

final passage of the use of force resolution occur immediately upon the disposition of the appropriations bill; that no amendments or motions be in order to either bill; that the preamble to the joint resolution be agreed to; and that when the Senate receives from the House its supplemental appropriations bill, it be read a third time and agreed to, provided that it is identical to the bill which the Senate has passed.

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

The Senator from Mississippi.

Mr. LOTT. Mr. President, I thank my colleagues on both sides of the aisle for agreeing to this request. I, too, want to thank Senator DASCHLE, Senator REID, the leadership on the Democratic side of the aisle, and Senators NICKLES, GRAMM, DOMENICI, STEVENS, and WARNER who have worked on these resolutions, and many others.

I realize this is a dramatic action in both cases. That is what is called for.

I have never seen a better example of Members standing together, working together, swallowing our legalistic desires and our budgetary restraint feelings. These are difficult times. We have got to act decisively. The American people expect it of us and they will accept nothing less. We are doing that. We are moving today to provide humanitarian funds to assist in the clean-up, disaster assistance, and military action that is necessary.

In a perfect world, maybe we would do it differently—with more money, less money, more language, less language—but the world has changed, and we are acting appropriately.

With regard to the use of force language, again, I think it has been worked on by Democrats, Republicans, and the administration. If you look at it carefully, I think it does the job without putting us at risk. Senator DASCHLE said the conference was ready to go to do these things. I think this is the right thing, and I commend both conferences for this decisive action.

Thank you for your leadership.

Mr. DASCHLE. Mr. President, I ask that Senators, again, vote from their desks.

2001 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

AUTHORIZATION FOR USE OF MILITARY FORCE

The PRESIDING OFFICER. The clerk will first report the Senate bill.

The legislative clerk read as follows:

A bill (S. 1426) making supplemental appropriations for fiscal year 2001 for additional disaster assistance, for antiterrorist initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

The PRESIDING OFFICER. The clerk will report the Senate Joint Resolution.

The legislative clerk read as follows:

A resolution (S.J. Res. 23) to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

Mr. DASCHLE. I ask unanimous consent it be in order that I ask for the yeas and nays on on both the supplemental appropriations bill and the Joint Resolution.

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

Mr. DASCHLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AIRPORT AND AIRLINE SECURITY

Mrs. BOXER. Mr. President, the Senate will pass a \$40 billion supplemental appropriation in response to Tuesday's terrorist attack.

One of the top priorities must be to increase our airport and airline security. I hope that some of the funds provided in this bill will be used to place air marshals on commercial planes and to improve security personnel in airports.

Would the chairman of the Appropriations Committee inform me of his intention with this funding regarding airport and airline security.

Mr. BYRD. I agree with the Senator from California on the importance of increasing airport and airline security to prevent our Nation from experiencing a tragedy like this. In my opinion, funds in this bill could be for air marshals and airport security personnel.

Mr. STEVENS. Mr. President, the agreement reached in this body provides \$40 billion to respond to the attacks in New York and Washington, and the plane crash in Pennsylvania, as follows:

\$10 billion available immediately for the President to utilize;

\$10 billion available 15 days after the President submits a plan;

\$20 billion available for allocation in subsequent acts.

This compromise provides the initial \$20 billion sought by the President with virtually no restriction, and provides a second \$20 billion pursuant to the President's commitment to the Governor of New York and the New York delegation that \$20 billion would be available for the domestic response and recovery effort.

The President can use any of the funds for national security purposes—but of the total of \$40 billion, not less than \$20 billion is only available for the domestic recovery effort.

As context, Congress initially provided \$15 billion for the gulf war effort; nearly \$10 billion for the California earthquakes. All of the funds are available until expended, to ensure there is no rush to obligate prematurely.

The arrangement fulfills the President's commitment to New York, Virginia, and Pennsylvania for the families of those on board the hijacked air-

craft, and ensure adequate funds are available for any initial military or intelligence requirements, without a competition for funds between those two needs.

Mr. DASCHLE. Mr. President, Ernest Hemingway observed that "life breaks us all, and afterward many are strong at the broken places."

America's heart is broken. What happened on Tuesday was not simply an attack against America. It was a crime against democracy, against decency itself.

The more we learn, the more we grieve for the innocent victims of these unconscionable attacks: the people of New York, and those of New Jersey, Connecticut, and all who were in and around World Trade Center at the time of these attacks; our men and women serving at the Pentagon; and, the passengers and crew of American Airlines flights 11 and 77, and United Airlines flights 93 and 175.

Today, with the passage of this supplemental bill, we take a step toward healing, and we begin the process of growing stronger at the broken places.

It has been an extraordinary few days here in Congress. As we come together to consider how we can act, how we can help, how we can serve, we forget to consider those things that once divided us.

Today, we are not Democrats or Republicans. We are Americans.

We stand together as one Congress, one people. And we say together, with one voice, we will do whatever needs to be done to care for the victims, to comfort the families, to address this threat to our homeland, and to let our enemies know: We will find them. And we will have justice.

This bill we are considering provides 40 billion dollars to provide aid to the victims of the attacks, and to deal with the consequences of those attacks. The money will be used to: repair the horrific damage caused by these attacks, and help begin the process of recovery; improve attack and disaster preparedness; enhance our counterterrorism efforts; make our planes and other systems of transportation safer and more secure; and strengthen our national security.

But we need to remember: in the end, this isn't about money, because money is only a means. This is a statement of our commitment to help our fellow Americans in their time of need, to protect our Nation from the most insidious of threats, and to ensure that those who had a hand in these evil acts are held accountable.

This is a first step. It is the first of many. Because we will do whatever it takes. And, ultimately, we will grow strong in the broken places.

Mr. LEVIN. Mr. President, in the aftermath of Tuesday's tragic events, security has necessarily been tightened at all our borders. This includes the border crossings at the Port of Detroit, including the Ambassador Bridge, the Detroit-Windsor Tunnel, and the Blue

Water Bridge in Port Huron. The U.S. Customs Service is inspecting every vehicle and almost every truck crossing into the United States at these ports of entry, which is what should be the case after such a terrible breach of our Nation's security.

These ports of entry are important commercial routes for the transport of the just-in-time delivery auto parts to American auto manufacturing plants which are supplied from Canada and elsewhere. Just-in-time delivery means an industry must have the ability to move its products quickly from point to point. An unfortunate side effect of the tightened security is that significant delays of up to 12 hours in some cases have occurred at the bridges and tunnel. This has meant that the just-in-time delivery systems that the auto manufacturers rely on have broken down. As a result, automobile assembly plants in the United States do not have the necessary parts and many have shut down. Others may have to shut down soon for lack of parts.

This backup at our northern border during these extraordinary times highlights and aggravates an existing and chronic problem of under-staffing of Customs inspection and INS personnel at the Port of Detroit and along the Northern border in general. Congress was already beginning to address this shortfall before Tuesday's tragedy exacerbated the problem.

As we pass an emergency supplemental bill today that will provide \$40 billion in disaster relief and humanitarian aid to help respond to the destruction caused by Tuesday's tragedy, we should not forget the security needs at our borders. Specifically, we need to be sensitive to the economic impact additional security measures have on industries that depend on just-in-time delivery of product from Canada and elsewhere. This doesn't mean that we should be any less vigilant in inspection at the border. To the contrary, it means we should be sure that we commit adequate resources to preform these inspections without hurting our economy in the process.

The simple solution would be to direct a portion of the \$40 billion to increase Customs and INS staffing levels at our northern border and at the Port of Detroit in particular where this need has been most clearly demonstrated. It makes good domestic security sense and it makes good economic sense.

Mr. JOHNSON. Mr. President, I want to express my strong support for S. 1426, the Emergency Supplemental Appropriations bill for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for S. J. Resolution 23, which authorizes the use of force against those responsible for the attacks launched against the United States. On this day of remembrance in our country, we must also face the need to respond and rebuild.

As we are faced with another critical moment in our Nation's history, I am proud to be a member of the United

States Senate and the Senate Appropriations Committee, as we work in a nonpartisan way to provide support to the victims of the terrorist attacks on the World Trade Center and the Pentagon. The Senate approved this critically important funding legislation of \$40 billion by a vote of 96-0 earlier today. The United States Congress and the President have worked together to demonstrate that the United States will stand together and put our partisan differences aside as we address this tragedy facing our great country.

This funding will also help our country as we begin to rebuild and work to find those responsible for these reprehensible and cowardly acts of terrorism. Today, I join members of the Senate and the House of Representatives, Democrats and Republicans, in supporting our President and our country by approving legislation to authorize the use of force against those responsible for the despicable acts of terrorism made against our Nation on September 11, 2001.

Innocent Americans were killed at the hands of our enemies. Our Nation grieves their loss and remembers an innocence now lost. Now, it is time to act swiftly and decisively against those who planned, authorized, committed, or aided the terrorist attacks in order to prevent future aggression against Americans at home and abroad.

The war declared by these terrorists is a new kind of conflict. Unlike wars of the past, the attack was not made by one military against another, battling over borders. Instead, the attacks came from a faceless source and focused on innocent civilians. Their aim was to undermine our Nation's freedom, our liberties, and to destroy us from within through fear, hatred, and rage. We must not and will not allow terrorists to ultimately win this war.

I think about the families of those who have lost loved ones this week, the children who are now orphans, and those who still await word on the missing. We hold them in our hearts and keep them in our prayers. As the parent of a son in the US Army, I also share the pride felt by those currently serving our Nation and protecting our freedoms in the military and in our communities as police and firefighters. The coming weeks and months will be trying, and we must stand with one voice in support of these brave men and women.

It is important that we also stand as one America against any example of violence against people based on their religion or ethnicity. We will have lost this war against terrorism if our country's diversity becomes threatened.

We will remember those we've lost. We will respond against those responsible. And we will rebuild our Nation's confidence and security.

Mr. KOHL. Mr. President, today the Senate has taken a somber step toward a new kind of war. Congress has resolved that military force may be necessary to end the scourge of terrorism.

Today we took a solemn vow that we will strike back at those who have killed thousands of American citizens. Those responsible for the attack on the World Trade Center, the Pentagon, and the crash of an airliner in Pennsylvania will now face the full fury and capability of this great Nation.

But the United States will not react blindly. We do not want revenge, we want justice and security. We act today to defend America and punish our enemies. Unnecessary violence will do nothing to erase the losses suffered by the American people.

Part of what we are fighting to protect, is the Constitution and the role of Congress in a crisis. This resolution faithfully and responsibly executes our duty under the Constitution. We have not ceded our power to the President, Congress remains a co-equal branch and a partner with the President in this struggle.

We stand together in this Chamber and with the President. Shoulder to shoulder we are prepared to do whatever is necessary to restore peace and security to the land. Our will is resolute, our hearts are steadfast, and our minds are fixed. We will not rest until the task before us is complete.

Mr. KYL. Mr. President, I rise at this time to lend my full support to S. 1426 the emergency supplemental appropriations bill.

The United States is engaged in war against terrorism. We have been engaged in that war for a long time, but seldom has it tread upon our Nation's soil. On September 11, it did, in a most horrific way.

Last night, this body took a great step in its fight against terrorism. We passed legislation that will significantly improve the effectiveness of our intelligence and legal apparatus.

The measure before us will provide much needed funds to the President to help heal the wounded, repair the broken and enable our Nation's military, justice, and intelligence agencies to carry out the arduous duties that lay before them. The threat will not soon go away. The missions of the agencies we provide for with the funds from this bill will continue long past the day when these funds will run out.

It is up to us, our colleagues in the House and the President and his administration to develop a long-range plan and provide the resources to the men and women who will carry out necessary steps to prevent what happened 3 days ago from ever happening again. It is up to us to promote and insure the Nation's resolve in the coming days, months, and years.

So, I support emergency supplemental legislation.

Ms. MIKULSKI. Mr. President, this Tuesday, September 11, 2001, the United States of America suffered devastating attacks.

What happened Tuesday was not only an attack against America. It was a crime against democracy, and decency. It was a crime against humanity.

Our hearts and prayers go out to the many who lost their lives. To the thousands who are injured and suffering. To the families of all the victims. And to the rescue workers and medical personnel who continue to work around the clock to try to save lives.

At the Pentagon yesterday, I saw the horrendous devastation. I saw the courage and determination of the Montgomery County Urban Search and Rescue Team and many others working to shore up the structure and search the rent and burnt symbol of America's military power. I was deeply moved by the two Chaplains who bless the remains as each victim is found and removed.

The physical impact of these attacks hit New York City, at the Pentagon, and in Pennsylvania. But the real impact is on all of America, on all of the free world.

The direct victims were passengers on domestic flights, civilians and members of our Armed Forces working at the Pentagon, people working at or visiting the World Trade Center, and rescue workers. But all Americans share the pain of those who lost loved ones. We feel this as an attack on each and every one of us, and on our way of life.

I am so proud of the way Americans are responding to this national tragedy. We are united. We are helping each other. We are steadfast. We are strong.

Today, the Senate is taking action. We are doing our part as representatives of the American people. I am proud to join in the unanimous support for emergency supplemental appropriations and a resolution authorizing the use of force.

I have pledged to provide President Bush the resources for rescue, response and recovery, to investigate these attacks, and to improve security. Today, we are appropriating \$40 billion to do that.

We are making resources available immediately to support Federal, State and local search, recovery and rebuilding efforts. To investigate, and prosecute domestic and international terrorism. To increase transportation security. To repair public buildings. And to support national security readiness. The President has tremendous flexibility, consulting appropriately with Congress, to use these funds.

We can and will prevail over terrorism. But we must also take strong action against those who attacked our Nation. Today, we are also adopting a resolution authorizing the President to use "all necessary and appropriate force."

The resolution specifically targets "those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations. . . ." Moreover, the resolution only authorizes action "in order to prevent any future acts of international terrorism against the United States. . . ."

The requirements of the War Powers Resolution remain in force. Congress may decide to give the President further authorization once we have discovered with greater certainty who is responsible for these barbaric acts.

America's law enforcement and intelligence agencies are vigorously pursuing their investigations to find all those responsible. Whoever they are, they must now know that America is committed to rooting them out and exacting a severe price for their barbarity. And America's friends and allies are rightly ready to join us.

Much work remains for the Senate, for the Congress, for our government, for our Nation, to respond and recover and rebuild. Today we are taking critical steps to sustain the recovery efforts and take appropriate action against terrorism.

We will not sacrifice our ideals in pursuit of the monsters who carried out these attacks. We will not compromise the principles for which so many Americans have fought and died.

But we will root out those who committed these atrocities. We will have justice. And we will move forward, a stronger nation than before.

At our prayer service in the Rotunda on Wednesday evening, I asked God to give us the courage and wisdom to respond rightly to these attacks on America. I believe we are doing so today.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Ohio (Mr. VOINOVICH), the Senator from Idaho (Mr. CRAIG), and the Senator from North Carolina (Mr. HELMS) are necessarily absent.

I further announce that if present and voting the Senator from Ohio (Mr. VOINOVICH) and the Senator from North Carolina (Mr. HELMS) would each vote "yea."

The PRESIDING OFFICER (Mr. BAYH). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—96

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NOT VOTING—4

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| Craig | Jeffords | Voinovich |
| Helms | | |

The bill (S. 1426) was passed, as follows:

S. 1426

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for fiscal year 2001, namely:

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS

APPROPRIATED TO THE PRESIDENT

EMERGENCY RESPONSE FUND

(INCLUDING TRANSFER OF FUNDS)

For emergency expenses to respond to the terrorist attacks on the United States that occurred on September 11, 2001, to provide assistance to the victims of the attacks, and to deal with other consequences of the attacks, \$40,000,000,000, to remain available until expended including for the costs of (1) providing Federal, State, and local preparedness for mitigating and responding to the attacks, (2) providing support to counter, investigate, or prosecute domestic or international terrorism, (3) providing increased transportation security, (4) repairing public facilities and transportation systems damaged by the attacks, and (5) supporting national security: *Provided*, That these funds may be transferred to any authorized Federal Government activity to meet the purposes of this Act: *Provided further*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That \$40,000,000,000 shall be available only to the extent that an official budget request, that includes designation of the \$40,000,000,000 as an emergency requirement as defined in the balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress: *Provided further*, That the President shall consult with the chairmen and ranking minority members of the Committees on Appropriations prior to the transfer of these funds: *Provided further*, That of the \$40,000,000,000 made available herein, \$10,000,000,000 shall not be available for transfer to any Department or Agency until 15 days after the Director of the Office of Management and Budget has submitted to the House and Senate Committees on Appropriations a proposed allocation and plan for use of the funds for that Department or Agency; \$20,000,000,000 may be obligated only when enacted in a subsequent emergency appropriations bill, in response to the terrorist acts on September 11, 2001: *Provided further*:

That the President shall transmit an amend-
budget request proposing an allocation of
funds: *Provided further*, That not less than
one-half of the \$40,000,000,000 shall be for dis-
aster recovery activities and assistance re-
lated to the terrorist acts in New York, Vir-
ginia and Pennsylvania on September 11,
2001, as authorized by law: *Provided further*,
That the Director of the Office of Manage-
ment and Budget shall provide quarterly re-
ports to the Committees on Appropriations
on the use of these funds, beginning not later
than January 2, 2002: *Provided further*, That
the President shall submit to the Congress
as soon as practicable detailed requests to
meet any further funding requirements for
the purposes specified in this Act.

GENERAL PROVISIONS

SEC. 1. Funds appropriated by this Act, or
made available by the transfer of funds in
this Act, for intelligence activities are
deemed to be specifically authorized by the
Congress for purposes of section 504 of the
National Security Act of 1947 (50 U.S.C. 414).

SEC. 2. Funds appropriated by this Act, or
made available by the transfer of funds in
this Act, may be obligated and expended not-
withstanding section 10 of Public Law 91-672,
section 313 of the Foreign Relations Author-
ization Act, fiscal years 1994 and 1995, and
section 15 of the State Department Basis Au-
thorities Act of 1956.

This Act may be cited as the "2001 Emer-
gency Supplemental Appropriations Act for
Recovery from and Response to Terrorist At-
tacks on the United States."

Mr. BOND. I move to reconsider the
vote and move to lay that motion on
the table.

The motion to lay on the table was
agreed to.

ORDER OF PROCEDURE

Mr. DASCHLE. Mr. President, again,
I ask Senators to vote from their desks
on this very momentous vote we are
about to take.

For the information of all Senators,
we want to get on the buses just as
quickly as possible after this vote. For
those who are going to be attending
the memorial service, they will be
right down in front of the steps. So we
can accommodate all Senators by
quickly going, as soon as the vote has
been completed, to the buses for trans-
portation to the National Cathedral.

Mrs. HUTCHISON. Mr. President, I
inquire of the distinguished majority
leader if the Senate will be able to stay
in session for people who will not be
able to stay later to make a statement
regarding the bill and joint resolution
being passed today.

Mr. REID. Mr. President, we will
need some help in presiding. There are
many people going to the memorial
service, so some people will not be in
this Chamber. So we will need some co-
operation with the presiding.

Mr. DASCHLE. With an under-
standing we may be shorthanded with
Presiding Officers, my intention was
for those who were unable to attend
the memorial service, we would stay in
session until noon for Senators to
speak for up to 5 minutes. We will re-
sume then, following the memorial
service, for Senators who may wish to
come back and express themselves on
the two matters on which we will have
voted this morning—or other issues.

And we will be in later in the day for
purposes of confirming a number of
nominees that are prepared for consid-
eration as well.

We will come back after the memo-
rial service.

Mr. LOTF. Did you propound a UC on
the time for the 5 minutes?

Mr. DASCHLE. I did not.

Mr. President, I ask unanimous con-
sent Senators be limited to 5 minutes
as in morning business, following the
vote, up until noon today.

Mr. BYRD. Reserving the right to ob-
ject, and, of course, I will not, Mr.
President, may I say to the distin-
guished majority leader—if I may have
1 minute—

The PRESIDING OFFICER. The Sen-
ator from West Virginia.

Mr. BYRD. There will be no necessity
to worry about a Presiding Officer.
There will be one.

Would the Chair state the question
when the leader is finished for the ben-
efit of the Senate?

Mr. DASCHLE. Mr. President, I ask
unanimous consent that Senators be
permitted to speak for up to 5 minutes
as in morning business until the hour
of 12 o'clock noon.

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

Mr. DASCHLE. I thank the Chair and
thank all Senators.

Mr. President, I also announce that
this will be the last vote of the day and
we will not have any votes Monday,
Tuesday, or Wednesday of next week.

Mr. LEVIN. Mr. President, I rise to
express my strong support for S.J. Res.
23, the joint resolution for use of mili-
tary force.

As we consider this legislation, our
fellow Americans in New York and at
the Pentagon—indeed throughout this
great country, are recovering those
who are still lost, assisting their loved
ones to cope, and determinately get-
ting on with the effort to build that
which has been torn down. The \$40 bil-
lion supplemental appropriations bill
that we just passed unanimously dem-
onstrates our determination to assist
in the recovery and rebuilding process.

We still have some unfinished busi-
ness that needs to be attended to
today. In the aftermath of the treach-
erous terrorist attack on the United
States and its citizens on September
11, I believe that it is extraordinarily
important that the Congress speak
with a united voice to authorize the
President to use force. In doing so, we
will send a strong message of unity be-
hind the President to our fellow citi-
zens, to the international community,
and to those connected with these ter-
rorist acts and those who might be con-
sidering future acts of terrorism
against us.

By this joint resolution, we are au-
thorizing the President to take mili-
tary action as necessary and appro-
priate against those nations, organiza-
tions, or persons who planned, author-
ized, committed, or aided those ter-
rorist attacks or harbored such organi-
zations or persons.

In doing so, we will be empowering
the President and expressing our
strong support for him and for the men
and women in our Armed Forces. In my
view, it is only by doing so that we can
prevent those nations, organizations,
and persons from conducting terrorist
attacks against us in the future.

I believe it is important to note that
this joint resolution would authorize
the use of force even before the Presi-
dent or the Congress knows with cer-
tainty which nations, organizations, or
persons were involved in the September
11 terrorist acts. This is a truly note-
worthy action and a demonstration of
our faith in the ability of our Govern-
ment to determine the facts and in the
President to act upon them.

I believe it is also important to note
that this authorization for the use of
force is limited to the nations, organi-
zations, or persons involved in the ter-
rorist attacks of September 11. It is not
a broad authorization for the use of
military force against any nation, or-
ganization, or persons who were not in-
volved in the September 11 terrorist at-
tacks.

This joint resolution is based upon
and is an exercise of the Congress' con-
stitutional war powers role as codified
in the War Powers Resolution. It also
expressly confirms the conditions on
the exercise of Executive power under
that resolution. In that regard, I want
to note that the statement in the last
"Whereas" clause relating to the con-
stitutional authority of the President
to take action to deter and prevent
acts of international terrorism against
the United States is to be read in con-
junction with the War Powers Resolu-
tion. That is why words in earlier
drafts of this joint resolution, which
might have been interpreted to grant a
broader authority to use military
force, were deleted and that is why the
references to the War Powers Resolu-
tion were added. It does not recognize
any greater presidential authority
than is recognized by the War Powers
Resolution nor does it grant any new
authority to the President.

Finally, I want to encourage my col-
leagues to vote in favor of this joint
resolution. It is my fervent hope that
we will achieve a unanimous vote. I be-
lieve we owe it to those who have been
lost, to their loved ones and friends,
and to the men and women of our
Armed Forces who will be placed in
harms way to protect us from future
terrorist acts.

Mr. MCCAIN. Mr. President, in 1936,
Winston Churchill addressed the Brit-
ish House of Commons to highlight the
extraordinary growth of German mili-
tary power and the threat it posed to
the security of Europe. In his historic
address, "The Locust Years," Churchill
warned of complacency in the face of a
Nazi threat that would doom Europe's
peace and blacken European civiliza-
tion. In Churchill's words:

The era of procrastination, of half-meas-
ures, of soothing and baffling expedients, of
delays, is coming to its close. In its place we

are entering a period of consequences. . . . We cannot avoid this period; we are in it now . . . [What has] staggered me . . . has been the dangers that have so swiftly come upon us in a few years, and have been transforming our position and the whole outlook of the world.

We in America today have entered a period of consequences. We do not face the imminent prospect of war against a great power. We face instead a threat more insidious, one that will require the best of America to defeat: the reality of catastrophic terrorism in our midst.

No longer do we perceive the only great threat to our security in the hostile maneuvers of foreign armies; no longer do vast oceans protect us from the plots and violence of the Old World; no longer do we sit in splendid isolation, flush with prosperity and naive with peace.

A new day has come, a new test of the values upon which our Nation was founded. It calls us to a national mission unlike any we have known. Our Founding Fathers would well understand the nature of this challenge, for they prevailed against even greater odds in defending the American experiment. Let us seek strength from their example, and courage in their wisdom, as we protect the legacy they built.

We must destroy this international network of terror in all its guises, and deprive its architects, executioners, and sponsors of safe harbor anywhere in this world. We will find the enemy, and they will suffer the full, awesome measure of our justice.

These were not just crimes of mass murder against the United States; they are acts of war. The American people now know that we are at war. They will make the sacrifices and show the resolve necessary to prevail.

To see this mission through, Congress should encourage the President to use all necessary means to overcome and destroy this enemy, in what will be a long and trying campaign for freedom. Under the Constitution, the President already possesses this authority, but it is enhanced, and our cause strengthened, by the support of the Congress.

History will judge us for our support of this resolution, just as the 102nd Congress is judged for its resolution authorizing military action against Iraq. When faintness of heart carries the day, history's judgment is cruel.

The stakes today are higher than before the Persian Gulf War: this mission is harder, will take longer, and ends not with the capture or death of Osama bin Laden, but with the destruction of the terrorist networks that threaten our way of life, and the defeat of nations supporting and collaborating with this evil. These nations, too, are our enemies.

Those who have seen war do not seek it lightly. But war has been thrust upon us, and the stakes couldn't be higher.

The era of procrastination and half-measures has ended. The "post-Cold

War era," the prosperity and peace that attended it, is over. We now have a higher purpose. Like other turning points in American history, when our founding principles were put at grave risk, we today rise proudly to the challenge.

American resolve is not in doubt. Let us give our Commander in Chief all necessary authority to put power behind our purpose, in the name of our sacred heritage of freedom, and the glory of all whose sacrifice has preserved it.

Two years before Britain's appeasement of the German war machine at Munich, Winston Churchill called not for a policy of half-measures to tame the foreign threat, but a posture of peace through strength to prepare for victory over it. Britain's freedom required no less. In Churchill's words:

The inheritance in our possession represents the prolonged achievement of the centuries . . . There is not one of our simple uncounted rights today for which better men than we are have not died on the scaffolds or the battlefield. We have not only a great treasure; we have a great cause.

America's freedom, and the values that protect us in the face of evil, are our great and glorious cause. We rededicate ourselves to it today, to our prolonged achievement of the centuries, with humble pride and righteous fury, as we seek to make of this world a better, safer place for all.

Mr. KERRY. Mr. President, we cannot undo the grave events that took place on Tuesday or bring back the loved ones that so many families have lost or quickly restore the sense of security that Americans took for granted. But with resolve and determination we can take actions to root out those who perpetrated these dastardly and heretofore unimaginable events.

There should be no question in the minds of those who are responsible for these attacks, or in the minds of those who have aided and abetted them, that the United States will take all necessary and appropriate steps to respond and to prevent them from undertaking additional attacks against our country. In keeping with our very values that were under attack this week, we must respond rationally and judiciously, not out of anger and sadness.

This resolution leaves no doubt that the Congress is united in full support of the President. We have given the President the authority that he needs to respond to this unprecedented attack on American citizens on U.S. soil. This resolution allows the President to use all necessary and appropriate force against those nations, organizations, or individuals who are responsible for this attack and against those who helped or harbored them. But it does not give the President a blanket approval to take military action against others under the guise of fighting international terrorism. It is not an open-ended authorization to use force in circumstances beyond those we face today. Under the Constitution the

President has the authority to act if there is an imminent attack on the United States. That authority is recognized in this resolution.

The tragedy our Nation experienced this week brought home to every American the reality of terrorism. Now we must respond. That response must be forceful and unequivocal. I am confident it will be.

Mr. FEINGOLD. Mr. President, the attack on the United States this week leaves all of us jolted and angered. To respond to this terror is both our fate and our challenge. Our response to that attack must reflect our national character. As a great Nation, we must respond powerfully. But our response must be guided by justice and by our right to self defense, not by vengeance. We must act to hold accountable those responsible for these terrorist attacks. But to be true to our traditions and our Founders, we must act within the confines of the Constitution and the law. I believe that the resolution before us achieves that goal.

The War Powers Resolution of 1973 explicitly recognizes the President's authority to take immediate action as Commander in Chief of the United States Armed Forces to respond to this unprovoked attack on the United States. As such, there is no reason to suggest that the action we take here today is required in advance of any immediate military response by the President. In the interest of demonstrating our national resolve to act firmly and decisively, however, and as a demonstration of our commitment to working in close cooperation with our Commander in Chief to respond to this aggression, we act today to authorize the use of force, as required by the War Powers Resolution.

I commend the President and his administration for seeking the resolution before us today, for working with the Congress, and for recognizing the requirement under the Constitution and the law for joint authorization. As well, I commend those who negotiated the specific language of this resolution, and in particular, Senators BIDEN, LEVIN, and KERRY. They deserve our thanks for insisting that we honor the War Powers Resolution.

Like any legislation, this resolution is not perfect. I have some concern that readers may misinterpret the preamble language that the President has authority under the Constitution to take action to deter and prevent acts of international terrorism as a new grant of power; rather it is merely a statement that the President has existing constitutional powers. I am gratified that in the body of this resolution, it does not contain a broad grant of powers, but is appropriately limited to those entities involved in the attacks that occurred on September 11. And I am particularly gratified that this resolution explicitly abides by and invokes the War Powers Resolution.

In taking this action today, we are not responding to a distant threat to

international peace and security; we are responding to a direct attack on the United States. This is not a humanitarian response to a foreign crisis, but a defensive action to protect the lives of Americans here at home.

At the same time, we must recognize that this war will be unlike any other we have fought in the past. Our enemy is not a state with clearly defined borders. We must respond instead to what is quite likely a loose network of terrorists that do not function according to a strict hierarchy. We must respond to a highly mobile, diffuse enemy that operates largely beyond the reach of our conventional war-fighting techniques.

Given the immense difficulties involved in identifying our enemies, we must take great care to guard against making mistakes as we pursue them across an obscured terrain. We must not act on misguided prejudices or incomplete information. We must not cause needless harm to innocent bystanders. Our response will be judged by friends and foes, by history, and by ourselves. It must stand up to the highest level of scrutiny: It must be appropriate and constitutional.

Within this confusing scenario, it will be easy to point fingers at an ever increasing number of enemies, to believe that the "the enemy" is all around us, that the enemy may even be our neighbor. The target can seem to grow larger and larger every day, before the first strike even occurs. And this, of course, is exactly what the terrorists want. They seek to inflate their numbers and their influence by retreating into the shadows. They seek to turn us against each other, and to turn us against our friends and allies across the world, but we will not allow this to happen.

We must also take great care to maintain a careful distinction between those organizations or states that have knowingly harbored or assisted terrorists, and those that have acted carelessly in providing unintended aid or shelter. We must punish those who have knowingly supported our enemy, we must strengthen the capacity of all others to respond appropriately. We must invite those who have unintentionally harbored terrorists to work with us to locate them, to eliminate them, to renounce them, and to begin a new era of vigilance, if they are to be regarded as friends of the United States.

Our fight against a faceless, shadow enemy also raises another difficult dilemma, for how will we know when we have defeated this enemy? How can we tell whether our enemy has merely regrouped to strike again on another day or at another hour? There can be no peace treaty with such an enemy, but there must be a lasting and discernible peace. We should consider this in determining the frequency and duration of consultations between the Congress and the President over the conduct and status of this demanding struggle.

We enthusiastically support our President as he prepares the response to this unparalleled attack. The President has two paths open to him, as any President would under the Constitution. On the one hand, he may act using his powers as Commander in Chief, while remaining subject to the terms of the War Powers Resolution for any sustained action. Or on the other hand, he may seek a declaration of war under Article I of the Constitution.

If this is indeed to be a war, then the President should seek a declaration of war. We cannot allow our cherished Constitution to become a dead letter. And it should go without saying that to declare a war, he must identify our adversary.

If this will be something short of a war in the broadest sense, then it is proper that we will pass a resolution that gives such broad powers to the President that he could thereby conduct a full-scale war across the globe without the consent of Congress. This would, as well, fly in the face of the structure that our Constitution sets up.

The drafters of the War Powers Resolution sought to fulfill the intent of the Framers of the Constitution and to ensure that the collective judgment of both the Congress and the President would apply to the introduction of U.S. Armed Forces into hostilities.

In today's world, when candor and cooperation between co-equal branches of government seem paramount, the War Powers Resolution has become a bit like the family relative that nobody wants to talk about. But we need to talk about it. Our legislative horizons need to move beyond the era when a President could secretly deploy thousands of troops in Cold War struggles outside of the view of a television camera.

There is only one circumstance in which a President may act without statutory authorization, and that is to respond to legitimate emergencies. None among us doubt that we confront such an emergency today, and that it may grow into a sustained struggle.

The Constitution foresaw and history has since demonstrated that there will continue to be events to which the President must respond in the defense of the country, or in response to urgent and vital interests abroad.

Congress owns the war power. But by this resolution, Congress loans it to the President in this emergency. In so doing, we demonstrate our respect and confidence in both our Commander in Chief and our Constitution.

Emergencies can well demand a response of such decisiveness, secrecy, or dispatch that can only be provided by the President as Commander in Chief. But even when emergencies occur, it is our tradition for the President to act, and then seek what has been called "indemnification" from the Congress.

In prosecuting the Korean War, President Truman decided not to do that in 1950. And his decision is widely

viewed as the most egregious abuse of constitutional war powers in the history of the United States. President Eisenhower's more constructive working relationship with Congress was tempered by the Truman experience.

Even President Johnson, the father of the Tonkin Gulf resolution, considered Truman to have made a serious error in failing to seek congressional authorization.

As one U.S. Congressman has said: "Allow the President to invade a neighboring nation, whenever he shall deem it necessary to repel an invasion, and you allow him to do so, whenever he may choose to say he deems it necessary for such purpose—and you allow him to make war at pleasure."

Those were the words of Congressman Abraham Lincoln. Years later, at the outbreak of the Civil War, President Lincoln himself deployed U.S. Armed Forces without the authorization of Congress, but later told the Congress that these actions, whether strictly legal or not, were ventured upon under what appeared to be a popular demand and public necessity, trusting then, as now, that Congress would readily ratify them.

Thus Lincoln explicitly sought congressional approval of his emergency actions by statute. He never claimed to have full and independent constitutional support for his initiatives.

Congressional ratification was an essential legitimating step for his actions. Later the Supreme Court upheld his action in the famous 1863 prize cases.

So, by this resolution, Congress vouchsafes the legitimacy of a struggle that must have the continuing approval of the representatives of the people. It is the framework for a continuing consensus and communicates support to our President in this emergency. We acknowledge that this legitimate emergency permits the President to act unilaterally without turning our back on who wields the war power under the Constitution, and we trust that if he does, he will turn to Congress to legitimize his actions as appropriate. We have made clear that our support for appropriate action will be forthcoming. And we trust that, by taking up this resolution at this time, there will be no need for after-the-fact measures such as indemnification, no question in anyone's mind about our resolve and commitment.

I take pains to raise these issues because they matter, they go to the core of our Constitution and the brilliant separation of powers that guard our democracy. Unfortunately, there have been too many cases in which we have been asked to make loans of the war power in other than emergency situations. As many of our colleagues said during the 1994 debate regarding Haiti, it is not enough to seek the approval of the U.S. Security Council or of a regional alliance like the OAS or NATO only then to ignore the role, the central role, of the United States Congress.

I also recognize that power-of-the-purse legislation relating to the commitment of U.S. armed forces is an available remedy, but not an ideal model. The distinguished President Pro Tempore, Senator BYRD, in testimony before the Foreign Relations Committee in February 1994, likened the power of the purse to a watering hole in the forest to which all the animals eventually must come to drink. I agree with the distinguished President Pro Tempore's characterization; the power of the purse is an excellent and effective tool in most matters for which we appropriate public funds.

But I worry, nonetheless, about how close we would come to a constitutional crisis if we were to rely on such measures as a last resort in a war powers struggle with the President. In a way, it illustrates our level of urgency about preserving our constitutional war power responsibilities, and they risk infringement upon the President's equally valid constitutional responsibilities as Commander in Chief.

The War Powers Resolution is as relevant today as it was enacted in 1973.

It is all too apparent that the post-Cold War environment has ushered in an era of threats unforeseen by the founders. These threats reinforce the need for the Congress to make its will known when our troops are to be deployed in potentially dangerous situations.

While I believe that the heinous acts perpetrated against the United States by still-unknown terrorists on September 11, 2001, could justify U.S. and allied military action, I believe that any such actions, if they are to be sustained, must be properly authorized by the Congress.

Since coming to the Senate in 1993, I have encouraged discussion and vigorous congressional debate regarding the situations in Haiti, Bosnia, and Kosovo because of my conviction that Congress has both a right and a duty to express its will about the wisdom of committing our troops to a potential conflict. Many of these instances were not adequately considered and did not follow an appropriate Congressional authorization.

That same conviction makes it essential that the Congress should make its will known. We must not abdicate our responsibility to the victims of September 11, and to the mothers and fathers, the sons and daughters, the wives and husbands of our servicemen and women, who for us will be the point of the sword of justice.

Moreover, abiding by the constitutional and statutory scheme in this case is not only the right thing to do as a matter of law, but it is also the most effective thing to do. Because it follows the constitutionally and statutorily prescribed procedures, this resolution will strengthen our nation's efforts. Our careful and deliberate acts in this Congress are the manifestation of the will of the American people, and we will marshal that mighty force behind

our President and our military. When we abide by our Constitution and our law, we are as strong as we possibly can be, and we are far stronger than the malevolent force that we soon will engage.

Mr. KYL. Mr. President, I rise today in full support of S.J. Res. 23, authorizing the use of the U.S. Armed Forces against those responsible for the recent attacks launched against the United States.

As the President and many of my colleagues have asserted since the heinous acts of Tuesday past, we are at war. In fact, we have actually been at war against terrorists for a long time, but seldom has it touched our shores. The time has come for us, and for our allies, to act with all appropriate force to remove the threat of similar acts occurring on our soil, or the soil of other free nations.

As the President has stated, America is the primary target because we are the shining beacon of freedom and democracy. In recent days, our allies have recommitted themselves to the support of those ideals, and they have pledged their support for the actions that must be taken in response to the murderous crimes of September 11.

With so much of the world behind us, there will never be a better time for us to make a concerted effort to rid ourselves of the threat of terrorism. Today we have put partisan politics behind us and created a joint resolution that authorizes the President to use "all necessary and appropriate force" against the terrorists who perpetrated these acts and the countries of organizations that supported, aided and harbored them.

We stand united in our resolve to take whatever actions are deemed necessary by the President to defeat the enemy—terrorism.

Ms. SNOWE. Mr. President, I rise in support of the joint resolution authorizing the use of U.S. Armed Forces against those responsible for the recent act of war against this Nation, to deter future attacks, and to disable the machinery of terror.

With the end of the cold war came the hope of even greater prosperity and freedom for people the world over. That promise has been threatened and attacked in the most vicious and monstrous assault on American soil ever. But make no mistake, it has not been squelched. The forces of evil have had their day. Now, we will have ours.

It is no exaggeration to say that this is a defining moment not only for the United States, but for the principles and ideals for which it stands. It comes down to this: Either you stand with those principles and ideals, or you stand against them. Unlike almost any other issue we debate on this floor, this matter is that simple.

Either we move to crush those who disregard human life on a massive scale, or we surrender humanity to the hands of madmen. Either we send the message that the world will not be a

hostage to terror, or we submit to an infinite cycle of hopeless victimization. That is our choice. It is that simple.

But just because the choice is simple does not mean the decision is easy. To the contrary, there is nothing more difficult than committing our troops to a dangerous mission. While we do not yet know what form that mission will be, we know it will require tremendous sacrifice. This is the one vote that not a single one of us ever wants to make, but now we must make.

I well remember being in the White House in January of 1991, at a meeting in the Cabinet room to discuss the use of force in the Persian Gulf. During the meeting, the President excused himself to take a call from the Secretary of State on the progress of the talks with the Iraqi foreign minister. When he returned, the look on his face told me the talks had failed. Force would have to be used. I will never forget that moment. I will never forget this moment—none of us will.

Winston Churchill, in preparing his nation for the full onslaught of the Axis blitzkrieg, told his fellow countrymen, "Let us therefore brace ourselves to our duty." All of us—here in Washington and throughout the country—must brace ourselves for the duty before us. There will be days of triumph, and days of tears. But in the end, we know that our cause is just, and we know we will prevail.

Whoever is responsible for this heinous act against humanity must know the full force of our fury. How tragic it is that we must return suffering for suffering, but we know from the history of human experience that it is a price we must be prepared to pay in defense of liberty. Sadly, from all we know of these faceless cowards, it is the only dialogue they and others like them understand. For them, the language of violence is the only language they speak. For them, the taking of life is the apex of human expression.

That is not the world I want for us. That is not the world I want for our children. Terrorism is quite literally a cancer in the body politic, elusive by its nature, insidious in its stealth, and requiring the most early detection and eradication possible. And that is what we intend to do. Either that, or terrorism will destroy the rule of law from the inside out, along with the basic tenets by which we are able to live together and thrive and enjoy "life, liberty and the pursuit of happiness" in a civilized society.

We must remember that this unprovoked attack was on soil that is American, against ideals that are global. Indeed, two of the very targets themselves, the twin towers of the World Trade Center, were international buildings rooted in U.S. ground. The lives that were lost—American, Australian, British, and countless others—are in a way symbolic of the freedom that was lost not only in the United States, but in countless nations across every hemisphere of the globe.

So while we may lead the charge, we do not stand alone. The North Atlantic Treaty Organization to which we have pledged our unyielding support, as well as many other nations beyond those we might consider our traditional and closest allies, will now be there in support of our mission, a mission that ultimately is larger than any one Republic, any one people.

In this particular instance, right now, we know not against whom we aim. For that reason, it is all the more important we give the President broad latitude to take whatever action is necessary to punish the perpetrators and help ensure that such a catastrophe never reoccurs. This Joint Resolution grants the President discretion in destroying the soul of whatever organization has jabbed at the heart of democracy. It is a resolution born of necessity, and rooted in precedent.

In 1962, when Cuba posed the threat of spreading communism and endangering the security of the United States, Congress approved a joint resolution stating that the United States will use force if necessary to halt the spread of communism in this hemisphere. The resolution declared that the United States was determined to prevent, by whatever means necessary, including the use of arms, the Marxist Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere, and to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States.

On January 12, 1991, in the wake of the Iraqi invasion of Kuwait, both houses of Congress passed the "Authorization for Use of Military Force Against Iraq Resolution", which I supported. The resolution authorized the President to use the U.S. Armed Forces pursuant to U.N. Security Council Resolution 678 to achieve implementation of the earlier Security Council resolutions calling for the repulsion of Iraq from Kuwait.

On January 16, former President Bush made the determination required by the Resolution that diplomatic means had not and would not compel Iraq to withdraw from Kuwait. On January 18, he reported to Congress "consistent with the War Powers Resolution" that he had directed U.S. forces to commence combat operations.

Now, we are faced with the bloodiest attack ever on American soil, the first of this magnitude in this history of the continental United States. This resolution states that the President is "authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, or harbored such organization or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons."

This resolution, consistent with the War Powers Resolution, is precisely the right course for the Congress to take at this momentous juncture in American history. Our thoughts and prayers are with all the men and women of our Armed Services, who will be at the vanguard of our struggle against whatever evil force has darkened the world.

We cannot allow these forces of darkness to take root in the fertile soil of this new century. Rather, the time has come to eradicate terror at its roots. We have no choice if we are to remain the authors of our own destiny, a destiny that has no room for those who would shackle freedom with the twin specters of fear and violence. It is time to unleash the full resources and force and determination of this great nation against this unimaginable evil. This atrocity cannot stand, and let history one day record that it did not stand.

Mr. KENNEDY. Mr. President, I strongly support the bipartisan resolution to authorize the use of force and the emergency supplemental appropriation to help our nation recover and respond to this vicious terrorist atrocity.

The use-of-force resolution authorizes the President to use force against any nations, organizations, or persons involved in the terrorist attacks last Tuesday and to take all appropriate steps to prevent future acts of terrorism against the United States. This is an appropriate and needed response to the vicious and horrifying recent attacks on America.

Those who murder American citizens must find no hiding place, and those who harbor terrorists must pay the price. America must be decisive and effective in apprehending terrorists and identifying and punishing those who give them support.

Our Government is working hard to find the perpetrators of this crime, and this effort deserves the full support of Congress. Our response to these atrocities will and must be strong and decisive.

At the same time, we all agree that our response must not be indiscriminate. We should only act when we are certain who the perpetrators of these atrocities are.

These shameful attacks demonstrated America's vulnerability to terrorist attacks, and an effective and appropriate response is essential. Despite our efforts to prevent terrorism, a vast international network of terrorists has been organized to work against America's interests at home and abroad. We cannot permit these terrorists to succeed.

These atrocities have strengthened our resolve to root out the terrorist network and protect the safety of American citizens at home and abroad. Our resolve is strong to defend and uphold democracy and freedom, the founding principles that have made our Nation great. We should spare no resources to protect these profound values.

The need for extra resources cannot be understated. The devastation caused by the attacks in New York and at the Pentagon have already dwarfed the largest recent catastrophe, Hurricane Andrew, where losses were estimated at over \$18 billion.

This emergency supplemental appropriations bill provides \$40 billion for the full range of response, recovery, relief, and repair efforts to help Federal, State, and local governments to support counterterrorism activities to carry out the investigations and eventual prosecution of those who committed these acts and to guarantee increased security for our nation's airports.

These funds will enable America's law enforcement agencies to continue their urgent efforts to identify all persons who were involved in these atrocities. The Federal Bureau of Investigation has launched the largest investigation in its history, involving more than 4,000 special agents and 3,000 support personnel. At the crime scenes in New York, Virginia, and Pennsylvania FBI agents are sifting through the wreckage to identify the terrorists and their victims, and to locate weapons, flight recorders, and other items that will enable us to understand how these crimes occurred. Across the nation and around the world, agents are pursuing thousands of leads about the suspected perpetrators and supporters of these terrorist acts.

FBI Director Robert Mueller has expressed a total, unwavering commitment to the challenge. We in Congress are committed to providing full resources to it and all other federal law enforcement agencies involved in this investigation. We will do whatever it takes.

Our airports must also be made secure. Some of these funds should be used for hiring additional sky marshals, so that they can be deployed on domestic flights. Funding should also be allocated to effective baggage screening technologies, airport personnel training, and background checks.

Additional resources are clearly needed to win this all-important battle against terrorism. All of our counterterrorism assets must be strengthened—in the military, in our intelligence community, and in our public health infrastructure including needed steps to counter the threat of biological weapons in the hands of terrorists.

This week's devastating attacks in New York and at the Pentagon are a call for action not only to respond forcefully against the perpetrators of these outrages, but also to strengthen our defenses against future attacks. A central part of this effort must be to improve the Nation's preparedness against biological terrorism. The Office of Emergency Preparedness estimates that 40 million Americans could die if a terrorist released smallpox into the American population; Anthrax could kill 10 million.

We must strengthen our national capacity to prevent such attacks, and also to detect, monitor, and contain any plague released by a bioterrorist attack. The troops in the front line of the battle against bioterrorism will be medical and public health workers. We must give them the weapons they need to win that battle.

Finally, in the aftermath of this week's attacks, as we reach out and come together as a nation, we must also deal with the profound psychological impact of these events on the victims and their families, on the many emergency personnel who responded so courageously to this crisis, and on the large number of children across the country who have also been affected. It is my hope that a high priority of the resources being appropriated by this legislation will be used to make post-trauma services and support widely available to all those who need them.

Again, I commend President Bush for his strong commitment to win the ongoing battle against terrorism, and I commend as well, the strong bipartisan spirit in which Congress has joined in this all-important commitment. America will be a stronger nation because of this attack.

VOTE ON S.J. RES. 23

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Idaho (Mr. CRAIG) and the Senator from North Carolina (Mr. HELMS) are necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "yea."

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 281 Leg.]

YEAS—98

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|-----------|------------|------------|
| Akaka | Cleland | Frist |
| Allard | Clinton | Graham |
| Allen | Cochran | Gramm |
| Baucus | Collins | Grassley |
| Bayh | Conrad | Gregg |
| Bennett | Corzine | Hagel |
| Biden | Crapo | Harkin |
| Bingaman | Daschle | Hatch |
| Bond | Dayton | Hollings |
| Boxer | DeWine | Hutchinson |
| Breaux | Dodd | Hutchison |
| Brownback | Domenici | Inhofe |
| Bunning | Dorgan | Inouye |
| Burns | Durbin | Jeffords |
| Byrd | Edwards | Johnson |
| Campbell | Ensign | Kennedy |
| Cantwell | Enzi | Kerry |
| Carnahan | Feingold | Kohl |
| Carper | Feinstein | Kyl |
| Chafee | Fitzgerald | Landrieu |

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|-------------|-------------|------------|
| Leahy | Nelson (NE) | Snowe |
| Levin | Nickles | Specter |
| Lieberman | Reed | Stabenow |
| Lincoln | Reid | Stevens |
| Lott | Roberts | Thomas |
| Lugar | Rockefeller | Thompson |
| McCain | Santorum | Thurmond |
| McConnell | Sarbanes | Torricelli |
| Mikulski | Schumer | Voinovich |
| Miller | Sessions | Warner |
| Murkowski | Shelby | Wellstone |
| Murray | Smith (NH) | Wyden |
| Nelson (FL) | Smith (OR) | |

NOT VOTING—2

Craig Helms

The joint resolution (S.J. Res. 23) was passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 23

Whereas, on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens; and

Whereas, such acts render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens both at home and abroad, and

Whereas, in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence, and

Whereas, such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States,

Whereas, the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Authorization for Use of Military Force".

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supercedes any requirement of the War Powers Resolution.

THREE IN 29 YEARS

Mr. HELMS. Mr. President, as of today, during my nearly 29 years in the Senate, I have missed a total of three votes because of "traffic jams." The first was during my 4th year in the Senate. The other two occurred this morning when I was unable to get to the Senate Chamber in time to cast my affirmative votes for H.R. 2888 and S.J. Res. 23, both of which were approved without a dissenting vote.

Needless to say, I deeply regret I was unable to reach the Senate Chamber in time to vote for the two critical measures approved by the Senate today.

The enormity of Tuesday's terrorist attacks is proving more apparent every day. It is obvious that the lives of all Americans have changed as a result of these heinous crimes against the United States and, indeed, all civilization.

Needless to say, I strongly support the Senate's giving President Bush the authority to root out and destroy the heinous terrorists responsible for such brutality and also, of course, the governments harboring them. Needless to say, I support the necessary funding to enable the President to begin this solemn responsibility. I commend the Senate, of course, for its responsible and appropriate actions to provide sufficient funding to help the recovery effort in New York, Washington, D.C. and elsewhere.

This is only the beginning of the resources Congress must provide to eradicate the terrorists that perpetrated such horrific violence against America and the American people.

Mrs. Helms and I join our fellow Americans in mourning the victims and praying for their loved ones, and we also share the resolve to fight terrorism in any form, by any available means, unless and until we are confident that America will never again have a day like Tuesday, September 11, 2001.

MORNING BUSINESS

ORDER OF PROCEDURE

The PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, a number of Senators wish to speak.

The PRESIDENT pro tempore. The Senator from Texas will suspend until the Senate is ordered. The Chair, as President pro tempore, designates the senior Senator from Alaska, Mr. STEVENS, to take the Chair and, after a period of time, designates in open session that Mr. BAYH will resume the chair.

The Senator from Texas.

(Mr. STEVENS assumed the chair.)

Mrs. HUTCHISON. Mr. President, I know a number of Members want to speak. I want to propose that we go back and forth across the aisle and set an order for those who are here and wish to speak. I ask unanimous consent that we be allowed to do that, and I would like to be on the list as soon as possible.

Mr. INHOFE. Reserving the right to object, Mr. President, I ask unanimous consent that I be recognized for up to 10 minutes. I know that we are talking about 5-minute intervals. I will make that request now and then we will worry about in what order we go.

Mrs. HUTCHISON. Mr. President, I just ask that if the Senator wants to speak for 10 minutes, could he then wait until others who are trying to go to the National Cathedral, let them