

debated it at some length and reached some consensus on it—not total consensus.

The problem with the Breaux amendment is that this is an area, while it is obviously of importance in terms of one potential technology that might be used in the bill—and that is a satellite—we in our bill are not setting out technology as such. We are letting the marketplace decide that. The point is we have had no hearings. We have heard from no one. We have not discussed, analyzed, or studied this in any detail. We are not ready to make a decision on this today.

Under the unanimous consent agreement entered into on November 18, no amendment is in order which is not deemed to be relevant—not relevant to mankind, not relevant to any problem facing us in the future, or any opportunity but relevant specifically to the bill that is pending before the Senate.

I make a point of order that the amendment offered by Senator BREAUX is not relevant.

The PRESIDING OFFICER. In the opinion of the Chair, the amendment is not relevant and the point of order is sustained.

The Senator from Louisiana.

Mr. BREAUX. Mr. President, I take it that the Chair is not in the position to give a reason behind the ruling.

The PRESIDING OFFICER. The program in the amendment is not what was envisioned by the unanimous consent agreement.

Mr. BREAUX. I inquire of the Chair: Is that not an argument for the question of germaneness as opposed to the question of relevancy?

The PRESIDING OFFICER. Germaneness is a different test which is not at issue here.

Mr. BREAUX. Further parliamentary inquiry: Is not the statement of the Chair relevant to a question on germaneness as opposed to a question of relevancy?

The PRESIDING OFFICER. The statement of the Chair was with regard to the relevancy standard.

Mr. BREAUX. I will not pursue it. Obviously, I accept the ruling of the Chair.

Mr. GRAMM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FITZGERALD). Without objection, it is so ordered.

Mr. GREGG. I ask unanimous consent to speak as in morning business for 10 minutes.

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

#### TERRORISM

Mr. GREGG. Mr. President, back in February of 1993, as we all remember so

vividly, the World Trade Center in New York City was bombed. Over 1,000 people were wounded and 6 people were killed. Two years later, the Federal building in Oklahoma was bombed; 168 people died, including many children.

These two very tragic events highlight the potential threat this country is subjected to and, in fact, has been subjected to in the area of terrorism. The threat of terrorism was further reinforced with the events in Africa where two of our embassies were bombed 3 years ago.

The Commerce, State, Justice, Appropriations Subcommittee, which I chair, directed the Attorney General to develop a plan to address terrorism which would be a Governmentwide plan, an interagency counterterrorism plan. The Attorney General, in a very conscientious effort, put together a 5-year interagency counterterrorism and technology crime plan. It was an excellent proposal. This proposal was put together by the Attorney General 3 years ago. It basically became known as the bible—for lack of a better or more descriptive word—as to how we should proceed in the area of developing a Governmentwide strategy in order to address terrorism, something we hadn't done up until that point.

It wasn't just to focus on Federal Government agencies but, rather, it went beyond that and talked about how we needed to integrate the private sector and State and local governments in our efforts to address terrorism. It had a large number of functions within it, a large number of areas that had to be addressed, as was obvious to those of us who took even a cursory look at the issue of terrorism.

Unfortunately, we, as a culture, were not ready to address terrorist acts because we are an open culture. The essence of our culture is freedom, the ability of people to move freely among our society. It is very difficult for us to deal with people who are willing to kill indiscriminately simply to make their points of view known. It requires a lot of thought and effort for us as a nation to address a problem such as terrorism. That is why we asked for this 5-year plan to be developed.

As part of this 5-year plan, one of the key things we believed we needed to address was the fact that there really wasn't anyplace where all of the issues of terrorism were being brought together. There were something like 43 different agencies addressing some element of the terrorist threat. This was not counting the issues of State and local government involvement and the issue of the private sector. For instance, how would the private sector address a terrorist threat to our power grid and our telecommunications systems.

One of the first things deemed necessary to do was to develop a centralized place where people could go, whether they happened to be in the Federal Government, State and local government, or whether they happened

to be in the private sector, a centralized place where people could go and find out how to approach the issue of preparing our Nation to be able to handle the terrorist threat. An office was designated to be created called the National Domestic Preparedness Office, or the NDPO.

The NDPO was essentially to be a one-stop shopping center on the issue of how we address the threat of terrorism as a nation, a very important activity. It was to include participation by DOD, the Department of Defense, by FEMA, by HHS, Health and Human Services, by the Department of Energy, by the Environmental Protection Agency, by the Attorney General, and by the FBI. State and local authorities were to be included for participation in this office. It was to be a central agency which had all the players needed to be at the table—up and functioning and continually available as a resource to address the threat of terrorism.

Unfortunately, this administration has treated the issue of terrorism as a stepchild. When there is a terrorist event, they react. In some instances, they react arbitrarily and ineffectively, as they did in reaction to the African situation where they essentially ended up targeting a facility in Sudan. It is still very much an issue, as to whether the facility was actually producing any chemical weapons. Also, they attacked a facility in Afghanistan. Rather than assisting our ability of tracking down the terrorist Bin Laden, it made it obvious to him that he could never again have a joint meeting of his terrorist forces. Thus, he scattered them to the wind and we have had much more trouble tracking them down.

The response of this administration has been a PR response, to be quite honest, on the issue of terrorism at many levels. When it comes to actually substantively addressing the issue of terrorism, this administration's response from the top has been woeful.

I will acknowledge, in fact I will cite and congratulate, that at the agency level there is an ongoing, aggressive, and very positive effort to address terrorism. But, for some reason, there is an unwillingness in the White House to genuinely focus on this issue in a way that produces results.

One of the most glaring examples of that unwillingness to focus is the fact that the NDPO—the office which was supposed to be the one-stop shopping center for people who wanted to get ready to address a terrorist event—hasn't really been allowed to wither on the vine because they never even planted the seeds to get the vine growing. The office has not been funded. In fact, the travel funds which were supposed to be applied to it have been cut off. The office has been unable to get reprogramming through OMB, even though the Attorney General has requested on a number of occasions to get reprogramming through OMB to allow the office to function effectively.

The FBI Director has not been able to get reprogramming through OMB that has allowed the office to function effectively. The State and local advisory groups which were supposed to be set up to bring the first responders—the local police, local fire, local health officials who have the knowledge and the expertise to do the job right and do it in a coordinated way with the Federal Government—in to advise the NDPO has not been energized in any effective way. We do not get the standardization on equipment we need. We are not getting the leadership from the top that we need in the area of making the States and local people as knowledgeable as we can.

I will say this: At least in the other areas where we are trying to educate first responders, such as our initiatives across this country in education, we are making progress. But the central management agency has been ignored.

We understand the reprogramming that the NDPO needs in order to fund its activities effectively for this year will not be adequately fulfilled. So this agency has been allowed to simply sit there and has not been energized. In fact, as I understand it, the person named director of the NDPO has recently, within the last week, asked to be transferred out of the job. I do not know why he asked for that, but I certainly can guess. I suspect it is because of the frustration of doing a job where he was not getting the support he needed from the White House and from this administration to do it effectively.

Terrorism is not a political event. It should not be used for the purpose of initiating press conferences or trying to drive poll numbers. This is an extraordinarily serious issue. We as a nation need to have a Government that doesn't approach this issue in a manner which involves something less than a total commitment. Yet that is the way it is being approached by this administration and its failure to fund, organize, and energize the National Domestic Preparedness Office.

This same problem was highlighted in a news story in the Wall Street Journal relative to another issue of terrorism. It was again requested by the subcommittee I Chair in this Congress that there be exercises—much like our military undertakes—to determine our readiness to deal with a terrorist event. During the cold war days, if you were in the Strategic Air Command, every 6 months you knew, if you were on a Strategic Air Command air base, at some point during that 6 months you were going to have a full-scale alert, and you were going to have to act as if you were in a confrontation with the Soviet Union.

That was the way we kept our forces current and that is how we found out the problems in our systems. It is the way it is still done in the military. You have what amounts to war games in order to determine whether or not you are ready to participate in a real, live event. Well, terrorism is war. It is war

on our Nation, and we know there are people out there who intend to exercise their ability to wage war on America. They have already done it. We need to go through the exercises of determining whether or not the agencies that are going to be responsible to protect the American people are ready to respond in the case of a terrorist event.

So we asked the administration, to pursue exercises to determine whether or not we are ready—mock exercises. These were to take place in three different communities across our country. Now, in a recent report in the Wall Street Journal, it was stated that some of the top agencies that are involved in this exercise are basically taking a laissez-fair attitude toward the exercise and are basically saying that they may participate but participate at a very low level of operations, or they are going to participate with very low level personnel—not that they won't be good personnel, but they won't be the personnel who have the final responsibility in the event of a real terrorist event or attack on our country. That would be unfortunate.

The Attorney General, I understand, not directly but indirectly, believes she is getting commitments from the various agencies to fulfill their role of having senior personnel at DOD, DOE, HHS, EPA, FEMA, and State, and obviously the Attorney General and the FBI—senior personnel—involved in these exercises, so that we know when we have a problem, the people who can resolve them are physically there on site and can observe the problem and can participate in resolving and developing a response to the problem.

Now, the Attorney General tells me, indirectly through my staff, that the news story may not have been completely accurate. But the news story quoted some sources and said certain agencies within the administration were not going to be seriously committed to this exercise. That, again, in my opinion, shows the laissez-fair attitude this administration has taken toward preparing this Nation to address a terrorist event.

As I said earlier, terrorism is not a partisan issue, not a political issue; it is a serious threat to our country. It has to be addressed aggressively and professionally by the agencies that are responsible. The Congress can only do so much. We have funded aggressively antiterrorism efforts. We have set up structures, working with the agencies to try to make sure that we have a coordinated response. We have requested that the agencies involved participate in trying to make sure that they are as ready as possible for a horrific event. But all we can do is fund and request. If we don't get cooperation and enthusiasm and commitment from this administration, then we will not have success.

So I have come to the floor today to highlight what I am very concerned about and what I think we should all be concerned about, which is whether

or not there is a sincerity of effort occurring within this administration to get us ready to address a potential terrorism threat to the United States.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### LAUNCHING OUR COMMUNITIES' ACCESS TO LOCAL TELEVISION ACT OF 2000—Continued

Mr. GRAMM. Mr. President, the chairman of the Judiciary Committee is concerned that some language we took from the Burns amendment, which was in the bill last year, might potentially create some problems.

On Senator HATCH's behalf, I offer an amendment to strike several lines from the bill that have to do with an attempt on our part to guarantee that we weren't changing communication law. But, as often happens, no good deed ever goes unpunished. So we want to strike this.

#### AMENDMENT NO. 2902

(Purpose: To strike the provisions relating to retransmission of local television broadcast stations)

Mr. GRAMM. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment will be laid aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas (Mr. GRAMM), for Mr. HATCH, proposes an amendment numbered 2902.

Mr. GRAMM. 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:

On page 49, strike lines 1 through 13 and insert the following:

#### SEC. 8. DEFINITIONS.

On page 50, line 23, strike "10." and insert "9."

Mr. GRAMM. Mr. President, this amendment is a very simple amendment. It simply strikes a line in the bill where we were trying to be sure we weren't changing communication law. On further reflection, we simply concluded that silence is often the best answer on these kinds of issues. This amendment would strike that sentence.

I have not had an opportunity to have anyone on the Democrat side of the aisle look at the amendment. I will just leave this amendment pending.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.