

Dakota, in Nebraska, in Kansas, in Minnesota, in Wyoming, and other parts of the country as well, they have suffered different kinds of disasters. My neighboring State of Minnesota has suffered the worst flooding in their history—and the administration has said, Well, look to the farm bill. Yet the administration knows there are no disaster provisions in the farm bill. They prevented it. The Speaker prevented it. I was one of the conferees on the farm bill. When we went to conference with the Senate bill that included disaster assistance, the House conferees said that there were only two things they were not at liberty to discuss in the conference. No. 1, they said we can't talk about opening trade with Cuba; and No. 2, we cannot talk about disaster assistance. The House conferees told us that those two issues had to go to the Speaker of the House of Representatives.

The Speaker said no. The President has said no. Always before when any part of the country suffered a disaster, we have moved to respond—always. Whether it was earthquakes in California, mud slides in that same State, hurricanes in the State of the occupant of the Chair, whether it was drought in farm country, or flooding any place in the Nation—always before we have moved to help. This year, there is no assistance for those suffering natural disasters. That is wrong.

In my State, there is a calamity. It is not just my State. It is State after State.

For the Speaker to say yesterday that disaster aid may be considered later this fall "if there's a problem" shows that he is terribly out of touch with what is happening across this great Nation. These are natural disasters that deserve a response and that require a response, and we ought to be providing help. For those who say look to the farm bill, there is no disaster assistance in the farm bill. In fact, there are savings under the farm bill to pay for the disaster assistance.

Some may ask, How is that? Very simply, because of these disasters, there is less production. That means prices are higher. That means the farm bill will cost less. The Congressional Budget Office has told me and has told all of our colleagues there will be about \$6 billion in savings in the farm bill this year because of these natural disasters. That also happens to be the size of the disaster relief package. So we have an opportunity here to be fiscally responsible. We are proposing to spend the same amount of money on disaster assistance that is being saved in the farm bill because of these disasters. Because there is less production, prices are higher than anticipated. That means the farm bill will cost less by nearly \$6 billion. That is money that could be available for disaster assistance and should be.

Let me conclude with this chart that shows what this is going to mean.

Net farm income is going to decline this year by 21 percent across the coun-

try largely because of these natural disasters. Yet there is no response from Washington. We passed disaster assistance here in the U.S. Senate. We passed it as part of the farm bill. We passed it on an amendment on the Interior appropriations bill with 79 votes—an overwhelming bipartisan agreement that we should provide disaster assistance. But the House has said no. The President has said no.

To have the Speaker of the House say yesterday that they may consider aid in a lame duck session "if there's a problem" is incredible. Where has the Speaker of the House been to say "if there's a problem"?

This is a disaster. This is a crisis. There ought to be a response.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

ORDER OF PROCEDURE

Mr. REID. Mr. President, the majority leader has been wanting to come to the floor for some time. We are both happy that there has been a lot of participation on the floor this morning. They were fine speeches.

There is no need for me to maintain the floor until he shows up. I ask my two friends, the Senator from Texas and the Senator from Utah, if they would allow him to take the floor when he appears, which should be momentarily. In the meantime, if they would agree to that, I ask unanimous consent that the Senator from Texas be recognized for up to 15 minutes.

Mr. GRAMM. Mr. President, will the Senator yield?

Mr. REID. Yes. I am happy to yield.

Mr. GRAMM. Mr. President, I think it is perfectly reasonable for the majority leader to have the right to the floor.

Reserving the right to object—if the Chair would be generous in giving me an opportunity to explain why—when the majority leader finishes his unanimous consent request and his statement, I would like to have 10 minutes to respond.

Mr. REID. Mr. President, the leader wanted to make sure that the Senator from Texas was on the floor when he made his unanimous consent request, which I am almost certain he will be. He wanted the Senator from Texas to be notified when he was going to be here.

He is now here.

He wanted the Senator from Texas to be here, and we are glad he is here.

I ask unanimous consent that following the statement of the majority leader and the statement of the Senator from Texas, the Senator from Utah be recognized for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The majority leader.

UNANIMOUS CONSENT REQUESTS— H.R. 5005

Mr. DASCHLE. Mr. President, everyone knows we are attempting to resolve many of the unfinished pieces of legislative business that ought to be addressed prior to the time we depart for the election day break. As everyone knows, we will be coming back. It will be my hope that we can address a number of the issues involving conference reports. Of course, we will have to address appropriations when we come back.

One of those issues that has been the subject of a great deal of debate and consideration on the Senate floor has been the issue of homeland security and the creation of the new Department.

It is no secret that Democrats have been frustrated in the effort to bring the debate to a close. We have had five cloture votes. We have not reached cloture on each of those five occasions because of Republican opposition.

My original thought was perhaps that opposition was because of legitimate language concerns or issues involving the creation of the Department. I now doubt whether that really is the motivation. I think there are many on the Republican side who simply oppose the creation of the Department of Homeland Security. The new Department was a Democratic idea originally. The President and our Republican colleagues objected and opposed it unanimously when we passed it out of committee last summer.

The President finally reversed his position, and the administration's bill was written by four people with no consultation with Congress. They sent the bill up as somewhat of a surprise to us all.

The bill they wrote seeks to exploit the issue of homeland security in order to advance a preexisting ideological agenda. It is an ultraconservative agenda that is antiworker and obviously anti-union. More importantly, it has nothing to do with homeland security.

This bill would return us to an era when patronage and political cronyism ran the Federal workforce—and that is wrong. We say to the President and our Republican colleagues, public servants are not the problem. Terrorists are the problem.

The administration's position is an insult to every public servant, every firefighter, and every first responder who risked their lives and, in many cases, gave their lives on September 11.

When those union firefighters rushed into the World Trade Center and the Pentagon on that fateful day last September 11, nobody asked: Are you a member of a union? That is why the police and firefighters oppose the Republican plan. That is why the National Association of Police Organizations wrote to every Senator.

I will quote from their letter.

On September 11, 2001, the union affiliations of law enforcement officers did not

keep them from responding to that tragic event, giving aid to those in need and in many cases, giving their own lives. Every New York Police Department and New York/New Jersey Port Authority officer who died that day was a union member, working under a collective bargaining agreement. The Administration's claim that the new Department will need "management flexibility" to perform its role properly ignores the heroic efforts of those whom they now wish to label as an organizational liability.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF POLICE
ORGANIZATIONS, INC.,

Washington, DC, August 5, 2002.

DEAR SENATOR: On behalf of the National Association of Police Organizations (NAPO), representing 220,000 rank-and-file police officers from across the United States, I would like to request your support for the collective bargaining and civil service rights of employees of the proposed Homeland Security Department. S. 2452, the "National Homeland Security and Combating Terrorism Act of 2002," rightly recognizes, unlike H.R. 5005, that collective bargaining rights are not a hindrance to the formation of the Homeland Security Department nor to the overall protection of our nation.

On September 11, 2001, the union affiliations of law enforcement officers did not keep them from responding to that tragic event, giving aid to those in need and in many cases, giving their own lives. Every NYPD and NY/NJ Port Authority officer who died that day was a union member, working under a collective bargaining agreement. The Administration's claim that the new Department will need "management flexibility" to perform its role properly ignores the heroic efforts of those whom they now wish to label as an organizational liability. S. 2452 further allows the Homeland Security Secretary to bring in talent outside of civil service rules when truly necessary for our nation's defense and provides other changes to better facilitate hiring, retention and promotions.

Congress has long recognized the benefits of a mutual working relationship between labor and management and, over the years, has extended collective bargaining rights to public employees including letter carriers, postal clerks, public transit employees and congressional employees. When the Senate considers S. 2452 this September, NAPO requests that you support the Senate Homeland Security legislation, specifically Section 187, as passed by the Senate Governmental Affairs Committee. This bill properly recognizes and protects the genuine efforts of those unionized employees who might otherwise lose their deserved civil service and collective bargaining rights.

NAPO looks forward to working with the Senate to safeguard these rights and ensure their longevity. If you have any questions, please feel free to contact me, or NAPO's Legislative Assistant, Lucian H. Deaton, at (202) 842-4420.

Sincerely,

WILLIAM J. JOHNSON,
Executive Director.

Mr. DASCHLE. Since this debate began, Democrats have worked in good faith for a compromise. We have compromised and compromised and compromised. The bipartisan Nelson-Breaux-Chafee compromise is a long way from the Lieberman bill. It preserves the President's authority to

take away the union rights of homeland security employees as long as he states there is a need, and it accedes to the President's demand that we waive civil service protections for Department employees.

In fact, when it comes to new flexibility to hire, fire, and redeploy workers, there is absolutely no difference between the Gramm amendment and the Nelson compromise. The difference with our approach and the Gramm approach is simple: We require the Department to consult—to consult—with employee representatives as they develop a new personnel system, and if an agreement between management and employees cannot be reached, then management's proposal can be imposed by a Federal panel comprised entirely of the President's appointees.

You can't get any more reasonable than that. Yet to prevent a vote on this bipartisan compromise, the Republicans, as I have noted, have blocked cloture not once or twice but now on five occasions—three times on the Lieberman bill and twice on their own bill.

They filibustered because they said they wanted an up-or-down vote on their bill. We offered them that. They filibustered again because they said the vote on the Gramm bill had to come first.

So today we are offering Republicans exactly what they claim they want. If they object again, it will be even more clear what is really going on.

This is a Republican filibuster, plain and simple.

Democrats want to finish this bill. We support homeland security. We always have. We introduced it. But the other side would rather have an issue. They are filibustering this bill because they want to use this issue against Democrats in the next 2 weeks before the elections.

They would rather use this as an issue to run scurrilous ads, such as the one they are now running—or were running—to compare a war hero such as Max Cleland to Osama bin Laden and Saddam Hussein. That is what is going on here, and, Mr. President, it is unconscionable. They would rather play that nasty brand of politics than pass this bill. I hope they will reconsider and accept this unanimous consent request. Therefore, Mr. President, I will now propound it.

I ask unanimous consent that when the Senate resumes consideration of H.R. 5005, the homeland defense bill, the motion to recommit be withdrawn and the Nelson amendment No. 4740 to the Gramm-Miller amendment be withdrawn; that there be a 1-hour time limit on the Gramm amendment, and at the conclusion or yielding back of time, the Senate vote on the Gramm-Miller amendment; that immediately upon the disposition of that amendment, if it is agreed to, Senator NELSON of Nebraska be recognized to offer an amendment, the text of which will be identical to amendment No. 4740;

that it shall be in order notwithstanding the fact that it is to amended text; that there be a time limitation of 1 hour on his amendment, and that at the conclusion or yielding back of the time, the Senate vote on the Nelson amendment, with the preceding all occurring without any further intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Reserving the right to object, Mr. President.

THE PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. If you read this unanimous consent request, three things strike you, I think.

Mr. DASCHLE. Mr. President, regular order.

Mr. GRAMM. Mr. President, I object.

THE PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. GRAMM. Mr. President, I want to respond to our dear majority leader. I am coming to the end of my Senate career, and I do not want to end it by getting into fussing and fighting with anybody. Let me first respond by explaining what is wrong with this unanimous consent request and why it does not move the ball forward in protecting Americans. I then want to propose several alternatives, any one of which would move the ball forward. Then I want to respond to some of the comments the majority leader made.

First of all, under this unanimous consent request, we do not bring homeland security back up. If you read the unanimous consent request, you see that it says, "Mr. President, I ask unanimous consent that when the Senate resumes. . . ."

Well, who controls when the Senate resumes consideration of homeland security? The majority leader. So this unanimous consent request does not even bring the issue back before the Senate. Everybody knows today is the last day of the session.

Secondly, what this unanimous consent request says is, we will vote on Gramm-Miller and, if it is successful, we will turn around and vote on an amendment that completely reverses Gramm-Miller, and we will do that within an hour. And then the debate is not over. The majority leader has the power to continue the debate, stop the debate, or pull the bill down. We are no closer to passage of a bill after these two votes occur than we are before the two votes occur.

This unanimous consent request has nothing to do with moving the ball forward on homeland security. It has everything to do with deception because, under this request, there is not even a second vote unless Gramm-Miller passes. Then, if it passes, we turn right around, within 1 hour, and vote to reverse the vote, letting those who are in hotly contested elections have the incredible possibility, in 1 day, within 1 hour, to be on three sides of a two-sided issue. It would allow people to

vote for Gramm-Miller and, since it is the President's compromise, with the President, and then turn around, an hour later, and to completely gut it and to go back to where we are now with the bill that is before the Senate.

So we don't go to it now. We have no control over when or if we ever go to it in this Congress. We can vote yes and no, back to back, within an hour, so people can be on both sides of the issue. Senator DASCHLE referred to Max Cleland. He could vote for Gramm-Miller and turn around in an hour and completely gut Gramm-Miller, and be on three sides of a two-sided issue.

Now, there are alternatives that would be acceptable, and I am going to propound several of them shortly. But let me first address some of the issues the majority leader addressed.

First of all, there is this idea that we don't want a homeland security bill. Everybody wants a homeland security bill. I have never suggested the Democrats don't want a homeland security bill. They love homeland security. Their problem is, they love public employee labor unions more.

Their problem is that this isn't like Iraq. Saddam Hussein has no powerful political allies in America. So we had some differences of opinion, but we were able to work them out. We were able to go forward on a bipartisan basis. We can't work this out because the public employee labor unions are the largest contributors to Democrat candidates. And as a result, you can't be for letting the President have the tools he needs on national security and be with the public employee labor unions. We have to choose, and we have been unable to make that choice. There have been some good-faith efforts to bridge the gap, but we have been unsuccessful.

In terms of what has happened, the President sent a bill up on June 6. The House adopted a bipartisan measure on a huge, bipartisan, lopsided vote of 295 to 132. Democrats and Republicans voted together to give the President the power he asked for—which is some flexibility in 6 out of the 71 titles of the Civil Service Act—to allow him the ability to put the right person in the right place at the right time.

This idea that this would bring back cronyism and discrimination is totally invalid. The Gramm-Miller amendment and the bill adopted in the House required that the President not act in arbitrary and capricious ways, not discriminate, and strictly limited his decisions to merit and performance. So that is not really an issue as to what we are talking about.

This is the calendar. The calendar points out that the Senate has yet to act. Every time we have come close to reaching a bipartisan agreement, we basically have run into the hurdle that there is strong opposition to those who would like to change the system as it relates to homeland security. So we have the incredible specter that we have come to the end of the session.

The President over and over again has compromised.

The Gramm-Miller amendment, according to Senator LIEBERMAN, contains 95 percent of the changes he sought in the President's bill. If 95 percent is not compromise, what is compromise?

Finally, on the point of compromise, to stand up and suggest that the Nelson amendment and the Gramm-Miller amendment are identical simply does not bear up under scrutiny. Under the Nelson amendment, the President would lose national security powers he had on September 11. How many Americans would feel comfortable knowing that the Congress is trying to weaken the President's ability to respond to terrorism in the name of homeland security? I think it would come as a shock to most people to realize that is the case. But nobody denies it is the case.

In fact, when we offered the Gramm-Miller amendment, I put a little provision at the end of it, sort of as bait, that said: Nothing in this bill shall be construed as taking power away from the President to protect America that he had on September 11. So when the Nelson amendment was offered, guess what the last provision of it was. It struck that language.

I don't think anybody is deceived. I don't think they are going to be deceived by a unanimous consent request that does not bring up homeland security, that does not move us toward final passage, and that allows Members to vote yes and no on the same day 1 hour apart.

There are ways we can move the ball forward. I want to address those.

Let me also say, the majority leader brought up MAX CLELAND. The issue here is, are you with the President on homeland security or are you against him? That is what the issue is. The plain truth is, everybody knows we are one vote short of passing the homeland security bill—one vote short. If we had one more vote, we could pass this bill and we could start the process of protecting America. But we do not have that vote.

Whose vote is it? Well, it is any one person who is not with the President's program as he has compromised on it. Senator MILLER is with it. He is a sponsor of it. He is a lead sponsor of it. The plain truth is, we are one vote short.

I assure you, if I were running against anybody in America and they were opposed to the President's compromise on homeland security, I would consider it to be a legitimate issue. If that is not a legitimate issue, there is not a legitimate issue in America. The fact that we are adjourning this Congress instead of staying here today and tomorrow and from now until we get the job done is totally and absolutely irresponsible.

Having said all that, let me propose some unanimous consent requests myself.

First, let me take the Daschle unanimous consent and change it slightly.

Let's bring the bill up right now. Let's not leave it to the majority leader as to whether it would be brought up. Let's bring it up and let's have a vote on the Gramm-Miller amendment.

Mr. President, I ask unanimous consent that the Senate resume consideration of H.R. 5005, the homeland defense bill; that the motion to recommit be withdrawn, and the Nelson amendment No. 4740 to the Gramm-Miller amendment be withdrawn; that there be an hour time limitation on the Gramm-Miller amendment; and at the conclusion or yielding back of the time, the Senate vote on the Gramm-Miller amendment.

Mr. REID. Mr. President, reserving the right to object, my friend from Texas, my good friend—and I will miss him a lot next year—reminds me of a time when my brother, who is 10 years older than me, got a job. He had this nice, white uniform with a bow tie, working for Standard Stations. And it was a big deal for the Reid family. He was placed to work in Ash Fork, AZ, not a great metropolis, but compared to where I was raised, it was a big city. My brother asked his little brother to spend a week with him in Ash Fork. I had never been anyplace, so I looked forward to that.

What I didn't know was that my brother had a girlfriend in Ash Fork. He spent most of his time with the girlfriend. I spent most of my time, not with my brother but with his girlfriend's brother.

Her brother was a year or so older than I, but we played games. I never beat him in anything, the reason being, he kept changing the rules in the middle of the game. So no matter what I did, I couldn't win.

That is kind of how I feel about homeland security. No matter what we do, you folks won't take yes for an answer. It is always something different. So it reminds me of my experience in Ash Fork.

I say to my friend, who has a Ph.D. in economics, is a college professor, and is very smart, this calendar you have given us is an illusion. The numbers you have there are just a fantasy. The fact is, we have tried to do everything we could to pass this. I am happy to hear the Senator say he wants to continue working on this. But the unanimous consent request he has propounded gives him everything and gives us nothing.

We have said—in fact, the majority leader said—we agreed to give you what you asked for. We would have a vote on your proposition first, vote on that first, and then we would vote on ours second. You say that is not good, even though I asked for it earlier. The reason I guess it is not good is that we might pass our amendment. And if we do, it knocks out a few pages of a 100-page bill.

With great respect for my friend from Texas, with whom I have served in the House and Senate and will miss next year, without reservation or qualification, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAMM. Mr. President, I love my colleague from Nevada. He is such a sweet man. His heart is so good. His views on things sometimes are not so good. But as long as we have people around like him, the place works pretty well.

Let me respond to his remarks, and I will try another unanimous consent request on it.

What I have propounded is exactly what Senator MILLER and the President and I have asked; that is, to have an up-or-down vote on our amendment. My colleague from Nevada would like to do it so that people can vote yes and no within an hour and so that people can, in essence, be in a position where they might deceive the public, yet we are no closer to passage than we were before we started. I just don't think that makes any sense. I am not claiming that deception is the intent, but I do believe that would be the result. Let me try another approach.

I ask unanimous consent that the Nelson amendment be adopted, with one amendment, and that amendment is that nothing in this bill shall be construed as taking away a national security power and a power to protect America that the President had on September 11, and that after the Nelson amendment is adopted with this provision added to it, the Gramm-Miller amendment be in order; that it be debated for 3 hours, and that there be an up-or-down vote on that amendment, and at the conclusion of that amendment, whether it is successful or not, we have a vote on final passage.

Mr. REID. Reserving the right to object, Mr. President, I ask unanimous consent that a statement by Mark Hall, a U.S. Border Patrol agent, be printed in the RECORD. It is two and a half pages.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY MARK HALL, PRESIDENT, AFGE LOCAL 2499, U.S. BORDER PATROL, JULY 31, 2002

Good Morning. My name is Mark Hall. For the past 18 years I have worked as a U.S. border patrol agent, 15 of them based in Detroit, Michigan. I am also President of AFGE Local 2499. I have dedicated my life to defending the national security of this country and do not understand how my role as union leader is incompatible with my oath to protect and defend the Constitution of the U.S.

I believe that the two hats I wear as I patrol the Northern Border of the U.S. are entirely consistent. In fact, if not for the fact that I am a union member, I might not be a border patrol agent today. In the months after the terrorists attacked the World Trade Center and Pentagon on September 11 of last year, I became increasingly concerned about the vulnerability of our northern border and our agency's inadequate response to that threat.

Despite public assurances from the Immigration and Naturalization Service and the Department of Justice that we were responding to this threat, few agents were being posted at our station in Detroit or any other along the Northern Border that I was aware of.

I spoke with my local management about the problem and was told, essentially, to keep quiet. Having taken an oath to defend the Constitution—not the INS—I decided it was my responsibility to speak out about the danger we faced along our border with Canada. I, along with another agent and former marine, Bob Lindemann, talked to a newspaper and television program about our concerns. As a result of this decision my sector chief tried to fire us immediately, and failing that, settled on a 90-day suspension, one-year demotion, and reassignment.

The Office of Special Counsel which investigated the Agency's action uncovered internal emails from the sector chief stating "the President of the local union deemed it necessary to independently question our readiness in a public forum", adding that managers must take a "stance which bears no tolerance for dissent and to view resistance from the rank and file as insubordinate".

It was only through the combined protections of my union, and the whistleblower protection law that the proposed disciplinary actions were indeed, I would never have spoken out if I hadn't had my union behind me because whistleblower protections alone would not have been enough. I want to take this opportunity to thank my union and the lawmakers responsible for the whistleblower law for helping me when I needed it. Without such help, I would not be a border patrol agent today.

The President uses the words "national security" and "flexibility" to describe his goals in creating this new agency, but his hard line and his veto threat show it's about something far more serious—politics.

No one imposed union representation on agents of the Border Patrol—we voted for that representation democratically. And now the President has decided to override our vote and eliminate our only means of holding the managers and political appointees who run the agency accountable to the American people.

Our union is not just about economic issues—Congress sets our pay levels so that they're in line with other law enforcement officers. Our union is also about protecting the chance for the employees to speak out when we see mismanagement, fraud, and security breaches. Our union is part of the system of checks and balances we have in our democracy.

The other thing the President is insisting on is the right to do away with fair and open competition among our citizens for the privileged to work for the U.S. government. He wants to take away the laws that give us a civil service system that is outside politics, patronage, and cronyism. He says "trust me," I'll write new rules that will be just as good. But if he gets his way, there'll be no union to speak out when the political good ol' boy system takes the place of these laws.

Congress just passed a corporate accountability law because it turned out that when top managers have all the power to do as they please they tend to abuse that power. There was no accountability. Well, in the federal government, and certainly in the border patrol, there is accountability when the workers who lay their lives on the line every day have a union contract backing them up when they question managers who are misappropriating funds, or discriminating in hiring or firing, or failing to put resources where the threats are greatest.

The American people better hope that the President is true to his word when he says that he can be trusted to keep objective standards for qualifying for a job as a U.S. Border Patrol agent. If being a union supporter or belonging to the wrong political party disqualify an otherwise fit job candidate, you can be sure that homeland security will suffer.

Our union has been accused of standing in the way of homeland security. The President says our contract and the civil service laws tie the hands of managers who may need to reassign agents for special assignments or for emergencies. Nothing could be further from the truth.

I have been shot at twice, hit, kicked, spit on, and bitten in the course of carrying out my duties. I have spent months away from my family on detail—as much as four months in a year away from home. I have received dozens of commendations for outstanding service to the Border Patrol. I joined the union 17 years ago, and there has never been one instance when my union membership caused me to compromise the security of this nation. In fact, our union has helped me and my fellow officers make this nation a better and safer place. I thank you for the opportunity to be here today, and I will be happy to answer any questions.

Mr. GRAMM. I could not hear the Senator.

Mr. REID. I said I have a statement from a Border Patrol agent. It is a two-and-a-half page letter.

Mr. GRAMM. I have no objection.

Mr. REID. I will read one short sentence in the letter.

The PRESIDING OFFICER. The request of the Senator from Texas is pending.

Mr. REID. It says:

The President uses the words "national security" and "flexibility" to describe the goals in creating this new agency, but his hard line and his veto threat show it's about something far more serious—politics.

That is what this is about, changing the rules of the game.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAMM. Mr. President, let me try one more.

I ask unanimous consent that H.R. 5005, the homeland defense bill, be brought before the Senate; that each side have three amendments and that they have an opportunity, going back and forth, to offer those amendments; that the Gramm-Miller amendment be the pending amendment; that when each side has had an opportunity to debate and vote on their three amendments, that there be a vote on final passage of the bill.

Mr. REID. Reserving the right to object, you see, the reason my friend from Texas is wrong about this unanimous consent agreement is we don't need it. If we voted on the two pending amendments, the Gramm amendment and the one we want to go forward with, the Breaux amendment and the Nelson amendment, of course—there is still room for other amendments. It doesn't cut off debate.

If cloture were invoked, there are other germane amendments we would have. This is all part of the illusion being created here. They don't want a bill.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAMM. Mr. President, let me conclude by simply saying this. What normally happens under these circumstances is this: We are not going to

pass a homeland security bill and Americans are going to the polls; they are basically going to make a decision. They might decide that Senator DASCHLE is right, that the President doesn't care anything about national security, that he is out to bust the unions, and that we really don't need to change business as usual in Washington as it relates to homeland security. I think that is a possibility. People might reach that conclusion.

But I think there is an alternative possibility. I think people are going to reach a conclusion that when it came down to making a hard decision that meant changing business as usual in Washington, that required us to change a system for national security reasons and the protection of the life and health of our people, that meant going against the way things have been done here for 50 or 60 years, that the Democrats are unwilling to make that change and the President wanted to make the change.

I just remind my colleagues that when Senator DASCHLE was talking about the President's efforts at union busting, we have had three major commissions that have looked at our current Government system—the civil service system—in areas of national security and terrorism. The two major ones are the Volcker Commission and the Rudman Commission. Paul Volcker was a Democrat-appointed head of the Federal Reserve Bank and one of the most respected people in America. Warren Rudman is one of our former colleagues and was one of our most respected Republican members. Both of them headed up blue ribbon commissions to look at our ability to respond to threats to our national security, and both of those commissions concluded unanimously that we needed to change the current civil service system as it related to the ability to promote on merit and the ability to put the right person in the right place at the right time. That is what the President has asked for.

So like so many issues in the greatest democracy in history, this is one where you have to choose. The President cannot succeed because he is one vote short. I don't believe the Democrats could pass their bill because I think some of their own members would not vote for it on final passage, and none of our members are going to vote for a bill that the President said he will veto.

So we have an impasse, and it comes down to a choice. It is not a choice that Senator REID is going to make, or one that I am going to make. It is a choice the people back home are going to make. They have heard each side with its own focus, twist, spin, or whatever the conventional wisdom is. But, ultimately, it is the judgment of the American people that we are going to stand by, and I am willing to stand by it.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Utah is recognized.

FAREWELL TO A FRIEND

Mr. HATCH. Mr. President, I rise to honor the achievements of my good friend and colleague, Senator PHIL GRAMM.

After serving with him for 18 years, it is difficult to remember that our Texas colleague began his career as a Democrat.

After listening to him here today, I can see he is ending his career by going out with a bang. PHIL GRAMM is one of the most effective Senators who has ever sat in this body. In fact, even though he started out as a Democrat, he actually became one of the most effective conservatives in this body and a fixture on economic issues and a man who deserves much of the credit for changing the attitude of Congress about budget and fiscal responsibility.

I know I am not the only Member of this body who is deeply grateful for the Gramm-Rudman-Hollings deficit-control legislation that Senator GRAMM poured his heart into creating and sustaining over so many years.

Another landmark bill that bears his name and is changing the course of the nation for good is the Gramm-Leach-Bliley Financial Services Modernization Act of 1999.

He brought his classroom skills to bear on more than one occasion, patiently explaining basic economics to his fellow Senators, again and again and again.

I, for one, am grateful for the opportunity to have been one of his students.

Senator GRAMM is also one of the Senate's most honest and forthright members, never hesitant to tell you exactly what he is thinking.

On more than one occasion, the senior Senator from Texas has approached me about bills on which we disagreed and said, in his distinct drawl, "ORRIN, you were one of the reasons I came to the Senate—to help you fight all those ridiculous liberal ideas. So I have to ask, what are you doing with this bill?"

And we all came to respect Senator GRAMM when he joined the GOP ranks.

The story is now legend, but compelling nonetheless.

He was serving in the other body when he decided he no longer felt comfortable as a Democrat.

Instead of simply announcing he was switching parties, he resigned his seat in 1983 and ran again in a special election as a Republican. He has served here ever since with, I think, the respect of both sides of the aisle.

He thus eliminated any question that his decision was motivated by anything other than a realization that his beliefs no longer fit within the Democratic Party.

Senator GRAMM'S dedication to the principles of a free society, his belief that free markets and limited govern-

ment allow people to realize their full potential, his reminders that good intentions are no substitute for good policy—these have shown through in ample body of Senate achievement he will leave behind.

Senator PHIL GRAMM'S career is proof that good ideas can have a real impact on our country, as long as those ideas are combined with a mountain of hard work.

Mr. President, I am sad to see my good friend leaving this body.

I wish we could convince my friend to stay.

I personally am going to miss him. I can only wish him the very best as he begins his new life outside of Senate. I am sure of one thing: wherever PHIL GRAMM goes or whatever he does, he is going to be a success. PHIL GRAMM is one of the brightest people who ever served in both Houses of Congress, and he is certainly one of the best people, as far as I am concerned.

THE ECONOMY

Mr. HATCH. Mr. President, I wish to change the subject because I think it is important before we leave this Congress that I say a few words. We have all seen the news reports suggesting our friends on the other side of the aisle want desperately to turn the focus of the national debate back to the economy. I am glad to do so, but let it be a full and fair debate. I hope we can talk about the recession we have been through, the recovery that is now under way, what we have already done to grow the economy and, most importantly, what we Members of the Senate from both political parties propose to do about the economy in the future.

Let us start by considering the shocks that have hit the economy since the last year of the Clinton Presidency.

In the summer and fall of 2000, the dot-com bubble burst and high-tech spending fell precipitously, triggering a slowdown that was worsened by the horrendous terrorist attacks that shook our entire economy last year on September 11 and afterwards.

Then about a year ago this week, we began discovering a few large companies have been massively deceiving their investors, deepening the malaise.

Finally, to top off all this bad news, oil prices have hovered around the danger level of \$30 a barrel because of war clouds in the Middle East.

This chart shows that how our slump began during the summer of 2000. While it would not be fair to blame all these problems entirely on the Clinton administration, in my view, it is clear that the beginnings of this slowdown—what some have called the "Clinton hangover"—occurred well before President Clinton took the oath of office.

This is not just a partisan position or partisan judgment.

As President Clinton's top economic adviser, Nobel Laureate Joe Stiglitz, recently said: