

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