

resolution to extend these pay-go and other enforcement provisions that expired at midnight last night.

We should adopt this resolution without delay; it is the least we can do to keep some hope alive that the budget process will survive the set backs this last year.

I think, as Chairman Greenspan—maybe I should say Sir Chairman Greenspan in recognition of his knighting last week—that we need to do at least this small resolution to send a signal to the markets and the public that fiscal discipline has not been totally abandoned.

Again, today is the first day of a new year. October 1 is the first day of the new year under our budgets and it has been so for quite some time. It used to be July 1. Everybody thought it was too soon, so they moved it to October so there would be plenty of time. So it is the first day, but we don't have a budget resolution.

Today, we start a budget and start spending money—if we ever get around to it—under a budget that doesn't exist. I think it is time we do that. Seeing the majority leader on the floor, I want to ask in a forthright way—because I know he is aware of this—when does he think we might be able to take up the resolution I am going to introduce with the ranking member of the Budget Committee, the so-called pay-go resolution? I ask the leader, is that on his agenda somewhere? I would be here to help him if there is anything I could do to move the time.

Mr. DASCHLE. If the Senator will yield, I will be happy to respond.

Mr. DOMENICI. Yes.

Mr. DASCHLE. As he knows, we have attempted to bring debate on homeland security to a close now on 5 separate occasions. We failed to do that again this morning. It was my expectation we were going to take up the budget enforcement mechanism prior to the time we moved to the Iraqi resolution. That may be complicated now, in part, because I think we need to get started on the resolution on Iraq prior to the end of this week. But without any doubt, we will address the budget enforcement resolution the Senator has addressed prior to the time we depart, prior to adjournment.

I have made that commitment to the budget chair and I have said it on the floor on several occasions. I think it is essential. I have not heard all of his remarks, but I assume the Senator from New Mexico made a similar statement. So we will make that effort. I am quite confident when we do, it will be successful.

Mr. DOMENICI. That means before we recess, is that correct?

Mr. DASCHLE. The Senator is correct.

Mr. DOMENICI. It only has to be passed by the Senate, and we will have extended the pay-go provisions.

#### MOTION TO PROCEED—H.R. 2215

Mr. DASCHLE. Mr. President, I move to proceed to the conference report to accompany H.R. 2215, the 21st Century Department of Justice Appropriations Authorization Act.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Mr. President, reserving the right to object. I will ask the majority leader a question. The majority leader is wanting to move to a conference report on the Department of Justice reauthorization bill, is that correct?

Mr. DASCHLE. Correct.

Mr. NICKLES. So we will be setting aside the homeland security bill?

Mr. DASCHLE. No. We will only interrupt the ongoing consideration of homeland security. This does not displace homeland security on the calendar. The regular order would be we would revert right back to homeland security once the conference report has been disposed of, with no additional action required on the part of the Senate.

Mr. NICKLES. Mr. President, I appreciate the Senator's explanation. I know there have been some negotiations, though not as fruitful as we would like, on homeland security, but I trust the negotiations will be ongoing, and maybe we will have some success upon the conclusion of the DOJ authorization bill. I shall not object.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

Mr. DASCHLE. Mr. President, prior to the clerk reporting the conference report, I ask unanimous consent I be able to speak as in morning business for 3 minutes.

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

#### HOMELAND SECURITY

Mr. DASCHLE. Mr. President, I simply add to the comments I have just made to the Senator from Oklahoma, that we are going to finish the debate on homeland security, even if it is the night before the election. So I want those Senators on both sides of the aisle thinking that somehow this is going to go away to be very clear. We have voted now on cloture five times: Three times on the pending bill, the original bill, and twice on the Republican amendment—twice on the Republican amendment.

I have offered the Republican leadership the opportunity for an up-or-down vote on the Republican amendment, and I am still told that is not good enough. For the life of me, I do not know what else to do. But we will continue to have cloture votes. We will continue to stay here. To the extent we can, we will interrupt—and I use that word “interrupt” as opposed to “displace”—homeland security with other pieces of business so we do not keep spinning our wheels.

If it is November 4, we will be here. If it is November 7, we will be here. I have heard there are those on the other side who believe somehow they can make this a political issue if we just drag it out and blame the Democrats. We are not going to do that. I think the record is abundantly clear who is holding this up. We will vote on it. We will vote on final passage at some point this fall. I just want to make sure my colleagues all understand that.

This is the sixth week—the sixth week—we have debated this bill, and there are probably 70 or 80 amendments pending. So you tell me when we will finish; I will tell you whenever that is we are going to be here. I yield the floor.

#### 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2215), to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and an amendment to the title, signed by all of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report is printed in the House proceedings of the RECORD of September 25, 2002.)

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished majority leader for moving to the Department of Justice Authorization Act. This is the first one in 21 years. I note for my friend from South Dakota and my friend from Nevada, this passed the House of Representatives 400 to 4. The conferees, Republicans and Democrats, endorsed it unanimously. It should be able to pass, I hope, easily here.

I spoke at some length yesterday about all the items that law enforcement has asked for in this bill.

I know the distinguished Senator from Louisiana is waiting to speak. I will take only a few seconds. I wish to emphasize again, this is legislation that passed 400 to 4 in the other body. It has been endorsed across the political spectrum—law enforcement, antiterrorist groups, schools, those small towns in rural America facing drug problems. They are all looking for the adoption of this conference report.

The high-tech industry is looking for the passage of the Madrid Protocol which is in the bill.

There are 20 new judge positions. Actually, we were trying to get these authorized during the last 6 years of

President Clinton's term, and they were blocked. Now with President Bush in office, I put the same 20 in to show bipartisanship. They are back in there and should be passed. President Bush can nominate the people for these positions. I cannot believe either side would hold us up.

I hope we will have a consent agreement for a limited amount of debate at some point and then go to a vote.

Mr. REID. Will the Senator yield?

Mr. LEAHY. Yes.

Mr. REID. Under the previous unanimous consent agreement that has been granted, the Senator from Louisiana has 10 minutes before we get to debate on this bill. It has been 21 years since this bill has been reauthorized, so I do not think anyone can criticize the Senator from Vermont and/or Senator HATCH for taking a little time talking about this bill. But it appears this is such important legislation that we will probably have a rollcall vote on it, I would think.

Mr. LEAHY. I hope so.

Mr. REID. I ask my friend from Vermont, does he have an idea how long he and/or Senator HATCH will take debating this conference report?

Mr. LEAHY. I cannot speak for Senator HATCH, Mr. President, but I will be happy to vote later this afternoon at 4:30 or so.

Mr. REID. It is quarter to 3 now. So within the next couple hours, it is likely we could have a vote.

Mr. LEAHY. I hope.

Mr. REID. Has the Senator asked for the yeas and nays on this yet?

Mr. LEAHY. No, but I will. 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.

Mr. LEAHY. Mr. President, I yield the floor and thank my good friend from Louisiana for her usual courtesy and cooperation.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Chair. Mr. President, I thank the Senator from Vermont and the Senator from Utah for their very hard work over a long period of time on this major piece of legislation. The vote was overwhelming in the House, and it is due to the bipartisan work that has gone into crafting the reauthorization of the Justice Department. I look forward to voting for that legislation later today.

I have been contacted by many of my sheriffs and law enforcement officials and, of course, I have been particularly interested in some specific aspects of the bill particularly dealing with violence against women and violence against children and child abuse and the good work that the Department of Justice is doing to help our local counties and communities fight these terrible incidents that occur in our country.

My heart is heavy and very sad to say that just this last weekend we lost

another child to child abuse in a horrific way. A little 7-year-old was stabbed to death in front of about 10 people by a deranged and very sick individual who had threatened the life of this child's mother. The 7-year-old was trying to protect his mother and was killed on the streets of New Orleans.

The Senator from Vermont knows well the great needs of the country regarding these issues. I thank him for working so hard on them.

Mr. LEAHY. Mr. President, if the Senator will yield, due to her good work on the bill, of which she is a prime sponsor, reauthorization of the Juvenile Justice and Delinquency Prevention Act is in this bill. It tracks the Leahy-Hatch-Kennedy-Landrieu bill.

We also have authorized funding for the Centers for Domestic Preparedness. I note that because it has been the persuasive persistence of my friend from Louisiana that has improved this bill so much, and I commend her.

#### WEST NILE VIRUS

Ms. LANDRIEU. Mr. President, I thank the Senator. While this underlying bill is important, I wish to take a moment this afternoon to urge my colleagues to take up another bill that does not have the same breadth and depth as the one that was just described. The people of Louisiana, and I might add, the people of Illinois—Senator DURBIN has been working hard on this particular issue—and many other States have been severely affected by the West Nile virus. In fact, over 17 people have died in Louisiana and over 2,400 people have been affected and infected by this very frightening disease.

If we can manage today—and I have had discussions with the leadership—we are going to hopefully pass this bill by unanimous consent, which will give grants to our counties and parishes in Louisiana to help their local officials do more effective pest eradication, whether that is through traditional spraying or larvacide techniques that are used to kill mosquitos at their various stages before they can attack human beings and carry this deadly disease.

The effects are quite frightening. People in my State are having a very tough week. We had a terrible storm that was not a hurricane but nonetheless it was a very large and intense tropical storm. So the headlines at home have been filled with storm warnings, storm preparations, and consequences of the storm management.

Now, in the gulf, we find ourselves facing yet another potential hurricane that is moving toward the shores of Louisiana. So this summer has been a very anxious time between the storms and the West Nile virus at home where a lot of the parishes in Louisiana were affected. Seventeen deaths are quite extraordinary. I think it is the largest outbreak in many years. We are really struggling with providing some help to the local communities and parishes

that, in fact, do have mosquito abatement control districts and, under normal circumstances, can take care of those needs on a local level. But when something such as this breaks out, it is important for us to step up to the plate and help.

This bill will give local governments an opportunity to submit for grants to take care of their businesses and to upgrade their eradication programs. There are other parts of the Federal Government that can be helpful in educating people about how to stay safe from this virus, such as what to do, what symptoms it shows.

This bill that I hope we can take up today will provide hard dollars, not for bureaucracies, not for a new Federal agency but to get grants to Georgia, the State of the Presiding Officer, and my State, for those local jurisdictions to get their spraying up to par and to do it in an environmentally safe way.

Hopefully, the worst is behind us, but we do need to prepare in the event we have another outbreak. Getting this grant program established will help us next year if this happens again.

I urge my colleagues to consider H.R. 4793—I am not asking that it be called up at this time—which I hope we can pass by unanimous consent later on today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### HOMELAND SECURITY

Mr. BOND. Mr. President, it is important for us to understand where we are on the homeland security bill. This is, obviously, a very important bill for the President. The President has outlined extensively his plan of organizing this agency.

The one thing he has asked is that he be given an agency that is workable. The distinguished majority leader has pointed out there have been a number of cloture votes and we have not gotten cloture, so by that he suggests that somehow this side of the aisle is the problem.

I believe it was June of this year that the majority leader promised he would not fill up the tree. For those who may be listening at home, that is a means of adding a number of amendments so that the other side cannot offer any amendments for a vote. Well, they filled up the tree to keep the President from getting an up-or-down vote on his proposal. As a result, we have opposed cloture because it would have prevented us from getting to the President's proposal.

If we get to the President's proposal—and I hope we will—the majority leader may have the votes to defeat it. But I think, since we are dealing with this subject in wartime, where we need to reorganize Government to make it flexible, to make it responsive, to make it effective in defending the homeland, we ought to give the Commander in Chief at least a vote on his proposal.