

Senator GRAMM of Texas be recognized to offer an amendment; that there be two hours of debate equally divided between Senators GRAMM and LIEBERMAN or their designees; that at the conclusion of that time the amendment continue to be debatable and Senator DASCHLE or his designee be recognized.

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

Mr. REID. Mr. President, the amendment we have been waiting for for some time will be offered in the morning, or as soon as the vote is completed, as the unanimous consent request indicated.

It appears the two managers have some amendments they can clear on this homeland security bill. That being the case, we will stay on the bill. When the amendments are cleared, we will go to a period for morning business until Senators have said all they wish to say, and then we will recess until tomorrow. We hope this is the beginning of the end of this bill. I think we have made progress to get to this point. As I have indicated, we have been trying to get this amendment now for about the second week, so finally we are there. This is a big amendment. We will determine how it is going to be disposed of sometime tomorrow.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, Senator DORGAN is here and wishes to speak as if in morning business. I ask unanimous consent that he be recognized for up to 20 minutes, and that following his statement, we return to the bill.

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

The Senator from North Dakota.

#### TERRORISM AND THE ECONOMY

Mr. DORGAN. Mr. President, I would like to speak about several important issues facing the Senate at the moment: namely, the situation with Iraq, and the state of our economy.

First, let me speak about Iraq. And let me begin by saying that I don't think there is any question that Saddam Hussein is not following the terms of surrender at the end of the gulf war. He has failed to live up to any one of those terms or conditions.

I was at the Incirlik Base in Turkey and visited with the pilots who are flying over the northern area of Iraq enforcing the no-fly zone. These pilots fly in harm's way. They are often shot at by the ground forces of the Iraqi Army. The fact is, Saddam Hussein has violated virtually everything to which he previously agreed.

I don't think there is any question that this is a bad person, who poses a real threat. He wants access to nuclear weapons. He has access, apparently, to chemical and biological weapons. And the President says we ought to do something about this threat posed by Saddam Hussein. I agree that we should. The question is, How?

The President went to the United Nations. And I think that was the right thing to do. The Secretary of State is now asking the Security Council to join us and pass another enforcement resolution so we can, with other countries, begin to enforce coercive inspections in Iraq to make sure that, if they have weapons of mass destruction, they are destroyed, and to make sure they are never able to acquire weapons of mass destruction, especially nuclear weapons.

But there are other avenues that we should also pursue. I have thought for 10 years, since the end of the gulf war, that this country should press for the formation of an international criminal tribunal at the United Nations to indict and try Saddam Hussein as a war criminal.

I don't know whether at the end of the day there is going to be a regime change in Iraq or not. I hope there is. I believe there ought to be a regime change, but I am not sure whether that is going to happen. If it doesn't happen, I still think we ought to push for the creation of an international war crimes tribunal, so that Saddam Hussein is indicted and convicted.

There is ample evidence—both in this country and also in the United Nations—to indict and convict this man of war crimes.

I spoke on the floor some years ago about a young boy and his family who lay dead on the ground in Iraq—victims of weapons of mass destruction unleashed by Saddam Hussein that killed thousands of those people. He is the only leader I know of in this world who has used weapons of mass destruction against his own citizens. So there is ample evidence for that and other reasons to indict, try, and convict Saddam Hussein for crimes against humanity.

I have never understood the reluctance of this Government to push ahead to do that. I have never understood that. Senator SPECTER from Pennsylvania and I offered a resolution—I think it was about 5 years ago in the Senate—calling on the State Department to go to the United Nations and attempt to get a war crimes tribunal so we could indict, try, and convict this man as a convicted war criminal. I think whenever we talk about Saddam Hussein, we should be talking about a convicted war criminal.

Had we done what we should have done 10 years ago and 5 years ago, that is what we would now call him, because the evidence is so substantial about what he has done to his own people, to people in the region, to his neighbors, the weapons he has used—there is just no question that this man, even in

absentia, would be tried and found guilty as a war criminal.

I think even today our State Department should press that case, even as we are pressing for coercive inspections and contemplating taking action again against the country of Iraq.

I have asked my staff to talk to the staff of the Senator from Pennsylvania about offering that resolution once again in the Senate. It passed the Senate 4 or 5 years ago without a dissenting vote. Yet nothing has happened with respect to Saddam Hussein and Iraq and the creation of a war crimes tribunal at the United Nations to indict and to try him.

Let me turn to the economy for a moment. Because while the Iraq issue is vitally important, we have other very big challenges that are largely being ignored. The President and some in this Chamber don't want to talk about this, but the fact is our economy is in some significant trouble. We have some people whose responsibility it is to be involved in fiscal policy who say: What trouble? Things are going just fine. This is just a little bit of a correction. Things will be fine. Just wait and do nothing. Things will work their way out.

The fact is, we have come to an intersection in this country unlike any we have ever arrived at before. Just a year and a half ago, President Bush proposed a fiscal policy. He came to office, and said: What I see in this country is 10 years of surpluses, and big ones at that. That money belongs to the taxpayer. Let us give it back. Let us have a \$1.7 billion tax cut.

I did not vote for that because I said I thought we ought to be a little more conservative. I don't think we can see 3 months ahead, let alone 10 years ahead. I think the conservative thing to do would be to attempt to be a little more moderate in how we deal with fiscal policy and not lock in a \$1.7 billion reduction in revenue.

I lost that argument. The majority in this Chamber and the other Chamber voted for a \$1.7 billion tax cut over 10 years. The President celebrated and his supporters celebrated. Everyone talked about how wonderful that was. Mr. Greenspan, down at the Federal Reserve Board, thought that was fine, too.

It wasn't very much past that—some months past that—when we discovered the country was in a recession. If we had been in a recession at the time we were talking about these expected 10 years of surpluses, would we have made a different decision? Maybe.

Not much more than a couple of months beyond that we had the terrorist attacks against our country on September 11. Had we known we were going to face a recession and the terrorist attacks on our country on September 11 that caused such a devastating loss of life, would we have said let us put in place a \$1.7 billion tax cut? I think we might have made different decisions.

Then, on top of that, we had the technology bubble burst and the stock market began to act like a yo-yo with more down than up.

On top of all that, we had the corporate scandals in which we saw some of the largest corporations in this country—Enron, to name one. I chaired the hearings in the Commerce Committee investigating Enron. We saw the executives of that company and others run these companies into the ground. They cheated and lied to the investors and to the employees. The board of directors finally had their own investigation into their own company. Do you know what they said? They said: What we found inside our company was “appalling.” They said: We found this corporation was reporting \$1 billion in earnings that it didn’t earn.

To give a small example of what was going on, the chief financial officer of that corporation invested \$25,000 of his own money into a corporation, a partnership—a corporation in which he had a proprietary interest—and he took out \$4.5 million 60 days later.

Let me say that again.

He invested \$25,000 of his own money and then took out \$4.5 million 60 days later.

I come from a town of 300 people. We call that stealing in my hometown.

In corporation after corporation, we see all of these corporations and the books being recalculated and company executives being led away in handcuffs.

There are a lot of great companies in this country, and a lot of great CEOs. Make no mistake about that. Some people say it is just a few bad apples. That is true. How big is the orchard with bad apples?

It is just too many corporations, too many accounting firms, and too many law firms that are the enablers that allowed all of this to happen and too many executives with larceny in their hearts who don’t understand this wasn’t their money. This was the investors’ money.

What you have is an intersection of a recession, a terrorist attack, corporate scandal, the tech bubble bursting, and the stock market collapsing.

Yet, the Administration is telling us that they don’t even want to talk about the economy, as if the circumstances had not changed at all.

When people sit around a supper table and talk about their lives, most families talk about some key things. Do we have good jobs? Do our jobs pay well? Do we have job security? Do our kids go to good schools? Do grandpa and grandma have access to good health care? Do we live in a safe neighborhood? Those are all the questions that affect the lives of America’s families.

Do we have job security? Let me give you an example. A fellow wrote to me. He said: My life savings as an employee of the Enron Corporation—he worked for a pipeline corporation that was a subsidiary—were in Enron stock. It was worth \$330,000. I saved for years to

put together \$330,000 in my 401(k) account in Enron stock. It is all that I have. That \$330,000 is now worth \$1,700.

Is that a problem? You bet your life it is a problem for that family, and so many other families across this country who have seen their life savings dissipate.

Now, people say: Well, that is just anecdotal information about this family or that family. But it is not that. The average 401(k) account in this country has lost one-third of its value. These are the life savings of people, the retirement savings of people. It has lost one-third of its value.

Do you think that is going to have an impact on our economy? Of course it is. Our economy is all about people’s expectations about the future.

I used to teach economics. I overcame that, nonetheless, and have been able to go on and do some other things productively. The field of economics is not much more than psychology pumped up by helium. It is just people estimating what might or might not happen.

Our economy is very simple. If our future is a bright, rosy future, if people are confident about the future, then they do things that manifest that confidence. They buy a house, buy a car, take a trip; they do the things that represent people who are confident in their future. And that expands the economy.

When people lack confidence in the future, they do the exact opposite. They decide not to take the trip. They don’t buy the car. They don’t buy the house. They defer purchases they might have otherwise made. As a result, economy contracts.

So we are in a situation where we have an economy that is in some trouble. It is not growing. People are not confident about the future. They see corporate scandals. They are worried about investing in a corporation. They are worried about the method by which we ask people to invest in a share of stock in a company they never visited with executives they don’t know, with accounting firms they are supposed to trust but now do not.

And still we have the Administration and some in the Senate saying: Well, what is the problem? We don’t need to revisit any of these circumstances. We don’t need to talk about fiscal policy. We don’t need to talk about the economy.

They are wrong. We need to talk about jobs. What is happening in jobs? We need to talk about the economy, economic growth, and opportunity. We need to talk about this country’s fiscal responsibility, its budget mess.

There isn’t anyone in this Chamber who can get up and talk about how this budget adds up, because it does not. We have a fiscal policy that is sorely out of balance, and everybody knows it. Everyone wants to pretend that is not the case. And it starts with the President.

Now, what is the record?

Job losses. We are not expanding. We are losing jobs at this point. Private-sector jobs are down, down sharply.

Weak economic growth. In fact, some indicators suggest we may have almost no growth at the present time.

We have an anemic economy, there is no question about that.

Declining business investment.

A falling stock market. Just take a check over the last week or two; in fact, go back 6 years to find when the NASDAQ was as low as it was yesterday.

Shrinking retirement accounts. I have just described that. An average family having a 401(k) is losing a third of its value.

Eroding consumer confidence.

Rising health care costs. One of the issues we ought to talk about on the floor of the Senate is this: rising health care costs. It also explodes the Federal deficit, causes havoc with every State budget, especially causes chaos with the budgets of families.

We are trying to say to the American people and the pharmaceutical industry: The prices you are charging for prescription drugs are outrageous. You charge the American people the highest prices in the world for prescription drugs, and it is unfair.

Yet, when you take on that industry in this Chamber, asking, “how do you justify this; how do you justify to a woman who has breast cancer that the drug Tamoxifen is going to cost her 10 times as much in the United States as you charge for the identical drug in Canada; how do you justify that,” there is no answer. It is a deafening silence.

But yet you can’t get effective legislation through the Congress because we have too many here who support the pharmaceutical industry. The big, powerful, and strong make a great deal of money, and they like the status quo.

We are going to focus on an economic forum of sorts in the coming couple of weeks, to see if we can get together people who want to talk about the economy who have contrasting views about the economy, and to see if we can begin a debate about what ought to be done.

We have too many people out of work. We have too many people who have lost too much money in the market. We have an erosion of confidence. We have a budget deficit that is escalating.

We could not get appropriations bills through the floor of the Senate by the October first date. Why? We could not get a budget? Why? Because none of it adds up. And everyone in this Chamber knows it does not add up.

How do you add up a circumstance where you have less revenue coming in, and you decide you have to do \$45 billion more for defense in 1 year, probably something close to \$30 billion more for homeland security in 1 year? Add that additional spending on top of a fiscal policy in which you have either slow growth or a recession, and less

money coming in, and therefore higher deficits, and then what is left for the things that represent domestic discretionary spending, including health care and education?

What is left to try to do something that says to kids: Your education matters because our future is in our schoolrooms? We believe that every young child ought to walk through the door of a schoolroom where their parents are able to say: We have sent our child to the best schoolroom in the world.

How do you do that when there is no money left for education or health care because we have a fiscal policy that does not add up because 18 months ago we said we were going to have surpluses for 10 straight years, and 18 months later—following a war, a recession, stock market collapse, corporate scandals, and more—we now have turned surpluses into big deficits.

I think it is time—long past the time—for this Congress to have an honest, real, aggressive, significant debate about this country's economy: what is wrong; how do we fix it; what has worked; what works; what is right; what does not work, and how do we repair it.

I began by talking about Iraq. The situation in Iraq is very important. But our economy is also vitally important. We have been the economic engine for this world. When the economy in Asia was soft, we still were the economic engine that provided strength. When the economies of Europe were soft, the American economy was still the economic engine. Take a look what is happening to the American economy today, and it is not working well.

This Congress has a responsibility to begin a thoughtful, sober, serious discussion about what works and what does not with our economy, and how we construct a new fiscal policy to fix that which is wrong. The President has a responsibility to join us as well. At the present time he talks only about foreign policy. Foreign policy is important, but it is not exclusive. This President has a responsibility to join us. It is his fiscal policy. He won 18 months ago. It is his fiscal policy that now helps create large deficits rather than large surpluses. He must join us in trying to determine what we can do to pull ourselves out of this morass.

This country can do better, but it needs good public policy coming from this Congress.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## HOMELAND SECURITY ACT OF 2002—Continued

Mr. DASCHLE. Mr. President, I come to the floor at the end of the day to remind our colleagues that there will be two votes tomorrow morning. They will both be cloture votes. Those votes are ones we have cast before. This will be the third cloture vote on the drought and firefighting amendment that has been pending for weeks. It will be the second vote on homeland security.

I am troubled by the rhetoric I hear off the floor with regard to Democratic efforts to slow this legislation down. I find it quite ironic that while there are some who suggest it is Democrats holding up this legislation and criticize us for doing so, it is the Democrats voting virtually with unanimity in support of cloture to end debate on both bills.

This is the fourth week we will be on this legislation.

I don't know what agendas are being played out. Some may think maybe the longer we wait to vote on these things, the more advantageous it is for one side or the other. There is a lot of work left to be done. I know the American people expect us to complete our work on homeland defense, and our farmers and ranchers and firefighters certainly expect us to have acted by now on the assistance they need so desperately.

How cynical can it be for some to suggest, in the name of whatever, that we can hold up drought assistance, hold up firefighting assistance, hold up the extraordinary help this represents, in the name of whatever issue? I have said this before on the Senate floor, and I will say it again now. Just getting cloture on the Byrd amendment, which includes \$5 billion or more in drought assistance, and almost a billion dollars in firefighter assistance—to get cloture on that amendment in no way precludes other amendments. It certainly doesn't preclude any Senator from offering the forest health amendment or anything else on the bill itself. It doesn't preclude that.

So there is absolutely no reason Senators should oppose cloture on the drought and firefighters amendment—unless they are not serious about providing help in the first place. You have to wonder, after the third cloture vote, if people are truly serious about providing help; if they are serious when they say they want to provide some response to firefighters and drought victims in the agricultural areas of our country.

You would have to believe if they were serious they would vote for cloture, they would send this amendment and this bill into conference, and we would get this job done. You would think that.

All of the machinations and explanations and all of the excuses ring very hollow to ranchers and farmers and firefighters when they note that we are now in the third week of this filibuster from the other side, depriving these very people the sustenance they need to survive.

Mr. President, there can be no explanation. So I hope the vote tomorrow will have a different result. I hope all these political strategies, as they play themselves out, have played their course. I hope we can say, on a bipartisan basis, that the time has come for us to send a clear message to ranchers and farmers and firefighters that we are going to get them that help. I hope we can do that.

Tomorrow is our chance because I will tell you if we don't get cloture tomorrow, we send just the opposite message—that in politics we can say anything we want and not be held accountable. We can say we are for you, but we can always think of a reason we are not at the end of the day.

There is a great deal of cynicism in ranch and farm country and the forests as we fight these fires right now. People are shaking their heads wondering what in Heaven's name could be holding up this help. I cannot explain it, and I don't think anybody else can satisfactorily. They can come to the floor and say they are not filibustering. They can come to the floor and say there are other issues that are more important. They can come to the floor and try to explain in a hundred different ways, but there is no explanation. There is no excuse. There is no way to look in the eyes of those farmers and ranchers or firefighters and say: Just wait another week, wait another month. You have waited long enough, but we are going to make you wait a little longer.

You cannot do that.

So tomorrow is a big test. Are we serious about drought assistance? Are we serious about firefighter assistance? Are we serious about getting this job done and sending the right message? We will know the answer by late morning.

The same could be said about homeland security. As I noted, we have already had one cloture vote. I am told the amendment offered by our Republican friends is germane. So there really is no reason to vote for cloture and bring this bill to a close. We have so much more work to be done. A day doesn't go by when three or four colleagues on both sides of the aisle come to me and say: When are we getting out? When are we going to be able to go home?

The answer to that rests, in part, on tomorrow. If we can support cloture and get this legislation passed, if we can move this agenda forward, with all the other things that have to be done, there is no reason we cannot meet our adjournment day.

Mr. President, I just come to the floor to urge my colleagues not to fall into the trap—the rhetoric trap—of attempting to explain why you are for homeland security, why you are for drought assistance, why you are for firefighting assistance, why you are for completing our work on time—and then turning around and voting against cloture, voting against bringing this