inspections or if we don't furnish the arms inspectors with targeted intelligence, we will not be able to obtain the international support, as represented by U.N. authorization for the use of force, that is so highly desirable and advantageous to us. Forcibly disarming Iraq without international support would be perceived as a unilateral attack by the United States and a few allies. International support is critical to reducing the short-term risks, such as a loss of regional cooperation with resulting increased probability of U.S. casualties and reduced likelihood of international contributions in a postconflict environment.

International support is also important to reducing long-term risks, such as a loss of international cooperation in connection with the war against al-Qaida, and increased probability of terrorist attacks against us.

In summary, January 27 is the first interim report. It is not D-Day, decision day, as to whether to attack Iraq. We must not prejudice the outcome of the very inspection process that we worked so hard to put in place as being highly relevant to the question of whether we launch attack on Iraq. We must share all the information we can on suspect sites. And finally, if we don't share our information with the U.N. inspectors, or if we prejudice the outcome of these inspections, we will increase the likelihood that we will go to war and increase the risks, short term and long term, to our troops and our Nation in doing so.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

#### EXTENSION OF MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent the period for morning business be extended until 4:30, with the time equally divided and Senators permitted to speak for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from Colorado.

#### ENFORCEMENT OF THE LAW OF THE RIVER

Mr. ALLARD. Mr. President, the beginning of the 108th Congress marks a pivotal moment in the management of one of the most complex water systems in the world. Complex both

hydrologically and legally, the river is managed through a series of agreements that are collectively known as the "law of the river." and it is the "law of the river" that brings me to the floor today.

For years, the State of California has consumed far more than its annual allocation of 4.4 million acre-feet of water from the Colorado River. Instead, the State has pursued a path of overuse—often drawing more than 1 million acre-feet of water a year over its allocation. With the turn of the new year, and just as Colorado enters the fourth year of the most severe drought in 300 years, I am pleased that Secretary Norton and the Department of the Interior have taken strong action to force California into compliance with the decades-old agreements that dictate the amount of water that the State is entitled to consume, thereby ending its abuse of the river. This watershed decision to enforce the 4.4 million acre-feet allocation reveals a welcome determination to ensure confidence in the law through decisive action, demonstrating to all parties that abuse of the "law of the river" will not be tolerated.

"The law of the river" has evolved over 80 hard fought years; every precious drop of the river means life or death to the people of the basin States. Secretary Norton has now made it clear that every party to the compact will be held accountable, and that these agreements will stand as precious as the water itself. No longer will States be able to ignore the "law of the river."

In Colorado, our citizens must abide by the doctrine of prior appropriations. Other States govern water under a hybrid or riparian rights system. These time-tested theories have one constant principle—a user cannot take more water than its legal share. This strong sentiment is reflected in a recent Denver Post editorial that I would like to share with you today. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. ALLARD. California has had ample opportunity to meet its legal obligation; agreements outlining baby steps toward compliance with the 4.4 limit have been in existence since the 1990's. Even though the State has consumed far more than its fair share for years, it has had plenty of opportunity to live within its allocation. Yet in the end, with the water shutoff, I hope California will recognize its legal obligations.

To Secretary Norton and my colleagues from the basin States, I urge you to continue to force all members to abide by their allocation and to protect the law. Secretary Norton's fair action has demonstrated that this administration will uphold the "law of the river," and when the law is not ad-

hered to, those in violation will be held accountable.

I have remained in close contact with Colorado Governor Bill Owens throughout the ordeal, and would like to share with you an insightful comment made by the Governor in a conversation we had shortly after the decision to shut off the water was announced. Governor Owens said, "In the West, our word is our bond. As Colorado suffers from the worst drought in its history, we cannot and will not support so-called 'surplus' water deliveries to California, unless California keeps its word to us." I certainly agree.

I commend the Secretary for her action, and hope this will serve as a clarification call that the law of the river is indeed a law that must be obeyed.

#### EXHIBIT 1

[From the Denver Post, January 4, 2003]

#### THE LAW OF THE RIVER

Nevada shouldn't be surprised. Two weeks ago, U.S. Interior Secretary Gale Norton said California couldn't take more than its legal share of Colorado River water. This week, she told Nevada the same thing. Her actions were proper. All seven states that share the river and tributaries must abide by the Colorado River Interstate Compact, the 80-year-old agreement known as "the law of the river."

California hogs 5.2 million acre-feet of river water a year, far more than its legal share of 4.4 million acre-feet.

But Nevada has been slurping more than its share, too. The pact entitles Nevada to 300,000 acre-feet annually, but it uses an extra 37,000 acre-feet a year, or 11 percent over its legal share.

California had wanted Norton to declare a surplus of water in the Colorado River, thus letting it continue using more than its legal allotment. But such a declaration would have been absurd during an ongoing, record-breaking drought.

After telling California "no," Norton had to apply the same standard to other states. Although Nevada's excess water use is a drop in the bucket compared to California's wastrel ways, Nevada also must follow the law of the river.

Colorado doesn't use its entire share of river water, however. The river flows on the Western Slope, but our population lives mostly on the Front Range. The dispute is over preserving Colorado water rights for future generations.

Colorado is supposed to get 51.75 percent of the river's water. The interstate pact assumed the Colorado River would, on average, flow 7.5 million acre-feet a year. But the pact was signed during an exceptionally wet era in the West, so it overestimated how much water the river usually has. Still, the optimistic scenario entitled Colorado to 3.85 million acre-feet of river water in an average year.

In reality, the Colorado River averages about 6 million acre-feet a year, allowing Colorado 3.1 million acre-feet under the formula.

But Colorado consumes only 2.65 million acre-feet from the river in a normal year. So, depending on how the river's average flows are calculated, Colorado lets 500,000 to 1.2 million acre-feet of its share flow out of state. Much of that water supplies vegetable farms and fruit orchards in California's agriculturally rich Imperial Valley.

To recapture its lost water, Colorado leaders have floated ideas to build new dams or pump thousands of acre-feet from the Utah

line to metro Denver. But any of the plans would cost billions of dollars and create ecological woes.

If Colorado's population continues growing, our state someday will claim its share of Colorado River water. When it does, California and Nevada could rights demand that Colorado and other upper-basin states—Wyoming, Utah, Arizona, and New Mexico—follow the pact's strict limits, too.

The law of the river must be enforced, for everyone. And water conservation must become a way of life in the West.

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

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

#### CONGRATULATING THE OHIO STATE UNIVERSITY BUCKEYES NATIONAL CHAMPIONSHIP WINNER

Mr. VOINOVICH. Mr. President, I rise today as an alumnus of Ohio State University and a Senator filled with pride for our 2002 national champions, the Ohio State Buckeyes.

I congratulate my home team and their outstanding coach, Jim Tressel, on a spectacular win and the best season ever in the history of Ohio State University—14 wins and no losses. Throughout the season, the Buckeyes showed a remarkable spirit of determination, cooperation, and the best teamwork that I have seen in a football team, frankly, during my lifetime.

The Buckeyes have good people and a great leader who inspired his team to do their best—as athletes and young men with character, determination, pride, and loyalty to each other and to their alumni.

On the night of the game, some of the sports pundits said that the other team had more talent than the Ohio State Buckeyes. But throughout this season, we utilized our talent more fully than any other opponent.

The Buckeyes have that special ingredient—sticking together and working together—a true symbiotic relationship. They understood that the more they cooperated on behalf of the team as a whole the better off all of them would be. That is the spirit that shone through during the whole season—unselfish determination and genuine teamwork. That is what it was about.

Their lesson is a good one for us in the Senate. It is the same kind of spirit that we are going to need on the floor of the Senate and in our country if we expect to win the war on terrorism and to become national champions for our hard-working citizens who put their trust in us. We would all do well to emulate the 2002 Ohio State Buckeyes. I congratulate our 2002 national champions and again underscore that if we

can maintain the spirit they have of working together, teamwork, and bipartisanship, we are going to have an outstanding season here in the 108th Congress.

I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, are we in morning business?

Mr. CRAPO. The Senate is in morning business for another 23½ minutes.

Mr. DORGAN. I ask unanimous consent to speak in morning business for 20 minutes.

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

#### HOMESTEAD ECONOMIC OPPORTUNITY ACT

Mr. DORGAN. Mr. President, there has been a great deal of discussion in recent days about the American economy. The President was in Chicago the middle of this week and proposed a new plan talking about tax cuts in order to stimulate the economy. Others in the Democratic Caucus in the Senate and the House have talked about various plans for tax cuts to stimulate the economy. While all this discussion about the economy is important, I wanted to mention something else that is happening in the American economy that gets precious little attention.

There is an economic blight that is occurring in our country that is out of sight and therefore it is not very well understood by most Americans. I want to talk about it for a moment.

In the last Congress, with Senator Chuck Hagel from Nebraska, I introduced legislation called the New Homestead Economic Opportunity Act. I visited briefly yesterday with Senator HAGEL and we are going to be talking about reintroducing that legislation very soon in this Congress. I wanted to make a couple of comments about it and alert colleagues that this legislation is something we are going to work very hard to try and get approved by this Senate.

There is a problem in this country with the economy. This is not a problem about the American economy in its entirety. It is a problem about the economy in the heartland of our country. This map shows the rural counties of high out-migration in the country, that is, counties in which people are moving out, not in; counties that are losing population.

If we draw an egg shape from North Dakota down to Texas in the middle part of our country, we have the heartland of America being depopulated.

This is the heartland of America, which is North Dakota, South Dakota,

Nebraska, Kansas, right on down to Texas, including some States on both sides. This is the part of the country that we populated a century and a half ago with something called the Homestead Act. My great-grandmother, named Caroline, with her six children—her husband having died, she was an immigrant widow from Norway—decided to move to the prairies of North Dakota. She pitched a tent, built a house, started a farm, and raised a family. She had a son, who had a daughter, who had me, and that is how I come from Hettinger County in North Dakota.

A century and a half ago, we populated the middle part of our country through something called the Homestead Act, saying to people: move there, build there, and create a family there. We will give you some free land. It is called the Homestead Act. So they did. In covered wagons they came to the middle of our country. Now a century and a half later, people are moving out in a relentless depopulation. In every one of these States—North Dakota, Nebraska, Kansas, South Dakota, Wyoming—people are moving out of the rural counties. The percentage of out-migration is shown on this chart. In North Dakota, about 90 percent of the counties are losing population. I grew up in a county in southwestern North Dakota. My home county is bigger than the State of Rhode Island. When I left there were 5,000 people who lived there. Now there are 2,700 living there. In the year 2020 the demographers say there will be 1,700 living in my home county, a county larger than the State of Rhode Island.

In this county, there is a town called New England, ND, a wonderful little community. Donna Dorman is the minister at the Lutheran Church in New England. She said that as a minister she presides over four funerals for every wedding. Think of that: Four funerals she officiates at for every wedding. This is a Lutheran minister. What does that say about the towns, where the population is getting older, people are moving out, young couples that stay are not having children. It is the opposite of the movie "Four Weddings and a Funeral." Four funerals per wedding. That is a description of what is happening up and down the middle part of the country with this steady depopulation.

Then we have people in other parts of the country who are trying to recreate what we have in the middle: Great schools, good places to live, safe neighborhoods, good places to raise children. They are trying to recreate that in other population centers of the country.

We have people leaving the middle of America, in the heartland. The question is, What do we do about this? Can we do anything? William Jennings Bryant said destiny is not a matter of chance; it is a matter of choice. It is not a thing to be waited for; destiny is a thing to be achieved.