are no constraints in this treaty on missile defense, period, end of quote. These are our top military leaders. They are in charge of missile defense. They say there are no constraints.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 4814.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kentucky (Mr. BUNNING), the Senator from New Hampshire (Mr. GREGG), and the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''yea'' and the Senator from Kentucky (Mr. BUNNING) would have voted ''yea.''

The result was announced—yeas 37, nays 59, as follows:

[Rollcall Vote No. 282 Ex.]

YEAS—37

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bond	Enzi	Murkowski
Brown (MA)	Graham	Risch
Brownback	Grassley	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Snowe
Cochran	Johanns	Thune
Collins	Kirk	Vitter
Corker	Kyl	Wicker
Cornyn	LeMieux	
Crapo	Lieberman	

NAYS—59

Akaka	Franken	Nelson (NE)
Baucus	Gillibrand	Nelson (FL)
Bayh	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bennett	Johnson	Rockefeller
Bingaman	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lincoln	Udall (NM)
Coons	Lugar	Voinovich
Dodd	McCaskill	Warner
Dorgan	Menendez	Webb
Durbin	Merkley	Whitehouse
Feingold	Mikulski	Wyden
Feinstein	Murray	

NOT VOTING—4

Bunning	Hatch
Gregg	Manchin

The amendment (No. 4814) was rejected.

Mr. KERRY. I move to reconsider the vote.

Mr. NELSON of Florida. 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 Idaho.

AMENDMENT NO. 4839

Mr. RISCH. Mr. President, is amendment No. 4839 at the desk?

The PRESIDING OFFICER. It is.

The clerk will report.

The bill clerk read as follows:

The Senator from Idaho [Mr. RISCH] proposes an amendment numbered 4839.

Mr. RISCH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To amend the preamble to the Treaty to acknowledge the interrelationship between non-strategic and strategic offensive arms)

In the preamble to the New START Treaty, insert after ''strategic offensive arms of the Parties,'' the following:

Acknowledging there is an interrelationship between non-strategic and strategic offensive arms, that as the number of strategic offensive arms is reduced this relationship becomes more pronounced and requires an even greater need for transparency and accountability, and that the disparity between the Parties' arsenals could undermine predictability and stability,

Mr. RISCH. Mr. President and fellow Senators, what we are going to do is, tomorrow, at noon, we are going to start with amendment No. 4839. Amendment No. 4839 deals with the relationship between strategic weapons, which this treaty deals with, and tactical weapons, which this treaty does not deal with but should. That is essentially the purpose of this amendment.

I think virtually everyone who is involved in this debate has an opinion on this, No. 1. But almost everyone agrees that the issue of tactical weapons, namely, short-range weapons, is a very serious issue and rises to at least the level of the discussion on strategic weapons, and perhaps even more so.

So tomorrow we are going to have a spirited discussion about those issues. There has actually been quite a bit of debate already on this, and for those of you who are like me, and you take the CONGRESSIONAL RECORD home and read it in the evening, if you go back and look at the debates on the various treaties that dealt with nuclear weapons treaties, you will see that some very bright people, some of whom are still Members of this body, have already spoken on this issue.

I am looking forward to having this discussion tomorrow.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

MORNING BUSINESS

Mr. TESTER. Mr. President, I ask unanimous consent to go into morning business.

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

Mr. TESTER. Mr. President, before I talk about the Forest Jobs and Recreation Act, I want to say, you never looked better, Mr. President. So I appreciate you being in the Chair today.

FOREST JOBS AND RECREATION ACT

Mr. TESTER. Mr. President, I want to talk a little bit about the omnibus bill that was pulled down 2 nights ago because there were not the votes from across the aisle to get the bill moving.

In that omnibus bill, there was a number of very important projects for every State in the Union. But there were a lot of very important projects for the State of Montana in that bill that I am afraid now will be put on the back burner.

Nonetheless, there was also some very important language in the omnibus bill. In my particular case, there was language in that bill that was going to help put people back to work, and that language was contained in a bill we call the Forest Jobs and Recreation Act.

What this bill does is create 660,000 acres of new wilderness. It creates 370,000 permanent acres in new recreation areas. It requires forest restoration and logging of 100,000 acres over 15 years.

It is important in Montana for several reasons. The first reason is, we have been attacked by beetles, the bark beetles that have killed a large percentage of our forests, and we need to give the Forest Service the tools they need to be able to treat that.

The second thing is that in the western part of Montana the economy has been hurt pretty badly. The unemployment rate there is the highest in our State. This bill will create jobs. Let me give you an example.

Over the last year, in Montana, 1,700 jobs were lost in the wood products industry alone. This bill would help get those folks back to work. How? Well, it would help the folks running the chain saws, doing the cutting in the woods, the mills that create dimension lumber and plywood, and those kinds of things, get back up running and employing people.

It would help provide the opportunity for biofuels with these trees, to be able to get a dependable supply, to be able to put the investment in to create biofuels, and move that industry along, to make this country more energy independent.

It would help save our timber infrastructure because, quite frankly, if you look at some of the States in the West, that timber infrastructure is gone, and our ability to manage those forests leaves us when that timber structure goes. That is not the case in Montana, but we are getting very close. It is why this bill needs to be passed. Unfortunately, it does not look as though it is going to happen at this point in time.

The other part about this bill—as I said, while there were so many projects in the omnibus, the CBO says this bill is deficit neutral, with no cost to the taxpayers. It is a bipartisan bill. It is a bill we have support for from both sides of the aisle, with Governors and Senators and Congressmen and local county commissioners, from both parties.

It is a bill that the Forest Service, through Secretary Vilsack, supports. It is popular with over 70 percent of Montanans.

As I said earlier, we are in dire need of it because our forest is dying, with

over 1 million acres of dead and dying trees. This bill has been the subject of intense public debate for the past year and a half since I dropped it in. We had a Senate hearing a year ago, a year ago yesterday, I believe it was. We have had townhall meetings, 11 in total, across Montana. We have had unprecedented transparency with this bill, with it being online and explaining and taking input and changing the bill as it has moved forward, making it a better bill. We have taken suggestions from the public, and where we have been able to address those concerns, we have been able to address them straight-up and move forward. It really is a new way of doing business for the Forest Service, for our forested lands, our government-owned forested lands in this country.

It has not been an easy go. This bill would not have happened 10 years ago. It absolutely would not have happened 20 years ago because for the last 30 years we have had gridlock in our forest industry. We have had conservationists and environmentalists and loggers and mill owners and recreationists all fighting with one another, and nothing has gotten done in the last 30 years.

Well, about 5 years ago these folks got together and they said: You know, we have all been losing. Nobody has been winning. We should set our differences aside—and this body should listen to this—set our differences aside, find a common ground, and move forward with solutions. They did exactly that. It was not easy, but they did exactly that—where everybody gives a little but gets a lot. They sat down at those tables and they met, and they met for years, and they came up with this proposal.

Shortly after I was elected, they came to me and said: Would you carry it?

I looked at it, and I said: You know what, this bill makes sense. It makes sense for Montana. It makes sense for the West.

We were on track to get this bill passed until the omnibus was pulled the other night because of a lack of support. Our No. 1 responsibility right now is jobs—jobs, jobs, jobs. This bill helped create jobs, helped put people to work in an industry that needs help.

Regardless of what happens from here, it is going to be critically important that we stay focused on jobs in this body. I will tell my colleagues that I think if we do that and we are successful in that, this country will be a better place. It will be a better place for our kids and our grandkids, and it will be a better place for people right now. Quite frankly, I haven't seen a lot of that working together in the last 4 years. When we have a piece of legislation that really isn't a Democratic piece of legislation or a Republican piece of legislation but, rather, a good piece of legislation, it gets caught up in the process.

I will continue to fight for jobs for everybody in this country, particularly in Montana. We will continue to work to get this bill passed and bills like this passed because it is good for the country and it gives the agencies—in this case, the Forest Service—the kinds of tools they need to manage our forests.

As I said before, I was going to ask unanimous consent for the passage of this bill. I have been informed that will be objected to, so there is no reason to go through that formality. But I will say we hope to bring it up again, and hopefully next time we will be successful because it is a good bill.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Idaho.

Mr. RISCH. Mr. President, I wish to respond briefly to my good friend from Montana.

First of all, let me say that I, of course, was at the hearings the Senator referred to in our Energy and Natural Resources Committee. Ordinarily, I wouldn't involve myself at all in the internal matters in Montana. Natural resource issues are best decided by the people who live in the particular counties and in the particular States where that resource is located. On this particular issue, however, one of the areas of land included in the landmass my good friend from Montana described in his bill is an area that is referred to as Mount Jefferson. Mount Jefferson and the area included admittedly are entirely within the State of Montana. However, the only way the southern part can be accessed is through the State of Idaho.

I couldn't agree more with my good friend from Montana in saying that we need to keep our eye on the ball, and that is jobs, jobs, jobs.

The particular area in question is not a large area. I think the total amount is 4,400 acres. The amount I am talking about is about 2,200 acres, but it is used intensively by Idaho people engaging in recreation in the wintertime. Under my good friend's bill, that would have been closed out, and the snowmobiling particularly would have been prohibited in this area, which is the south side of Mount Jefferson.

I sincerely appreciate my friend's willingness to talk about this and to work on this particular issue. As we go forward with this—and I have no doubt that his commitment to his State will cause him to continue to work with us on this issue and to deal with this particular bill and the areas of land he is talking about in this bill as we go into the next Congress. I commit to work with him, and I hope we can resolve this issue. As I say, the issue of winter snowmobiling only as far as motorized use of this particular area is of great importance to the people of the State of Idaho.

I thank the Senator for his courtesies thus far, and I look forward to working with Senator TESTER in the next Congress on this issue.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Thank you, Mr. President.

I appreciate the remarks of the good Senator from Idaho. I understand the Senator's concern as we have talked about the Mount Jefferson issue before. Overall in the bill, just for the record, we have added 370,000 acres of recreation area for exactly that—snowmobiles. That doesn't solve the problem on Mount Jefferson of the 4,400 acres, but we will continue to work with the Senator from Idaho and move forward to try to get something as close to what meets the needs of everybody as we can. As Vince Lombardi once said, the recipe for failure is trying to please everybody.

I thank the good Senator from Idaho.

The PRESIDING OFFICER. The Senator from Iowa.

TRIBUTES TO RETIRING SENATORS

BYRON DORGAN

Mr. HARKIN. Mr. President, with the close of the 111th Congress, the Senate will lose one of its most popular, articulate, and outspoken Members. I will lose a kindred spirit and a fellow progressive populist, BYRON DORGAN, who has spent his entire four decades in elected office fighting on behalf of family farmers and ranchers, struggling small businesses, ordinary working Americans, and anyone who has been run roughshod over by big business, big banks, or big government.

Both Senator DORGAN and I are proud of our roots in the rural upper midwest. I was raised in Cumming, IA, population 162. He was raised in Regent, ND, population 211. BYRON always liked to joke that he graduated in the top 10 of his class of 9 students.

Senators on both sides of the aisle have come to respect and admire Senator DORGAN's distinctive voice here in the Senate, a voice that mixes keen intelligence with a great sense of humor, plus a gift for making his arguments with colorful, compelling stories and language. Throughout his more than four decades in public service, he has used that voice to speak out powerfully for farm country in rural America. He has fought hard for policies at the national level to give rural families a better chance at success. He has been a strong supporter of the farm bill's safety net provisions, including countercyclical support for farmers to get them through hard times, and he has been equally outspoken in championing strict limits on Federal farm payments to ensure that the lion's share goes to small family farms, not big agribusiness and absentee farm owners.

As a senior member of the Energy and Natural Resources Committee and chair of the Appropriations Committee's Energy and Water Development Subcommittee, Senator DORGAN has always been an outspoken champion of clean, renewable, homegrown energy, including wind and solar and biofuels.