

For example, in November of 2002, President Bush signed the Maritime Transportation Security Act which established new standards for securing our Nation's ports. Despite the fact that the Coast Guard had estimated it will cost the ports \$5.4 billion over 10 years to implement those standards, including \$1.1 billion the first year, the President did not request a dime for port security.

The bill that is before the Senate includes \$150 million for port security grants, and I commend Chairman COCHRAN for finding the resources within the limited allocation for this important program. I hope we can do more to secure our ports.

In October of 2001, the President signed the Patriot Act, which called for tripling the number of Border Patrol agents and Customs and immigration inspectors on the northern border. In May of 2002, the President signed the Enhanced Border Security and Visa Entry Reform Act, which authorized significant new investments in Border Patrol agents and facilities. The goals with regard to Customs inspectors and border facilities cannot be met with the limited funding that was made available for discretionary programs under the budget resolution.

Under the President's proposal for the Transportation Security Administration, there is a significant gap in securing commercial airlines. Under the proposal, each airline passenger is screened before he or she gets on a plane, and each passenger's baggage would be screened before being loaded on a plane. But commercial cargo on that same plane would be left unchecked. That is a dangerous security risk that needs to be addressed. This bill adds \$30 million to the budget request to research, develop, and deploy air cargo security programs to enhance the secure transport of cargo on commercial airlines. I believe we need to do more to secure cargo on our commercial airlines.

However, with the funds that were made available to the subcommittee under our allocation, I believe Chairman COCHRAN has produced a good bill. It is balanced. It is fair. It addresses a number of weaknesses in the President's budget request that we identified during our committee hearing.

We increased funding over the President's request to equip and train our first responders. We continue to fund effective programs such as the Fire Grants Program and the All Hazards Emergency Management Performance Grants Program, which the President had proposed to consolidate into a single grant program. We increased funding for our airports to purchase explosives detection equipment and to install that equipment.

We increased funding over the President's request for the Coast Guard in order to keep the Deep Water Air and Sea Modernization Program on schedule. We recognize that not all transportation security vulnerabilities are at

our airports. We also fund grants for port security, bus security, and for securing hazardous materials.

Additionally, this legislation takes an important step to protect personal privacy. The bill delays for 60 days the expenditure of funds on implementing the Department's proposed new Airline Passenger Profiling System—CAPPS II—until the General Accounting Office conducts a study and reports to the Congress on the privacy implications of the system. We must make sure that the privacy rights of individuals are protected and that individuals who are determined to pose a threat to security have an appeal mechanism.

This is a good bill, but we must address several critical shortfalls that result from the budget resolution that put tax cuts at the front of the line and left homeland security to compete with every other Federal program for limited dollars. The result, regrettably, is a homeland security budget that leaves gaps in our security by leaving priority programs underfunded.

After 9/11, Congress passed the Patriot Act, the Maritime Transportation Security Act, the Aviation and Transportation Security Act, and the Enhanced Border Security and Visa Entry Reform Act. And the President signed them with great fanfare. But the President has done little to fulfill the promise of those laws. Now the Senate has before it the funding legislation that would either fulfill the promise of those acts or continue to leave the Nation and its citizens vulnerable.

I urge all Members to be mindful of the solemn duty to "provide for the common defense, promote the general welfare and secure the blessings of liberty for ourselves and our posterity" as we debate this important appropriations bill.

#### AMENDMENT NO. 1317

(Purpose: Fulfilling Homeland Security Promises)

Mr. BYRD. Mr. President, I send to the desk an amendment for discussion and action, not this afternoon but tomorrow or subsequently.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 1317.

On page 75, Line 6, insert the following:

#### TITLE VII—FULFILLING HOMELAND SECURITY PROMISES

##### OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY CUSTOMS AND BORDER PROTECTION

For an additional amount for "Customs and Border Protection", \$238,500,000, to remain available until December 31, 2004, for which not less than \$100,000,000 shall be for border ports-of-entry infrastructure improvements, and not less than \$138,500,000 shall be for staffing at the northern border.

##### TRANSPORTATION SECURITY ADMINISTRATION AVIATION SECURITY

For additional amounts for necessary expenses of the Transportation Security Ad-

ministration related to aviation security services pursuant to Public Law 107-71 and Public Law 107-296 and for other purposes, \$100,000,000, to remain available until expended, for air cargo security.

##### TRANSPORTATION SECURITY ADMINISTRATION MARITIME AND LAND SECURITY

For additional amounts for necessary expenses of the Transportation Security Administration related to maritime and land transportation security services pursuant to Public Law 107-71 and Public Law 107-296 and for other purposes, \$532,000,000, to remain available until December 31, 2004, of which not less than \$57,000,000 shall be available for grants to public transit agencies in urbanized areas for enhancing the security of transit facilities against chemical, biological and other terrorist threats, not less than \$460,000,000 shall be for shortfalls pursuant to Public Law 108-10, for port security grants for the purpose of implementing the provisions of the Maritime Transportation Security Act, and not less than \$15,000,000 for inter-city bus security grants for enhancing inter-city bus and facility protection against terrorists threats.

##### UNITED STATES COAST GUARD OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$70,000,000, to remain available until December 31, 2004, of which not less than \$70,000,000 shall be costs pursuant to Public Law 107-295 for implementing the Maritime Transportation Security Act including those costs associated with the review of vessel and facility security plans and the development of area security plans.

##### OFFICE FOR DOMESTIC PREPAREDNESS

For additional amounts for the "Office for Domestic Preparedness," \$729,500,000: *Provided*, That of the amount made available under this heading: \$250,000,000 shall be available for grants pursuant to section 1014 of the USA PATRIOT Act of 2001 (42 U.S.C. 3711); \$250,000,000 shall be for discretionary grants for use in high-threat urban areas, as determined by the Secretary of Homeland Security; \$79,500,000 shall be for interoperable communications equipment; \$150,000,000, to remain available through December 31, 2004, shall be for programs authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.).

##### OFFICE OF THE UNDER SECRETARY FOR INFORMATION

##### ANALYSIS INFRASTRUCTURE PROTECTION

For an additional amount for the "Office of the Under Secretary for Information Analysis and Infrastructure Protection", \$80,000,000, to remain available until December 31, 2004, for chemical facility security assessments.

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

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that there now be a period of morning business during which Senators may speak for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### PROGRESS IN IRAQ

Mr. FRIST. Mr. President, I want to comment on an opportunity I had on Saturday to meet with Ambassador Bremer shortly after his arrival from Iraq. And we met, for a short period of time, with Senator WARNER and Representatives LEWIS and MURTHA to talk a little bit about what is going on on the ground in Iraq, specifically with coalition provisional authority, what their role is, how much progress is being made in rebuilding Iraq.

It is so difficult for all of us, in our briefings, where we are getting information secondhand, thirdhand—we are watching the news on television and reading it in the papers, and you get slivers of information—it is very tough to put in perspective what is actually going on in this vast country, where we know we are rebuilding not just from the war several weeks ago but from 10 years of neglect—indeed, 30 years of neglect. It is hard to assess, in terms of health care and water and schools and roads, where we are. You really see very little in terms of progress being made based on the information that filters through to us.

That is really why, as a prelude to some of the things we will hear tomorrow, Ambassador Bremer is going to come and visit with us in the Senate, where we will have a discussion. He is briefing the administration today, and he had several very public addresses on Sunday. But what he has to say is astonishing in lots of different ways, but mostly I think because of the relative silence in the press about the conditions on the ground in terms of progress, in terms of improvement.

After talking to Ambassador Bremer, it is clear to me that we are making real progress, demonstrable progress, day to day, week to week, in Iraq. Just as one example, I very specifically asked about food and asked about health care. Today, based on all objective measures, and as reinforced by Ambassador Bremer, there is no food crisis in Iraq. Indeed, there is no health care crisis in Iraq right now, today. The provision of basic utilities is improving daily, as is the overall public health situation. Indeed, I believe the Ambassador said that next week there will be a second immunization day nationwide scheduled.

When I asked about basic health care services, the Ambassador replied that they have been restored to about 90

percent in the north and 80 percent in the south and about 75 percent in the mid region around Baghdad.

When I asked about specific hospitals, I was told that over 200 hospitals—I don't know the exact number; there are over 200 hospitals in Iraq—all of those hospitals are now operational, in service.

Much of Iraq is near the prewar service conditions for water. When I speak of water conditions, I include sewage and the like. But what is interesting, and what we have to constantly remind ourselves, is that the country has been in a state of deterioration over the last 15 years, with no money invested in clean water, servicing that water, getting water to the people, and sewage plants. So even prewar conditions were very poor. But then we had the impact of the war. We have some sabotage going on right now. But now we are just about up to the prewar service conditions. We still have a long way to go to get back to the sort of conditions we would say are acceptable.

In terms of security, while lawlessness and entrenched Saddam loyalists continue to obstruct and hinder recovery efforts, progress has been made on the security front as well. Large-scale looting has stopped, has come to an end. Where there were once, not that long ago, empty roads, empty streets, and deserted markets, there are now bustling sidewalks with all sorts of items being sold, from shoes to satellite dishes to basic utensils. Now you see traffic back on the streets and even traffic jams.

Except for the small, central area—an important area but a small area—encompassing Tikrit and Baghdad, security throughout the rest of Iraq has improved. Indeed, more than 80 percent of the country is living in a more secure environment than they were before the war. Mr. President, 34,000 Iraqi police have been rehired, and 30,000 are on duty right now. Additionally, over 1,000 guards have been hired to protect 87 sites just in Baghdad alone.

Also, we hear, again: Is it just the United States? Ambassador Bremer will share with us the participation and cooperation we are receiving from around the world. We are not going it alone. He has mentioned, and continues to mention, the international constabulary teams that are from Italy and Spain that will serve as a bridge between the combat forces and the police.

The one distressing area we hear about every morning when we wake up or late at night is the distressing news of guerrilla activity and attacks on our troops. Indeed, our hearts go out to the families who have been affected and continue to be affected by this loss of loved ones. But it is important for us to understand we are not fighting a large-scale insurgency at this point in time. We are fighting the dead-enders from the old regime, the former Baathists. They have no popular support in Iraq. They will not return to power.

In addition to improving the security of the country, the coalition is also working hard to generate a thriving Iraqi economy. Again, we have to mention, however, that the Iraqi economy has been grossly mismanaged for more than 30 years. By his own estimates, Iraq suffered from employment levels at 50 percent before the war. Before the war, at least 30 percent of the GDP was spent just on the military—not on building infrastructure or refurbishing infrastructure, not on water supply or sewage plants or health or education.

Saddam Hussein had run the country into the ground: 50 percent unemployment; 30 percent of the GDP, the gross domestic product, spent on the military. Saddam's government spent zero on capital goods. And, yes, there were lavish palaces. There were manmade lakes, luxury yachts, and cars. Saddam spent untold billions on himself and his regime, but for the Iraqi people, for the people themselves, he left them a country with an infrastructure, as we witness today, that is brittle, that is antiquated, and, indeed, is susceptible to breakdown.

I mention this because, at least in my conversations with the Ambassador, it is clear we need for us and the American people to understand that part of this reconstruction is going to be reconstruction from the war but mainly reconstruction from the last 10, 15, 20 years of this tyrannical, oppressive regime.

As we look at the economy, I am fascinated by the dispensing fund which has been set up that is financing and will continue to finance construction projects and reconstruction projects that are carried out by the Iraqis themselves.

It is currently employing Iraqi construction firms to carry out the restoration of that national infrastructure. The coalition is paying salaries, paying pensions. It is paying the army and buying crops from farmers. And these are the first steps toward building and rebuilding that economy, a functioning economy, and indeed they are vital steps. And they are under way. Freedom is coming to the Iraqi people. Freedom is coming to support their economy.

In terms of democracy itself, the coalition is leading Iraq toward a functioning democracy. It was just a little over a week ago, just 8 days ago, that the governing council of Iraq was established. The council comprises 25 political leaders from across Iraq. Its immediate responsibilities include the appointment of ministers, the creation of a 2004 budget, and a constitutional process. It is remarkable that these 25 will be charged with sitting down and writing a constitution really from scratch.

The governing council will be responsible for creating a constitutional process, not just the writing but the actual debate as to what should be in the constitution. Once the constitution is drafted, then free elections will take