

their resolve. They committed to an idea of freedom and self-government. Our path to democracy was not easy either. We have had 200 years of democracy. They have had less than 200 days to establish what they have dreamed of—freedom and the dignity of the individual. That is what this is all about. If they do not lose their resolve, we cannot lose our resolve.

Our President has provided that leadership under heavy criticism. He has established a goal and idea that will change the Middle East and how they do business in the Middle East.

Peace and freedom can be accomplished. The American people have made a commitment to do that goal. Now we have to maintain our resolve to the completion of that mission.

I thank our military forces this morning. They are men and women of great courage who know what the mission is and know how to complete the mission. Congratulations to our leadership, our leadership in Washington, President Bush and his staff. They have provided the resolve it takes to complete the mission.

There are many positive things. When the President said: We will hunt down these killers and deal with them—he meant it. The credibility around the world continues to be high with our leader. When he says it, he means it, he does it. It has bolstered Americans and shows what it is like to be the champion of freedom and human dignity around the world.

Is it costly? Yes, it is costly. Was it costly back in 1776 and the following years until 1800? Yes, it was costly. But we survived. We never lost our resolve. We cannot lose it now.

I thank the Senator from Texas for allowing me this little time. There are a lot of facts and figures we could throw out, but the message today is stand fast. If we believe in the fire of freedom, it is our responsibility to maintain that resolve.

I yield the floor.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Montana for that wonderful speech. He did remind us once again the stakes we have in the war on terrorism. What is happening in Iraq is a high-stakes game. We are committed. America is not going to walk away. We are not going to start a job that we do not finish. The job is to bring peace and stability to the people of Iraq and to the entire Middle East. I thank the Senator from Montana for coming forward with that message.

How much time remains?

The PRESIDING OFFICER (Ms. MURKOWSKI). There are 4 minutes 45 seconds remaining.

Mrs. HUTCHISON. Madam President, I will continue on the same subject as the Senator from Montana and talk about what we are doing in Iraq. The meetings we had with Ambassador Bremer brought much more clarity to the progress being made in Iraq. Everyone is stunned and saddened by the loss of life of our soldiers that we see, un-

fortunately, on a daily basis. This gets worse every day because we are sick about losing these soldiers.

Part of the reason we have not been able to capture these people who are doing these horrible acts to our soldiers—one and two and three at a time—is because Iraqi people do not yet believe we are there to stay until they have a democracy in place. There is widespread belief in Iraq that Saddam Hussein is coming back. When we were able to capture the sons of Saddam Hussein, and they are now dead, that sent a message to the people of Iraq that we are going to capture Saddam Hussein. We are not going to stop until we know he is captured or dead. Two of his sons are dead, the two who would have been heirs to his incredibly cruel regime. They are dead. They are gone.

I applaud the President for saying he is going to show the dead bodies so the people of Iraq will be assured. In our culture, that would be horrifying. We would never show dead bodies in a newspaper in our country, particularly identified dead bodies. However, we have a different problem in Iraq. We have a problem that the people do not believe these people are really dead. Therefore, they fear coming forward and giving information about the people who are killing our soldiers. They fear coming forward and embracing Americans in many parts of Iraq. If that, in their culture, is what is necessary to show that these two sadistic tyrants are dead, that they can no longer cut off arms and legs, put children in shackles in jail, abuse children, abuse women, that they can no longer do these horrific acts, if that is the way we must show the Iraqis that these people are gone, I applaud the President for saying we will do it. I hope the President does.

We must get the trust of the Iraqi people. I do not think we are going to have that trust until they know that Saddam Hussein is dead, they know the sons are dead, and they know we are going to keep our commitment; that we are going to try to make life better for the Iraqi people and put their own people in charge of their own fate. That is what they are looking for. We must show them we are not going to give up because times are tough. Times are tough over there right now.

For people I talk to on the streets, it is incomprehensible they do not appreciate what we have done. We have to understand what they have lived through for the last 25 years in that country. They are used to being abused for no reason. If they look the wrong way, they may be shot at close range. That is what they have lived with. We cannot even imagine that in our country. We must try to win their trust in this slow and methodical way.

Madam President, our administration is making great progress. We are showing we will have the resolve to see this through.

If we can bring a quality of life and of freedom to the people of Iraq, then we

do hope this will also stabilize the rest of the Middle East so we can bring a peace between the Palestinians and Israel, the two can live side by side in peace, and have at least the ability to live in peace if not trade together and work together.

That will also send a signal to the people of Iran that they can have freedom once again. It will send a signal to the people of Syria and throughout the Middle East that they, too, do not have to live under dictatorial regimes that allow them no freedom and do not have good education systems. We want the people of the Middle East to know what freedom is, to know what having an education is, so people can have jobs and have an economy and be able to live a life that has a quality of life.

We are bringing quality of life to Iraq through this administration. We are bringing health care services. Madam President, 90 percent of the people in the north have basic health care, 80 percent in the south, 75 percent in Baghdad. We are putting \$210 million now into pharmaceuticals and basic health care services. This is an important quality-of-life issue for these people, and one of the first that we have addressed.

We have brought in 1.2 million tons of food since we ceased the hostilities in Iraq on March 30. We now have the ability to purchase local harvests in Iraq, so food will be available from the Iraqi people and for the Iraqi people.

I am very pleased with the progress. Is it enough? No. Is it going to take more time? Yes. Is it going to take patience? Absolutely. But America is not going to walk away when times get tough. We are going to see this through, and the world will be better when we do.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is now closed.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2555, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2555) making appropriations for the Department of Homeland Security for fiscal year ending September 30, 2004, and for other purposes.

Pending:

Reid amendment No. 1318, to appropriate \$20,000,000 to the Office for Domestic Preparedness to be used for grants to urban areas with large tourist populations.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I wanted to speak about an amendment I wish to offer that I have reason to believe may or may not be accepted. It

may be accepted, I am told. I was willing to do that in morning business or on the bill. Since we are now on the bill, is there an amendment pending?

The PRESIDING OFFICER. There is an amendment by Senator REID which is pending.

Mr. DORGAN. I ask unanimous consent that the amendment be set aside so I might offer an amendment.

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

AMENDMENT NO. 1362

Mr. DORGAN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] proposes an amendment numbered 1362.

Mr. DORGAN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require a report on access by State and local law enforcement agencies to the Tipoff database on potential terrorists)

Insert after section 615 the following:

SEC. . Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State and the Attorney General, shall report to the Committee on Appropriations of the Senate and the House of Representatives on the feasibility of providing access to State and local law enforcement agencies to the database of the Department of State on potential terrorists known as the "Tipoff" database, including the process by which classified information shall be secured from unauthorized disclosure.

Mr. DORGAN. Madam President, today we will hear the results of the 9/11 Commission, which will describe, after some study and hearings and consideration, what we knew prior to 9/11, prior to the devastating attack that occurred against this country that resulted in the murder of thousands of innocent Americans.

There have been past suggestions that some of our law enforcement agencies and others had information indicating a possible attack, and that the information didn't get evaluated or moved up the chain of command.

There are all sorts of discussions about what went wrong: What did we know? What could we have done with the information we had in our possession that might have foiled these attacks?

It is useful to evaluate all that. I hope this report, which I have not yet read, will advance our knowledge of this situation.

Information sharing is essential in the war on terrorism and in securing our country. But there is an alarming lack of information sharing when it comes to our state and local law enforcement officials. And that is the subject of my amendment here today.

On October 25 of last year, a task force headed by former Senators Warren Rudman and Gary Hart released a report titled "America Still Unprepared, America Still In Danger." The bipartisan task force, sponsored by the Council on Foreign Relations, included former Secretaries of State Warren Christopher, George Shultz, retired Admiral William Crowe, former Chairman of the Joint Chiefs of Staff, and others.

What they found was that one year after the September 11 attacks, America remained dangerously unprepared for another terrorist attack. And at the top of the list of their concerns was this:

650,000 local and State Police officials continue to operate in a virtual intelligence vacuum, without access to the terrorist watch lists provided by the U.S. Department of State to immigration and consular officials.

That was the top concern raised by the report. What do they mean by that? They mean we do have a list of people who are known and suspected terrorists and individuals who associate with those known or suspected terrorists, and we use that list at the State Department to try to keep those people from coming into our country. It is made available to consulates across the world, to immigration officials across the world. It is a list meant to protect our country by preventing those who are known terrorist or those who associate with terrorists or suspected terrorists from entering our country.

The problem is this. This list is not shared with the 650,000 law enforcement officials in our country. We need 650,000 eyes and ears of local law enforcement officials able to access that list to see whether the car they pulled over on the interstate highway is filled with four terrorists.

Let me give an example: 36 hours before the September 11 attacks, one of the hijackers, the man who was at the controls of flight 93 that crashed in Pennsylvania—one of the hijackers named Ziad Jarrah was a 26-year-old Lebanese national. He was driving 90 miles an hour on Interstate 95, in Maryland. He was pulled over by the Maryland State Police. He was driving a car rented in his own name.

This fellow shared a Hamburg apartment with Mohamed Atta. He was, we think, at the controls of flight 93 that crashed in Pennsylvania and 36 hours before that attack he was pulled over for speeding on a Maryland highway.

It turns out, for a number of reasons, his name was not on the watch list. But had it been, and one would have expected it to be, that Maryland State trooper would not have been able to know that. If this afternoon, south of Drayton, ND, there is a highway patrol officer pulling over a car with three individuals in it, and if those individuals are known terrorists who have somehow come across the border from Canada, that highway patrol officer will not be able to access the terrorist watch list. So that highway patrol offi-

cer will be in the dark. He or she will stop that vehicle, will evaluate the occupants, search for information about their identity, but will not be able to access the watch list.

The officer can access the NCIC data list, and determine whether the person he has stopped has a criminal record, but the officer cannot access the list that includes the names of the terrorists. That makes no sense to me and it didn't make any sense to the commission headed by Senator Rudman and Senator Hart. They said, as long ago as last October, this needed to be fixed and it needed to be fixed now so that 650,000 additional pairs of eyes and ears belonging to law enforcement officials, city police officers, highway patrol, and others are available to help us look for terrorists who may be in this country.

Let me read in more detail excerpts from this Hart-Rudman report.

With just 56 field offices around the nation the burden of identifying and intercepting terrorists in our midst is a task well beyond the scope of the FBI. This burden could and should be shared by 650,000 local, county and State law enforcement officers. But clearly they cannot lend a hand in a counterterrorism information void. When it comes to combating terrorism, the police officers on the beat are effectively operating deaf, dumb and blind. The terrorist watch lists provided by the Department of State to immigration and consular officials are still out of bounds for State and local police. In the interim period as information sharing issues get worked out, known terrorists will be free to move about to plan and execute their attacks.

That is from the report issued last October, and nothing has been done about it.

The Senate passed, at my urging, a provision in the supplemental appropriations bill that effectively says to all the agencies to work to get this done. That provision was dropped in conference.

I will now offer the same piece of legislation and hope it will be attached to this appropriations bill. I hope it will be part of the bill that is signed into law. I hope we don't have to continue to prod executive agencies to do what they know we ought to do.

If, God forbid, there is another attack in this country by terrorists, if that attack is perpetrated by someone who is picked up by a highway patrol officer or a city police officer on a highway or a street, and that person's name was on the watch list, and it was in the bowels of the State Department available to all of the consular affairs offices in the world but not available to that law enforcement officer and, therefore, they let that known terrorist go because they did not know this was a terrorist, and that terrorist then commits an act of terror and murders thousands of Americans, then shame on this Government for not doing what all of us in this Chamber

know needs to be done—not tomorrow, not next week, not next year, right now, right this minute.

The report by the task force headed by Senators Hart and Rudman was titled "America Still Unprepared, America Still in Danger." Their top recommendation of last October has still not been completed by the U.S. Government.

In my judgment, the American people ought to ask the question, Why on Earth is there foot dragging going on in making this watch list available to law enforcement all across this country in order to better prepare and better secure and better protect this country? It should not take a year for this database to be shared.

Today, I resubmit this amendment and say we should not waste one additional day.

I yield the floor.

Mr. COCHRAN. Madam President, we reviewed the amendment of the Senator from North Dakota. The operative language of the amendment is as follows:

The Secretary of Homeland Security . . . shall report to the Committee on Appropriations . . . on the feasibility of providing access to State and local law enforcement agencies to the database of the Department of State on potential terrorists . . . including the process by which classified information shall be secured from unauthorized disclosure.

We discussed the amendment with the distinguished Senator and are prepared to accept the amendment.

Mr. DORGAN. Madam President, I ask for its immediate consideration and ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1362) was agreed to.

Mr. DORGAN. I move to reconsider the vote.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 1353

Mr. DODD. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself, Ms. STABENOW, and Mr. LIEBERMAN, proposes an amendment numbered 1353.

Mr. DODD. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To fund urgent priorities for our Nation's firefighters, law enforcement personnel, and emergency medical personnel, and all Americans by reducing the 2003 tax breaks for individuals with annual income in excess of \$1,000,000)

On page 56, line 2, strike "\$172,736,000" and insert "\$690,944,000".

On page 58, line 6, strike "\$2,888,000,000" and insert "\$11,552,000,000".

On page 60, line 1, strike "\$750,000,000" and insert "\$3,000,000,000".

On page 60, line 15, strike "\$826,801,000" and insert "\$3,307,204,000".

On page 65, line 9, strike "\$165,000,000" and insert "\$660,000,000".

Mr. DODD. Madam President, I am offering this amendment on behalf of myself, my colleague from Michigan, Senator STABENOW, and my colleague from Connecticut, Senator LIEBERMAN.

The purpose of the amendment is very simply to take the report that has been discussed here, which was pre-

pared over the last number of days by the Council on Foreign Relations, and identify and lay out in significant detail the priorities and the urgency in dealing with emergency responders. It is entitled "Emergency Responders Drastically Underfunded, Dangerously Unprepared." It is the report of an independent task force sponsored by the Council on Foreign Relations and chaired by Warren Rudman and Richard Clarke, senior adviser, and Jamie Metz, project director.

The purpose of the amendment reads:

To fund urgent priorities for our Nation's firefighters, law enforcement personnel, and emergency medical personnel, and all Americans by reducing the 2003 tax breaks for individuals with annual incomes in excess of \$1 million.

That is the purpose.

Just so my colleagues understand, the language of the purpose does not mandate anything. The amendment would be subject to a point of order which I am confident my colleague from Mississippi would make, and there would be no vote on the amendment. I am setting out in the purpose what I would like to see occur.

Other than that, of course, the language of the amendment does specify some additional add-ons to meet the concerns raised by this task force on emergency responders.

Over the last day or so, we have had a series of amendments that have been offered to try to increase the funding in a number of areas.

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

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

U.S. SENATE ROLL CALL VOTES 108TH CONGRESS 1ST SESSION (2003)

Vote No.	Date	Issue	Question	Result	Description
00298	July 23	H.R. 2555	On the Motion S. Amdt. 1351	Rejected 45-51	Motion to waive CBA Schumer Amdt. No. 1351; to make available an additional \$200,000,000 to increase the number of border personnel at the northern border of the United States by the end of fiscal year 2004.
00297	July 23	H.R. 2555	On the Motion S. Amdt. 1350	Rejected 43-52	Motion to waive CBA Corzine Amdt. No. 1350; to appropriate \$8,000,000 for the Office of the Under Secretary for Information Analysis and Infrastructure Protection to conduct chemical facility security assessments.
00296	July 23	H.R. 2555	On the Motion S. Amdt. 1346	Rejected 48-49	Motion to waive CBA Mikulski Amdt. No. 1346; to increase the amount of the appropriation for firefighter assistance grants by \$150,000,000.
00295	July 23	H.R. 2555	On the Motion S. Amdt. 1343	Rejected 45-51	Motion to waive CBA Schumer Amdt. No. 1343; to increase the funds for research and development related to transportation security, and for other purposes.
00294	July 23	H.R. 2555	On the Motion to table S. Amdt. 1341	Agreed to 50-48	Motion to table Hollings Amdt. No. 1341; to provide funds to increase maritime security.
00293	July 23	H.R. 2555	On the Motion S. Amdt. 1327	Rejected 45-53	Motion to waive CBA, re Murray Amdt. No. 1327; to increase funding for emergency management performance grants.
00292	July 23	H.R. 2555	On the Amendment S. Amdt. 1331	Agreed to 79-19	Boxer Amdt. No. 1331; to require a classified report to Congress on the security costs incurred by State and local government law enforcement personnel in each state in complying with requests and requirements of the United States Secret Service to provide protective services and transportation for foreign and domestic officials.
00291	July 22	H.R. 2555	On the Motion S. Amdt. 1317	Rejected 43-50	Motion to waive CBA re Byrd Amdt. No. 1317; To fulfill Homeland Security promises.

Mr. DODD. Madam President, there were amendments to make available additional dollars to increase the number of border personnel offered by our colleagues; amendments to appropriate funds for the Office of the Under Secretary of Information Analysis; amendments to increase the amount of appropriations for fire fighter assistance grants—Senator MIKULSKI and I offered that amendment—amendments to increase funds for research and to pro-

vide funds to increase maritime security; and, funds to increase emergency management performance grants. Senator BOXER offered an amendment to require a classified report to Congress on the security costs incurred by State and local governments, and so forth.

A number of amendments have been suggested. With very few exceptions, these amendments have been rejected on points of order. They were in viola-

tion of the Budget Act because they would break the caps.

I have great respect for those members who serve on the Appropriations Committee. It is not an easy job. But I think what we are faced with here is a problem that is far more significant than caps on these budget requirements under the appropriations bills.

You need go no further than to read the report prepared by the Council on

Foreign Relations that came out recently. It was begun in March and has been around here for the last several weeks. All Members, I presume, have received copies of it.

I want to read various passages of this to try to at least persuade my colleagues about the sense of urgency we ought to have in light of a survey and study done by those who are knowledgeable on the subject matter of international terrorism and very knowledgeable about what needs to be done to make this Nation more prepared.

Let me read the conclusion of this report. This was prepared by our former colleague, Senator Rudman, along with a very distinguished task force whose names I will share with the Members in a moment.

The terrible events of September 11 have shown the American people how vulnerable they are because attacks on that scale had never been carried out on U.S. soil. The United States and the American people were caught underprotected and unaware of the magnitude of the threat facing them.

In the wake of September 11, ignorance of the nature of the threat or of what the United States must do to prepare for future attacks can no longer explain America's continuing failure to allocate sufficient resources in preparing local emergency responders. It would be a terrible tragedy indeed if it took another catastrophic attack to drive that point home.

I do not think anything can be more clear than this language.

Listen further, if you will.

Listen further, if you will, in the foreword of this report by Les Gelb, who was the President of the Council on Foreign Relations. I will quote from his foreword. Les Gelb says:

As I sit to write this foreword, it is likely that a terrorist group somewhere in the world is developing plans to attack the United States and/or American interests abroad using chemical, biological, radiological, nuclear or catastrophic conventional means. At the same time, diplomats, legislators, military and intelligence officers, police, fire, and emergency medical personnel, and others in the United States and across the globe are working feverishly to prevent and prepare for such attacks. These two groups of people are ultimately in a race with one another. This is a race we cannot afford to lose.

In October 2002, the Council on Foreign Relations-sponsored Independent Task Force on Homeland Security issued the report "America—Still Unprepared, Still in Danger." The Task Force, co-chaired by Senators Warren Rudman and Gary Hart, came to the general conclusion that "America remains dangerously unprepared to prevent and respond to a catastrophic terrorist attack on U.S. soil." The report further warned that "America's own ill-prepared response could hurt its people to a much greater extent than any single attack by a terrorist. . . . But the risk of self-inflicted harm to America's liberties and way of life is greatest during and immediately following a national trauma."

Les Gelb goes on to say:

Although progress continues to be made to the newly formed Department of Homeland Security and other federal, state, and local institutions, America remains dangerously unprepared for another catastrophic terrorist attack.

In March 2003, the Council on Foreign Relations established an Independent Task Force on Emergency Responders to follow up on the specific recommendations of the Task Force on Homeland Security and to examine the status of preparedness and the adequacy of funding for emergency responders in the United States. The Task Force on Emergency Responders subsequently established an Emergency Responders Action Group, consisting of representatives of emergency responder professional associations, jurisdictional associations representing state and local officials, and congressional and budgetary experts, to provide expertise and advice to the Task Force. The Task Force performed its analysis in partnership with the Concord Coalition and the Center for Strategic and Budgetary Assessments, two of the Nation's leading budget analysis organizations. This represents the first realistic effort to develop a budget range of the costs necessary to protect the homeland [of the United States].

The preliminary analysis conducted by the Task Force suggests that the United States may be spending only one-third of what is required to adequately provide for America's emergency responders.

Of its most important recommendations, I would like to highlight the following—

Again, I am quoting Les Gelb—

Congress should require that the Department of Homeland Security work with state and local agencies and officials and emergency responder professional associations to establish clearly defined standards and guidelines for emergency preparedness.

Congress should work to establish a system for distributing funds based less on politics and more on threat. To do this, the federal government should consider such factors as population, population density, vulnerability assessment, and presence of critical infrastructure within each state. State governments should be required to use the same criteria for distributing funds within each state.

It goes on with these various recommendations. I will come back to those in a minute.

Let me also say, this is not an amendment where I just came up with a number. The number in the amendment I am offering is from the recommendation of this report. It is a large number. I have never offered, in all my years here, an amendment of this size. This amendment is nearly \$15 billion in 1 year. That is in addition to the roughly \$5 billion that is in this bill. This amendment is a little less than \$15 billion. But those are the numbers recommended by this report. It is not a number I came up with or Senator STABENOW came up with or my staff came up with.

This is the recommendation of serious people who spent time looking at this problem, who have given us their best judgment of what we need to be doing, and saying we are coming woefully short of what needs to be done to keep this Nation prepared.

Let me share with you who these people are because it was not just some nameless or faceless group of individuals who prepared this report.

Charles Boyd is currently Chief Executive Officer and President of Business Executives for National Security. Before retiring from the U.S. Air Force, General Boyd served as Deputy Com-

mander in Chief of the U.S. European Command.

Richard Clarke is Senior Adviser to the Council on Foreign Relations. Mr. Clarke served under the last three Presidents of the United States in a senior White House position.

Admiral William Crowe previously served as Chairman of the Joint Chiefs of Staff under President Ronald Reagan.

Margaret Hamburg is Vice President for Biological Weapons at the Nuclear Threat Initiative. Before coming to NTI, Dr. Hamburg was Assistant Secretary for Planning and Evaluation at the Department of Health and Human Services.

James Kallstrom is senior executive vice president at MBNA American Bank. Prior to that, he was on a leave of absence and served as the Director of the Office of Public Security for the State of New York.

Joshua Lederberg is a Nobel laureate. He currently serves as the president emeritus and Sackler Foundation Scholar at Rockefeller University.

Donald Marron is chairman of UBS America. He previously served for 20 years as chairman and chief executive officer for the Paine Webber Group.

James Metz, I mentioned already. He served on the National Security Council at the White House, in the Department of State, and as Deputy Staff Director of the Senate Foreign Relations Committee.

Philip Odeen is former chairman of TRW. Previously he was president of BDM International, and a vice chairman at Coopers & Lybrand.

Norman Ornstein is a resident scholar at the American Enterprise Institute and senior counselor to the Continuity of Government Commission.

Dennis Reimer is director of the National Memorial Institute for the Prevention of Terrorism in Oklahoma City. Prior to that, he served in the U.S. Army in a variety of joint and combined assignments, retiring after 37 years as the Chief of Staff of the United States Army.

Warren Rudman, we all know, is our former colleague.

George Shultz is the Thomas W. and Susan B. Ford distinguished Fellow at the Hoover Institution. He has served as Secretary of State, Secretary of the Treasury, Secretary of Labor, and Director of the Office of Management and Budget and, of course, is a member of this task force.

Ann-Marie Slaughter is dean of the Woodrow Wilson School of Public and International Affairs at Princeton University.

Harold Varmus is president and chief executive officer of the Memorial Sloan-Kettering Cancer Center. He previously served as the Director of the National Institutes of Health.

John Vessey is a former Chairman of the Joint Chiefs of Staff, as well as Vice Chief of Staff of the United States Army.

William Webster previously was Director of the Central Intelligence

Agency from 1987 to 1991, and Director of the Federal Bureau of Investigation from 1978 to 1987.

Steven Weinberg is the Director of the Theory Group of the University of Texas, who is a Nobel laureate in physics and a recipient of the National Medal of Science.

Mary Jo White formerly served as U.S. attorney for the Southern District of New York from 1993 to 2002.

Madam President, these are the people who said we need to do what I am recommending, not some people—with all due respect—you might not meet or ever know who come up with a number.

Can you possibly imagine a more serious group of people who have looked at the threat to the United States, and who have given us a report only a few weeks ago? And here we are debating what needs to be done in homeland security. With great respect to those who are charged with living within the caps that are provided, they are saying to us, in this report—and I will quote from it—you need to do a lot more. America is vulnerable. America is in danger. What more serious group could we listen to?

Can you imagine if this group came to us—or a similar group—and said that our military was underfunded, that we didn't have the resources to deal with the threats in Iraq and North Korea and elsewhere around the globe? How long would we wait before responding to that recommendation?

Yet here we are with a similar group of people—former Chairmen of the Joint Chiefs of Staff, Directors of the CIA and the FBI, major figures in our society—recommending that we do more to protect our country, and we are not doing it.

I am stunned by it. I know we have caps in these budgets. But we just passed, in the last 28 months—if you collectively add them up—almost \$3 trillion in tax cuts. And a sizable piece of those tax cuts have gone to some of the most affluent Americans. This Congress, if it wanted to, could find resources by paring back—not by blowing through the caps, but by paring back—on some of the tax cuts we have given to the most affluent Americans.

I represent a lot of affluent Americans in the State of Connecticut. I do not think I could find one of them who would not be willing to stand here and tell you: Roll back my tax cut if it means we can provide the resources to make America secure.

I do not know of a single wealthy citizen who believes that their tax cut is more important than keeping America secure.

What an indictment it will be. And we are told—in this report that you heard from Les Gelb—it is not a matter of if this happens but when it happens. When it happens, are we going to be prepared? Have we done the things necessary to keep our country strong?

Here we are getting a clear message from those people who spent the time looking at this saying we ought to do

more. I apologize for offering an amendment of \$15 billion, but that is what it takes. We have offered amendments for \$15 million, \$60 million, and \$100 million here and there for firefighters, reports, and studies and to put more guards on the border. I said: Why not have an amendment that encompasses what this report recommends? That is what Senator STABENOW and I said. Let's put it on the line. Instead of nickel and diming this, let's say whether or not we in this body think the recommendations of these distinguished Americans deserve our support and in the waning days before we take a month off in August to go out and have a nice vacation for ourselves, whether or not we have the intestinal fortitude to step up and do what needs to be done to put this country on a more sound and secure footing.

That is the vote I will be asking our colleagues to make shortly on this issue. There will be a point of order and a motion to waive, and we can get confused. Let there be no doubt about what the vote is. The vote is not a point of order. The vote is whether or not we are going to have the resources to do what needs to be done, according to this report.

Let me share some of its conclusions. I see my colleague from Michigan. I want to give her the opportunity to be heard as well. But I want my colleagues to understand what we are going to be rejecting, having seen what has happened over the last several days. We will reject this, I presume. I would love to be proven wrong, but I suspect I will not. Just so the record is clear, I will ask unanimous consent that this report be printed in the RECORD. I will exclude the appendices and other materials. So every American who may not get a copy of this report, it can be pulled up on their Web site and they can read the report. I am not making it up. If you are interested in knowing what is in this report, you can read about it in tomorrow's CONGRESSIONAL RECORD.

I ask unanimous consent that the body of the report be printed in the RECORD.

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

REPORT PREPARED BY THE COUNCIL ON FOREIGN RELATIONS—CONCLUSIONS AND RECOMMENDATIONS

1. DEFINE AND PROVIDE FOR MINIMUM ESSENTIAL CAPABILITIES

The Task Force found that there is no systematic national standard that defines the essential minimum capabilities for emergency responders that every jurisdiction of a given population size should possess or be able to access. Because of this, there are currently no comprehensive, systematic, and consolidated principles or measures against which the degree and quality of preparedness can be tracked nationwide. Current efforts to develop such standards are inconsistent and dispersed among various government agencies and nongovernmental organizations. Additionally, existing standards for minimum capabilities for emergency responders are a patchwork with many missing pieces that

lacks systematic integration, are insufficient to address many major challenges—including that of catastrophic terrorism involving WMD—and are not harmonized across the many types of emergency responders. While existing standards provide a useful starting point, they do not constitute "national standards for emergency response training and preparedness," as called for in the National Strategy for Homeland Security. (A selection from this document is included in Appendix B.) At the end of five years of federal funding, therefore, some metropolitan areas may still lack fundamental emergency responder capabilities.

Congress should require DHS and HHS to work with other federal agencies, state and local emergency responder agencies and officials, and standard-setting bodies from the emergency responder community to establish clearly defined standards and guidelines for federal, state, and local government emergency preparedness and response in such areas as training, interoperable communication systems, and response equipment. These standards must be sufficiently flexible to allow local officials to set priorities based on their needs, provided that they reach nationally determined preparedness levels within a fixed time period. These capabilities must be measurable and subject to federal audit.

Congress should require that the FY05 budget request for DHS be accompanied by a minimum essential emergency responder capability standard of WMD- and terrorism-related disaster equipment and training per 100,000 persons in a metropolitan region, and by separate standards for rural areas. Each recipient state and metropolitan area should then be required to submit a plan detailing how it intends to achieve that standard, to incorporate it into all appropriate training programs, and to regularly test its effectiveness.

National performance standards could be implemented through an incentive grant system making federal funding conditional and available to those localities that adopt federally approved standards of preparedness.

2. DEVELOP REQUIREMENTS METHODOLOGY

National capability standards for levels of preparedness must drive an emergency preparedness requirements process. This process must evolve into one similar to that currently used by the U.S. military. Threats must be identified, capabilities for addressing threats determined, and requirements generated for establishing or otherwise gaining access to necessary capabilities. The Task Force found that the administration and Congress were funding emergency preparedness without any agreement on methodology to determine how much is enough or what the requirements are. It is therefore extremely difficult, if not impossible, to measure how well prepared the United States is.

Congress should include in the FY04 appropriations for DHS and HHS a provision calling on each agency to accompany the FY05 budget request with a detailed methodology for determining the national requirements for emergency responder capability and assistance.

Congress should require that DHS and HHS submit a coordinated plan for meeting national preparedness standards by the end of FY07.

Congress should require DHS and HHS to report annually on the status of emergency preparedness across the United States. This report should indicate the levels of federal, state, and local expenditures for emergency preparedness, evaluate how effectively that funding is being used, and assess the status of preparedness in each state based on national preparedness standards.

## 3. ACCEPT NECESSARY BURDEN-SHARING

The Task Force found that there were no accepted national guidelines for determining the nature of burden-sharing between the federal government and state and local jurisdictions. Although state and local jurisdictions should maintain primary responsibility for funding normal levels of public health and safety readiness, the Task Force found that the federal government should be responsible for providing the funds necessary to cover the incremental costs of achieving essential standards in responding to the additional national security threat posed by terrorism. In some outstanding cases, federal funds may be required to enhance state and local emergency responder infrastructure that has been starved of resources if the deterioration of capabilities is such that it poses a threat to national security and state and local resources are not reasonably sufficient for addressing this shortfall.

## 4. GUARANTEE SUSTAINED MULTIYEAR FUNDING

The Task Force found that many state and local governments are unwilling or unable to accept federal funding for programs that will generate long-term costs in the absence of guarantees that the federal government will make funds available for sustaining such programs. Stable and long-term funding is critical for encouraging state and local governments to develop the necessary emergency response capabilities and, most critically, to sustain them over time.

Congress should accompany all authorizations for emergency responder assistance grants in FY04 and thereafter with budget authority for sustaining those grants through the following two fiscal years.

## 5. REFOCUS FUNDING PRIORITIES

The Task Force found existing systems for determining the distribution of appropriated funds to states to be badly in need of reform. The federal government currently determines levels for emergency preparedness funding to states primarily on a formula that guarantees minimum funding levels to all states and then determines additional funding based on each state's population. All citizens of the United States deserve a base level of protection regardless of where they live. Nevertheless, the state and population-drive approach has led to highly uneven funding outcomes. Wyoming, for example, receives \$10.00 per capita from DHS for emergency preparedness while New York State receives only \$1.40 per capita. While this approach may have political appeal, it unnecessarily diverts funding from areas of highest priority. In addition, decision by state officials regarding the allocation of funds in their states have not sufficiently taken into account the multitude of necessary factors.

Congress should establish a system for allocating scarce resources based less on dividing the spoils and more on addressing identified threats and vulnerabilities. To do this, the federal government should consider such factors as population, population density, vulnerability assessment, and presence of critical infrastructure within each state. State governments should be required to use the same criteria for distributing funds within each state.

Congress should also require each state receiving federal emergency preparedness funds to provide an analysis based on the same criteria to justify the distribution of funds in that state.

## 6. RATIONALIZE CONGRESSIONAL OVERSIGHT

The Task Force found that the proliferation of committees and subcommittees in Congress makes it hard to devise a coherent homeland security policy and a focused homeland defense system. Congress needs to have a lead committee, or an effective joint

committee, to shape overall policy. Otherwise the system is likely to be fragmented and plagued with pork.

The U.S. House of Representatives should transform the House Select Committee on Homeland Security into a standing committee and give it a formal, leading role in the authorization of all emergency responder expenditures in order to streamline the federal budgetary process.

The U.S. Senate should consolidate emergency preparedness and response oversight into the Senate Government Affairs Committee.

## 7. ACCELERATE DELIVERY OF ASSISTANCE

The Task Force found that many metropolitan areas and states had actually received and spent only a small portion of the funds for emergency responders that have been appropriated by Congress since September 11. The current inflexible structure of homeland security funding, along with shifting federal requirements and increased amounts of paperwork, places unnecessary burdens on state and local governments as they attempt to provide badly needed funds to emergency responders. While a balance should be maintained between the need for the rapid allocation of emergency preparedness funds and the maintenance of appropriate oversight to ensure that such funds are well spent, the current danger is too great to allow for business as usual. According to the National Emergency Managers Association, "appropriation cycles have been erratic causing extreme burdens on state and local governments to continue preparedness activities when there is no federal funding, and then forcing them to thoughtfully and strategically apply several years of federal funds and millions of dollars at one time." (NEMA, State Spending and Homeland Security Funds," April 2, 2003) As a first step toward addressing this problem, Congress instructed the DHS Office of Domestic Preparedness in the FY03 consolidated appropriations measure (P.L. 108-7) to distribute grant funds to states within 60 days of the enactment of the bill and required states to distribute at least 80 percent of those funds to localities within 45 days of receipt.

Congress should ensure that all future appropriations bills funding emergency response include strict distribution timeframes as exemplified by the FY03 consolidated appropriations measure.

Congress should require states to submit data regarding the speed of distribution of the federal funds for emergency responders appropriated to states.

Congress should grant DHS the authority to allow states greater flexibility in using past homeland security funding. As a first step in this direction, Congress should authorize greater flexibility in the federal guidelines laid out in the FY03 Omnibus Appropriations Bill for the percentages of funds that can be used for various emergency response activities (e.g., 70 percent for equipment, 18 percent for exercises, 7 percent for planning, 5 percent for training) to make it possible for states to better allocate resources according to their most urgent needs. This authority should be granted on a case by case basis by means of a waiver from the Secretary of the Department of Homeland Security.

## 8. FIX FUNDING MECHANISMS

Many states have been mandated to develop more than five separate homeland security plans. While the information requested by each homeland security plan is similar, states and communities are often required to reinvent the wheel from one emergency plan to the next.

DHS should move the Office of Domestic Preparedness from the Bureau of Border and

Transportation Security to the Office of State and Local Government Coordination in order to consolidate oversight of grants to emergency responders within the Office of the Secretary.

States should develop a prioritized list of requirements in order to ensure that federal funding is allocated to achieve the best return on investments.

Congress should require DHS to work with other federal agencies to streamline homeland security grant programs in a way that reduces unnecessary duplication and establishes coordinated "one-stop shopping" for state and local authorities seeking grant funds. Efforts to streamline the grants process should not, however, be used as a justification for eliminating existing block grant programs that support day-to-day operations of emergency responder entities. In many cases, such grants must be expanded.

Congress should create an interagency committee to eliminate duplication in homeland security grants requirements and simplify the application process for federal grants.

## 9. DISSEMINATE BEST PRACTICES

Although emergency responders have consistently identified as a high priority the need to systematically share best practices and lessons learned, the Task Force found insufficient national coordination of efforts to systematically capture and disseminate best practices for emergency responders. While various federal agencies, professional associations, and educational institutions have begun initiatives to develop and promulgate best practices and lessons learned, these disparate efforts generally are narrow and unsystematic and have not sufficiently reached potential beneficiaries. Such information-sharing could be one of the most effective ways to extract the greatest amount of preparedness from a finite resource pool. Once centralized and catalogued, such data will allow all emergency responders to learn from past experiences and improve the quality of their efforts, thereby assuring taxpayers the maximum return on their investment in homeland security. Access to this resource will provide the analytical foundation for future decisions regarding priorities, planning, training, and equipment.

Congress should establish within DHS a National Institute for Best Practices in Emergency Preparedness to work with state and local governments, emergency preparedness professional associations, and other partners to establish and promote a universal best practices/lessons learned knowledge base. The National Institute should establish a website for emergency preparedness information and should coordinate closely with HHS to ensure that best practices for responding to biological attack are sufficiently incorporated into the knowledge base.

## 10. ENHANCE COORDINATION AND PLANNING

The Task Force found that although effective coordination and planning are among the most important elements of preparedness, jurisdictions across the country are neither sufficiently coordinating emergency response disciplines within their jurisdictions nor adequately reaching across jurisdictional lines to coordinate their efforts with neighboring communities. Although Title VI of the Stafford Act (P.L. 106-390) authorizes the Director of FEMA to coordinate federal and state emergency preparedness plans, this authority has not been applied sufficiently to ensure adequate levels of coordination and planning between and among federal, state, and local jurisdictions. In addition, state and local emergency management agencies lack the resources to develop and maintain critical emergency management capabilities. More also needs to be

done to encourage and facilitate mutual aid and other cross-jurisdictional agreements that pool resources, minimize costs, and enhance national preparedness.

DHS should require that all states and territories submit statewide mutual assistance plans, including cross-border plans for all cities and counties adjoining state or territorial borders. Reference to such plans should be required in all homeland security grant applications for federal funding. Whenever possible, grants should be structured to reward the pooling of assets across jurisdictional lines.

DHS should develop a comprehensive national program for exercises that coordinates exercise activities involving federal agencies, state and local governments, and representatives from appropriate private sector entities including hospitals, the media, telecommunications providers, and others. These exercises should prepare emergency responders for all types of hazards, with a specific focus on WMD detection and response. When necessary, funds should be provided to ensure that exercises do not interfere with the day-to-day activities of emergency responders.

Congress should work with DHS to expand the capacity of existing training facilities involved in the National Domestic Preparedness Consortium and to identify any new training facilities for emergency responders that may be required.

Mr. DODD. Let me read some of the executive summary. I am quoting directly.

The tragic events of September 11, 2001 brought home to the American people the magnitude of the danger posed by terrorism on U.S. soil. Now in the aftermath of the September 11th attacks, the United States must assume—

Remember who I told you wrote this report now—

that terrorists will strike again, possibly using chemical, biological, radiological, or even nuclear materials. The unthinkable has become the thinkable. But although in some respects the American public is now better prepared to address aspects of the terrorist threat than it was two years ago, the United States remains dangerously ill-prepared to handle a catastrophic attack on American soil.

On average fire departments across the country have only enough radios to equip half the firefighters on a shift and breathing apparatus for only one-third of our firefighters. Only 10 percent of the departments in the United States have the personnel and equipment to respond to a building collapse. Police departments and cities across the country do not have protective gear to safely secure a site following an attack with weapons of mass destruction. Public health labs in most states lack basic equipment and expertise to adequately respond to a chemical, biological attack, and 75 percent of state laboratories report being overwhelmed by testing requests. Most cities do not have necessary equipment to determine what kind of hazardous materials emergency responders may be facing.

If the nation does not take immediate steps to better identify and address the urgent needs of emergency responders, the next terrorist incident could have an even more devastating impact than the September 11th attacks. According to data provided to the Task Force by emergency responder professional associations and leading emergency response officials from around the country, America will fall approximately \$98.4 billion short of meeting critical emergency responder needs over the next five years if current funding levels are maintained.

That is my amendment. I can only put up a 1-year appropriation. We have roughly 5 in the bill before us. I put up an additional 15. That is 20. That gets you close to 98, if we did it each year over the next 5 years. The amendment is not made up out of whole cloth. It comes from the recommendations of this task force I have cited.

Currently the Federal budget to fund emergency responders is about \$28 billion over five years.

It goes on, and I will not bore my colleagues. They can read it for themselves. It goes through what States may or may not be spending. The fact is, we know almost every State is facing huge deficits. The deficit of the State of California is \$38 billion alone. My State is about \$1.5 billion. In Michigan, it is around \$4 billion. So you have roughly \$100 billion in deficits. We read the other day that colleges and universities are going to raise tuition to make up for the shortfalls. The idea that States will allocate more money in light of their own fiscal difficulties is unrealistic. Candidly, the report says, over the next number of years, we cannot rely on States to fill in the gap. They are not going to be able to do it.

By the way, I want to repeat a point. I think it was tremendously worthwhile that Pete Peterson, the leader of the Concord Coalition and also the Center for Strategic and Budgetary Assessments, two of the Nation's leading budget analyst organizations, worked on these numbers. They say in the report that they are not claiming perfection, and there is a need to do a far better assessment of overall needs. But they also quickly say: You can't wait until you get all the assessments and perfection. You have to be on a dual track. I am almost quoting the report here, that you need to do a better assessment, but simultaneously we have to get the resources out to support the efforts being made to make us more secure.

We have had very strong organizations looking at what needs to be done. The additional funds that we are talking about in this amendment and some we have already voted on would allow for additional resources to support homeland security.

We would extend the emergency 911 system nationally to foster effective emergency data, to significantly enhance urban search and rescue capabilities of major cities and the Federal Emergency Management Agency in cases where buildings or large structures collapse and trap individuals; to foster interoperable communications systems for emergency responders across the country. This is a major area. I do not know of a single colleague that has not heard from their police and fire departments about the inability to communicate with each other.

On the interoperability of the telecommunications systems, there is a real gap across the country and a tremendous demand. Some have esti-

mated the cost to be \$400 or \$500 million—and that may be low—to get the ability of our first responders to be able to talk to one another. That is a major item.

Again, citing from the report, to enhance public health preparedness by strengthening laboratories' disease tracking communications by training public health officials; to strengthen emergency operations centers for local police, public safety coordination; to provide protective gear and weapons of mass destruction remediation equipment to firefighters; to support an extensive series of national exercises that would allow responders to continually learn and improve on effective response techniques; to enhance emergency agricultural and veterinarian capabilities for effective response to national food supply attacks; to develop surge capacity in the Nation's hospitals and to help them better prepare for weapons of mass destruction attacks; to enhance capacity for emergency medical technicians, paramedics, and others to respond to mass casualty events.

This is just a list of the things they are talking about that they think are necessary.

They point out the importance of coordinating. I will not read all of that. I will put it in the record so Members who want to read the report for themselves can get a better feel for what is necessary.

I mentioned already some of the tremendous shortcomings that occur. Again I quote from the report:

It is impossible to overestimate the need to prepare for this threat. One way of understanding America's urgent need to prepare is to ask the question: If we knew that there was going to be a terrorist attack sometime in the next 5 years, but did not know what type of attack it would be, who would carry it out, or where in the United States it would occur, what actions would we now take and how would we allocate our human and financial resources to prepare?

The American people must assume this is the situation this Nation currently faces.

So we can anticipate an attack in the next 5 years. We don't know where or when, but it is going to come. What better warning could you have? What is history going to say about us? You had a report. You were told by highly competent individuals what a shortcoming you face.

This is only \$15 billion. We are spending \$5 billion every month in Iraq and Afghanistan—\$1 billion a week in Iraq and \$1 billion a month in Afghanistan. That is \$15 billion in 3 months to try to deal with the threats there. I am asking for \$15 billion for a whole year to make us more secure.

I certainly understand the reasons why we have to do what we do in Iraq and Afghanistan. I am not suggesting that is a bad idea. Don't misunderstand me. But if it is good enough to keep us secure by doing that there, and there is a report telling us we are not doing enough at home, can't we at least do what we do in those two countries on a 3-month basis in this country for a year to make us more secure?

Frankly, I don't understand why we are debating this. I would have thought we would have been told this is what we have to do, based on the best analysis of what needs to be done here. If we knew we were going to face a terrorist attack and we didn't know what type it would be, who would carry it out, where it would occur, what actions would we take now? I suspect that I would be overwhelmed by people who would want to be here to support an amendment to add these numbers.

As I said, we have not defined the national standards of preparedness. This report points it out—the essential capabilities of every jurisdiction, considering size, who would have immediate access to it, and so forth. This report clearly says you cannot wait for those reports to be done. I will quote again from the report. I think there is stunning language here:

The United States must rapidly develop a sophisticated requirement methodology to determine the country's most critical needs and allow for the setting of priorities and readiness training and procurement. The United States does not, however, have the luxury of waiting until an overreaching process is created to fund urgently needed enhancements to current capabilities. In the nearly 2 years since the September 11 attacks, Congress has dangerously delayed the appropriation of funds for emergency responders. Federal agencies have been slow getting funds to State and local jurisdictions, and States have hampered the efficient dissemination of much needed Federal funds to the local level. The overall effectiveness of Federal funding has been further diluted by a lack of process to determine the most critical needs of the emergency responder community in order to achieve the greatest return on investment. A dual-track approach is therefore required while developing a reliable systematic requirements methodology, and streamlining the appropriations process must be a priority. The United States must make its most educated guess based on incomplete information about what emergency funds are needed immediately.

So it says that Congress has dangerously delayed the appropriations process. This is not a report prepared by a group of Democrats. I don't think George Shultz and the others in this group—you can go back to advisers who would associate themselves with some partisan report but this is hardly partisan. It is a cold analysis of where we are and what kind of trouble we are in. It is about what kind of trouble we are in. Either we understand this and respond to it, or we will suffer the consequences of a historical judgment that will indict us for not having done what needed to be done in these days.

I will have more to say about this. I know some of my colleagues want to be heard as well. I don't fault my good friend from Mississippi, who has the unenviable task of chairing a subcommittee that has to grapple with these issues. I don't fault him in this. He is faced with the budget constraints we have adopted. I thank him for his commitment to these issues.

As I say, with a great deal of reluctance I have offered this amendment. It

is a large amount—\$15 billion—but I thought that instead of trying to go through 25 different amendments of little pieces here and there, we would lay out on the table this report and its recommendations and suggest how we might do it.

It is painful, obviously, to roll back something you have already adopted. But imagine what they would say about us historically—that we didn't want to roll back a tax cut—not all of it but just for those in the most affluent group of our citizens, and ask them to take a little less for a while in order to let us fund homeland security. Can you imagine what history may say 50 or 100 years from now, after we have gone through a series of events, that Congress had a report that warned otherwise in 2003 but they just could not find a way to do it, and we didn't fund it properly, so our people faced a great threat?

I don't understand how we would allow ourselves the vulnerability of that kind of historical judgment. So that is why I have put language in here to suggest how this could be done. Yes, \$3 trillion is a lot of money. It is a thousand billion dollars. One thousand billion dollars is a trillion dollars. A thousand million dollars is a billion dollars.

I am asking for \$15 billion out of a thousand billion, or the three thousand billion, in order to try to get this right. You cannot convince me ever that there is not enough room in that tax cut, those amounts, to find something here to make homeland security better for the people of our Nation. They deserve nothing less. They will be horrified to find out, if events occur, that we didn't do what we should have and could have done.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Madam President, the distinguished Senator from Connecticut has offered an amendment to add exactly, according to my addition, \$14.408 billion to the total spending provided in this bill that funds the Department of Homeland Security.

The statements that he makes regarding the Council on Foreign Relations report are certainly to be considered seriously by the Senate. They have done good work. Former Senators Warren Rudman and Gary Hart have worked hard to bring the attention of the whole country to the needs we have in this area.

I think one thing overlooked is that the Department of Homeland Security's budget does not represent the total amount of spending being undertaken by the Federal Government, nor State and local governments, to do the things necessary to improve our capability not only to respond to natural and manmade attacks, or terrorist acts, but to prepare for them as well, and to improve our intelligence capability and what we are doing to find out what the terrorists are up to, who

they are, and how they could pose threats to American citizens and our homeland.

Much of the spending is done in other Departments that is not included in this amount. So to focus on this budget for this Department and say there is not enough money here to do what we need—of course there is not. There is no money in here for the CIA or the FBI. There is no money in here for doing things such as bioterrorism research on how we can protect ourselves against bioterrorism threats. That is being done by the Department of Health and Human Services, through the Centers for Disease Control. They are funded in other bills.

This budget, and the budget request submitted by the President for homeland security, represents only 58 percent of the total Federal effort. So there is much more being done than is reflected in the budget of this Department and this appropriations bill which, incidentally, adds a billion dollars over the President's budget request for these activities. Much of that money is going to the first responders' effort this year and will next year.

We cannot measure what we have done in the last 2 years and project it as to what we will do in the future. We cannot do it all in 1 year. We are making progress, and more progress needs to be made.

It is not just a Federal program either, it is a national program. It involves all governments, all agencies, and the American people themselves. We are all more aware and more alert to the dangers and what we can do personally to help improve the security of our homeland. So the adding of \$14.408 billion to this bill, with no corresponding offset, will violate the Budget Act because we are only allocated a certain amount of spending. When we go above that, then the bill becomes subject to a point of order that any Senator can make and the whole bill falls.

So with a great deal of respect for my friend from Connecticut, I make a point of order under section 302(f) of the Congressional Budget Act that the amendment provides spending in excess of the subcommittee's 302(b) allocation.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for purposes of the pending bill and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Does the Senator from Michigan desire to speak?

Ms. STABENOW. I ask unanimous consent to speak concerning the motion to waive the Budget Act on the Dodd-Stabenow amendment before proceeding with the vote.

Mr. DODD. A motion to waive is a debatable motion.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to debate that motion and support Senator DODD in his motion. I am very proud to be joining with him in the Dodd-Stabenow amendment concerning fully providing the resources for our first responders in our communities all across America. I appreciate the constraints our chairman is working under, but I cannot imagine a more important issue for all of us today than this particular amendment.

This is not a partisan amendment. The terrorists who come do not decide who is a Republican or who is a Democrat, where one lives, their age or ethnic background. This is an issue for all of us as Americans, certainly for the people who work in this building who were directly in the line of attack on September 11, certainly for all of those across the country who understand that this is a new world since September 11, 2001.

When it comes to protecting our country from terrorists, we should do whatever it takes, period, to make sure we are safe. We cannot live by artificial limits, by bureaucratic budget procedures. Just as Congress has come together, working with the President, and said whatever our military needs, whatever it takes to prepare our men and women to be successful overseas, to support our military, to support our Department of Defense, we will do, period, to make sure our people are safe abroad as well as at home. We should do no less.

I join with Senator DODD in saying this should not even be an issue that we are debating once we have seen this report—the emergency responders are drastically underfunded and dangerously unprepared—a report that does not just deal with one department; they look across the range of issues that relate to our folks on the front lines being able to respond, and they have a report about which every single American should be concerned. We should take this as a blueprint and immediately respond to it.

How do we determine what is the right amount to spend to protect our country? I cannot think of a more objective or credible group than the one which put this together. We should listen to the experts, and in this case a bipartisan commission of experts, charged with this task, who determined we need to spend an additional \$98.4 billion over 5 years on top of what we are doing today. This is a shocking difference between what the American people need, what we need, and what we are providing as a Congress representing those American people.

This conclusion was reached by an impressive bipartisan commission. As the Senator from Connecticut has already indicated, it is led by former Republican Senator Warren Rudman, former White House cybersecurity

chief Richard Clarke, and just to mention a few of those who have put these recommendations together for us and for the American people, a highly respected list of Americans, including the former Chairman of the Joint Chiefs of Staff, ADM William Crowe, former Reagan Secretary of State George Shultz, and former FBI Director William Webster.

When coming up with its conclusions, this distinguished panel consulted with organizations such as the International Association of Chiefs of Police, the International Association of Fire Chiefs, and the International Association of Fire Fighters. After much deliberation, this panel reached a dramatic conclusion, and the title of its press release says it all:

Nearly 2 years after 9/11, the United States is still dangerously unprepared, and underfunded, for a catastrophic terrorist attack, warns New Council Task Force.

I read from the summary of this report:

Nearly 2 years after 9/11, the United States is drastically underfunding local emergency responders—

Police, fire, emergency medical personnel, others—

and remains dangerously unprepared to handle a catastrophic attack on American soil, particularly one involving chemical, biological, radiological, nuclear, or high-impact conventional weapons. If the Nation does not take immediate steps to better identify and address the urgent needs of emergency responders, the next terrorist incident could be even more devastating than 9/11.

Further, the summary reads:

The task force met with emergency responder organizations across the country and asked them what additional programs they truly need—not a wish list—to establish a minimum effective response to a catastrophic terrorist attack. These presently unbudgeted needs total \$9.84 billion, according to the emergency responder community and budget experts.

Finally:

The . . . Task Force . . . based its analysis on data provided by frontline emergency responders—firefighters, policemen, emergency medical personnel, public health providers and others—whose lives depend upon the adequacy of their preparedness for a potential terrorist attack.

This report says our local communities need much more than we are currently providing. This is not a critique from me, as the Senator from Michigan, it is not a critique by the distinguished Senator from Connecticut, it is not by any politician or any person right now who would gain from some partisan advantage. This is a group of experts on a bipartisan basis who come together as Americans to say we are not doing enough.

This report reaches the same conclusion I have heard from my own first responders in Michigan. I have spent a great deal of time traveling across Michigan since last fall, and I have done over 11 different townhall meetings in Michigan with police departments, large and small, fire depart-

ments, police chiefs, sheriffs—Republican sheriffs, Democratic sheriffs—those at the health department, the folks who run the emergency rooms at the hospitals, all of those involved, and overwhelmingly they have said: We are working very hard. We cannot do it alone. Please get beyond the ideological debate and talk about what we need to prepare us to be safe.

It cannot be done just by asking the local city, township or county to provide additional resources alone. This is a national attack on our country. It needs a partnership from all of us, and they are speaking loudly that they need our help. More importantly, we need to make sure they are prepared and they are stepping up to the effort.

Unfortunately, they are receiving less from our State governments that are uniformly in a budget crisis. In Michigan, we are seeing about 26 percent of their general fund budget lost through the economy, through various decisions made at the State level. They need our help.

This amendment is much more than dollars. It is really not about the dollars. It is about being safe. It is about being prepared. It is about saying, We get it; we understand we have to do whatever it takes to be able to say to our own families: We are prepared in case another attack comes.

I heard from Michigan police and firefighters and emergency responders that the issue of radios is not some theoretical debate. The ability to communicate between the fire department and the police department or the city and the county, to be able to communicate in a way to respond most effectively if there is a message or an attack is not happening because of the lack of radios. They do not have the state-of-art radio technology, interoperability, to be able to communicate with one another. Imagine how difficult it is to coordinate a response after a terrorist attack if the department has only antiquated radio equipment. How basic can you get than being able to make sure people can communicate with each other?

This is not rocket science. We are talking about the ability to communicate, so they can call someone; so when you call 9-1-1 you know the folks on the other end can call the right people and talk to them to give you the help you need, to get the response you need in the community.

The Rudman report concluded, on average, fire departments across the country only have enough radios to equip half the firefighters. Only 33 percent had proper breathing apparatus. So there is a one out of two chance that the fire department will be able to communicate and only one-third of the personnel in the community have breathing apparatus. Furthermore, only 10 percent of United States fire departments have the personnel and equipment to respond to a building collapse. The Rudman report also stated that police departments in cities across

the country do not have the proper protective gear to safely secure a site following a weapons-of-mass-destruction attack. This type of gear, which we have as Senators and for staff, costs money to procure. Tragically, the men and women on the front lines of the war on terror do not have the equipment. They do not have the equipment I have in my office. That does not make sense. That is not fair. It is not right. There is not one American that would think we are doing the job when they look at the facts in this report.

The Rudman report said public health labs in most States still lack basic equipment and expertise to properly respond if there is a chemical or biological attack. In fact, 75 percent of State labs say they are overwhelmed with current testing loads. It is not that folks do not want to be prepared. It is not that they cannot have the expertise. These are competent people. It is a question of training. It is a question of having the right kind of equipment and technology. This is the United States of America. We can do better. We have to do better.

There are many other concerns. I have heard from local safety officials during my 11 town hall meetings. I heard from police chiefs who say they need resources to provide training, not only to have the trainer come in, but when you take an officer off the beat, off their regular assignment, for a week or 2 weeks or longer, we have to replace them or pay overtime to their replacement. That costs resources which are very difficult to come up with. So training becomes a major challenge for them—both in losing their staff to regular assignments, answering those calls in the neighborhoods, as well as the costs of the training and the equipment needed relating to the training. This becomes a major issue.

I believe the U.S. Government needs the flexibility, as well, so we are not tying their hands. We are saying these are the resources available, you decide what you need in training and equipment and make sure you have enough staff. You make those decisions. This is important. This is front-line defense. I trust the men and women in the State of Michigan and across the country to make the right decisions about what they need to be prepared and to keep us safe.

We have a motion challenging this amendment because it costs dollars. I reiterate, we spend resources and we make priorities every day based on what is important, what are our values, what are the most important things that affect Americans, that affect our families, that affect our communities. I cannot imagine something more important than this issue. I cannot imagine saying to families—and God forbid something happens—we were not willing to commit what was needed to keep you safe.

As my colleague from Connecticut said, we are spending about \$4 billion a

month, in other words, \$1 billion a week in Iraq, almost \$50 billion a year. This amendment costs less than a third of that to keep us safe at home. We know the tax cut passed earlier this year is much more than this amendment. The 10-year cost of the tax cut was almost \$1 trillion. The total price tag includes \$400 billion in tax cuts for those at the very top income bracket, and those with stock dividends and capital gains. In the State of Michigan there is not one person receiving another tax cut who is doing very well in the State of Michigan who would not say to me: Make sure my family is safe, first. I appreciate having another tax cut, but I want to make sure my family is safe. I am willing to wait a little bit. I will delay that because there is a higher value, a higher priority here. That is, making sure we do not lose human life in America on our own soil through another attack.

We can afford this amendment. All we need to do is slightly scale back some of the tax relief—again, to those who do very well in our country. We want everyone to do well in our country. We want everyone to have the opportunity to succeed. But we want to make sure, first, that they and their families are safe.

It does not matter how much you make in this country when it comes to a terrorist attack; we are all the same. We all join in wanting to make sure we are safe. God forbid there is another terrorist attack on our country. I hope and pray there will not be. But we must be fully prepared. We cannot be partially prepared. We cannot be half prepared. We need to do whatever it takes to help our firefighters, police officers, and first responders to protect us from terrorism.

As we watch the television news, we see a world in turmoil. There is violence against our own soldiers in Iraq. We watch Iran and North Korea develop nuclear weapons that could be sold to terrorists. We have not yet found Osama bin Laden. We cringe when we hear about increased nuclear tensions between Pakistan and India. And we are now witnessing chaos in Liberia. Since September 11, we live in a new world. We can no longer sit back and wait.

We must take action now to protect the American people. This amendment will do that. This amendment is based on those who have studied and have expertise and care deeply as Americans about keeping us safe and secure. This is not a political amendment. This is not an amendment designed in some way to split Democrats and Republicans. This is an amendment designed to meet the needs of those who are charged with protecting us.

The Homeland Security bill before the Senate provides the Department of Homeland Security with \$28.5 billion for the next fiscal year. While it is a first step, this report makes it clear it is not enough to keep us safe. Protecting our country is not something

we should simply squeeze into the normal appropriations limits. We are vulnerable. We must act now, not later. Otherwise, I am concerned that we will be sorry.

When my colleagues vote, I urge you to think of all those unmet needs in your State, in your community. Think of all the critical infrastructure that is barely protected, and consider what a biological attack could do to you and your family and to the people you represent, and then join with us in doing what the experts are telling us to do: Provide what is needed, whatever it takes to keep us safe.

We can do better for the American people. We are America; we can do what it takes to keep us safe. This amendment puts us in the direction of doing that. I urge support for it and support for a motion to waive.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, we are hearing a lot about the costs of the war. I am not addressing the need for homeland security per se. But I would point out, this bill before us now is over \$29 billion for a Department that did not even exist 6 months ago. During the period of time of the blockade of Iraq following the Persian Gulf war, to carry out the mandates of the United Nations we built a new airbase, Prince Sultan Air Base in Saudi Arabia, the largest airbase in the world. We built a new airbase in Aviano. We built a new Army base in Kuwait. For 12 years, we maintained forces to blockade Iraq and to enforce the no-fly zones set forth by the agreement with Saddam Hussein after the Persian Gulf war.

I have asked the staff to get me the figures of how much that cost, how much did it cost to carry out the mandates of the United Nations following the Persian Gulf war, primarily because he did not comply with the agreement he made at the termination of that war. I believe it goes into the hundreds of billions of dollars that we spent in 12 years.

It is costing us a great deal of money to keep our forces in the field now. Hopefully, that will come to an end soon. But so has the cost of the blockade of Iraq. So has the cost of Prince Sultan. So has the cost of maintaining that Army base in Kuwait. Very soon we will be able to stand down a considerable portion of the people who are at Aviano in Italy. Those costs, by the way, were in addition to the costs we spent in Bosnia during the same period, and in Kosovo during the same period.

The American taxpayer has been bearing an enormous cost for many years to deal with the deployment of forces overseas. Hopefully, what we have done now will bring to an end, or at least to a very low minimum, the cost of maintaining forces in that area.

I believe we have taken actions that were necessary but I also know that we have done a lot to improve the morale of the Air Force. I personally, along

with my good friend from Hawaii, talked with many of the pilots who were flying what we call the CAP, the constant air patrol, over Iraq. They were shot at almost daily by missiles fired by Saddam Hussein. They lived in a period of constant terror, as they flew over those areas, that they would be attacked by the ground-to-air missiles. Thank God, they survived them. But it led to a period of time when our reenlistment rate in the Air Force reversed itself from about 72 percent, down to about 28 percent of our people reenlisted to fly in the Air Force, because of the strain of the constant air patrol over Iraq.

But I do think people ought to keep in perspective, when they say we can afford this, this amendment of the Senator from Connecticut, because we are spending so much money in Iraq—we have been spending a lot of money for a lot of years. The trouble is, we have to come back and have some perspective.

The amendment before us exceeds the budget by an enormous amount. It does not offset that, saying let's stop spending money somewhere else because, in fact, we cannot do that. There is no offset.

Under the circumstances, I think we ought to start having some discipline around here. That is what we are supposed to do because of the Budget Act. The Budget Act was supposed to give us discipline.

We are facing now a constant parade of amendments that the authors know is beyond the budget. The authors know we don't have the money. The authors know we found as much money as we possibly can find to allocate to homeland security for the fiscal year 2004.

I do hope Members will start thinking about the concept of affordability. We will soon stop spending that money that we are spending for the postwar security in Iraq and we will no longer have to maintain the blockade. We have had part of our Coast Guard over there for years, to try to stop the illegal exports and imports into Iraq. We had about 40 percent of our Air Force over there in those two major bases, Prince Sultan and Aviano, to maintain control of the air over Bosnia, Kosovo, and Iraq.

I do think we ought to keep in perspective what we have done, in terms of future expenses for our military. I hope we will not have a justification that we can spend this money the Senator from Connecticut wants to spend because we are spending too much money in Iraq. We are spending a lot of money in Iraq but it is not too much money. It is money well spent because it will terminate the expenses we have had to incur over the last 12 years.

Mr. DODD. Mr. President, before my good friend from Alaska leaves, and he is my good friend, the point I am making—I supported this. The needed resources there make sense. I am not suggesting in any way that the re-

sources we are spending there somehow ought to be subtracted. I was making the point that, while we were doing the right thing, obviously, as part of our security—and no one knows these issues better than the chairman of the appropriations subcommittee and his colleague, DAN INOUE, when they go into matters of what we need for our national security system. I respect them.

My point here is, we are being told, as we have been told by others, we need to do more at home if we are going to meet the security needs of the American people. Just as we are doing that, we merely pointed out, my colleague from Michigan and I, what we are spending on a weekly basis for reconstruction in Iraq and trying to get Afghanistan on its feet. We accept the notion that is going to be critical. Our point simply was, can you imagine someone coming in saying: "We are not doing enough; we need more to get the job done over there but, I'm sorry, we can't afford to do what our men and women in the Armed Forces need; there are budget caps and we just don't have the resources?"

That argument wouldn't find five supporters here. The point Senator STABENOW and I are trying to make is we have men and women in uniform here as well. They are called firefighters, police, emergency medical personnel, hospital attendants and doctors and physicians and scientists. They are coming to us, in this report, and saying we have some real problems here at home. We are vulnerable. We are vulnerable.

What we are saying is, can we not find the resources? We have identified a source, which this Congress, if it has the will to do it, can come up and meet the challenge.

Ms. STABENOW. Will my colleague yield for a question?

Mr. DODD. I am happy to yield to my colleague.

Ms. STABENOW. I wonder if you might respond a little more on how we will be able to find the dollars? Because, as both of us have indicated—I know you have indicated in Connecticut; I have indicated it in Michigan—there are those who are doing very well, certainly in my State. They have the same concerns as everybody else about being safe and secure. If we ask them to be willing to delay receiving a little bit more back in their pockets, those who are doing very well, in order to be able to put it into keeping their families safe, I think they would be willing to do that.

Isn't that what the Senator is suggesting, that we look at our priorities and decide what is most important in terms of safety and security?

Mr. DODD. The Senator from Michigan is absolutely correct. I represent one of the two most affluent—two or three most affluent States in the United States. Always, each year when they list what is the most affluent State in the country on the per capita,

Alaska, Connecticut, and New Jersey are always competing No. 1, No. 2, No. 3. Of course, we also have some significant poverty in our State. But on a per capita basis, Connecticut is one of the most affluent States. I am confident, as I am standing before you, if you ask any of the people in my State who are in the \$1 million or more income category—and I have a lot of them in my State and I know them; they are tremendously patriotic, successful individuals—if you ask any one of them whether they would be willing to forgo some of the tax cut we have provided them over the last 2 years in exchange for getting resources to make this country more secure at home, I guarantee every single one of my affluent constituents would say: Absolutely. Absolutely.

They would be horrified to think that maybe they are being used as an excuse on why we can't do this, why we can't provide the additional resources.

I know we can't break the budget caps. I am not suggesting, nor is the Senator from Michigan, we do that. What the Senator from Michigan suggests is here is a source of revenue for us. Here is a case where some \$3 trillion, in 28 months—what is \$3 trillion? Mr. President, \$1 trillion is one thousand billion dollars. We are talking about \$15 billion instead of three thousand billion, \$15 billion of it to go to make America more secure, not because the Senator from Michigan and I sat down at some point and concocted a number together. We read, and I now put it in the RECORD so all America can read it, a report put together by a distinguished group of Americans, former Chairmen of the Joint Chiefs of Staff, Director of the FBI, the CIA, and formerly colleagues of ours who said, and I quote from the report, and it is worth repeating again because it needs to be repeated:

Congress has dangerously delayed the appropriation of funds for emergency responders.

Dangerously delayed. Listen to the conclusion of this report. I will read it again. My colleague, I know, knows this but let me read it.

The terrible attacks of September 11 have shown the American public how vulnerable they are. Because attacks on that scale had never happened before, the United States and the American people were caught underprotected, unaware of the magnitude of the threat facing them. In the wake of September 11, ignorance of the nature of the threat or of what the United States must do to prepare for future attacks can no longer explain America's continuing failure to allocate sufficient resources to preparing local emergency responders. It would be a terrible tragedy indeed if it took another catastrophic attack to drive that point home.

That is the conclusion of George Shultz, of Admiral Crowe, of Les Gelb, of Director Webster. I read the list of the people who make up this report. These, with all due respect to congressional staffers, are Nobel laureates, William Webster, high-ranking former

chiefs of staff of the Army, national security advisers, White House employees over three administrations, Ronald Reagan appointees.

This isn't a partisan document. It is compiled by serious Americans who know what they are talking about. And they are telling us we are dangerously inadequate in understanding what needs to be done to make America strong. Many wealthy Americans will be glad to forgo a part of their tax dollars in order to make us more secure at home. I know many of them in Connecticut—and I am confident my colleague from Michigan would say the same thing about her constituents—

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

Mr. DODD. Yes.

Mr. REID. Is this the Rudman report?

Mr. DODD. This is the Warren Rudman report. He chaired it. The senior adviser was Richard Clarke, who served for three American President's, and Jamie Metz, along with a task force. I have read all of the names. I will put them in the RECORD.

Mr. REID. I ask my friend if he would agree with the statement I am going to make.

I had the pleasure of serving in the Senate with Warren Rudman. I want the RECORD to reflect that Warren Rudman is not some person who just came upon the scene. He is a distinguished American. He is a combat veteran from Korea, a marine, a veteran. He is very proud of that. When he served in the Senate, he did a lot of very distinguished things, not the least of which as chairman and as ranking member of the Ethics Committee for a long period of time. He went into the private sector. He retired from partisan politics and decided not to run for reelection.

No one I know has ever in my presence criticized the former Senator from New Hampshire, Warren Rudman, for being anything other than a straight shooter. Any concern that people may have had was that sometimes he was a little too direct.

Will the Senator agree with me that the distinguished American who led this panel and affixed his name to it is a person who, for lack of a better description, is a very patriotic American, who is, by the way, a card-carrying proud Republican, and who has devoted a great deal of his life to public service and has told us we need to do something to protect the people in the States we represent?

Mr. DODD. In response to my colleague from Nevada, I served with Warren Rudman, as my friend from Nevada did. In fact, I was the fourth cosponsor of the Gramm-Rudman deficit reduction proposal and budget-saving mechanism when it was first introduced and was the subject of such heated debate in this body in the early 1980s.

I heard my colleague from Nevada yesterday talk about what a tight-fisted Senator, Warren Rudman was as a Member of this body as well. He was not someone who was known as a prof-

ligate spender. He believed very strongly in budget discipline.

By the way, we are low-balling the numbers. We are offering a little less than \$15 billion. That is based on the assumption that States may be doing more.

When you read this report, you will get into some of the details and you will wonder why Senator STABENOW and I didn't offer an amendment with more dollars based on its conclusions.

The Senator from Nevada is absolutely correct. Warren Rudman is an individual who does serious work. This is the second report in which he has been involved. He was involved in an earlier one which was prepared along with another former colleague of ours, Senator Gary Hart, and got rave reviews by all who examined it. This report follows on as a result of that first report to determine where are we now after 2 years.

As I have said over and over again, and as my colleague from Michigan has said over and over again, the conclusion of these serious people is that we are way short of what we ought to be doing. They tell us what needs to be done, and they lay out in fact where the shortcomings are.

Senator Rudman is once again owed a deep sense of gratitude.

It is sort of like the mythical figure Cassandra. For those who love mythology as I do, Cassandra was doomed in mythology to always telling the truth and never being believed. Senator Rudman is becoming sort of the Cassandra in this debate, if this goes where I think it is going.

The Senator from Michigan and I have no illusions. She is a professional person who understands politics. She served in her State legislature for many years. We knew when we got up here that we probably weren't going to get 60 votes on this. So I am not fooled by what I face here with a waiver that we have to apply to a point of order. But we want to be on record, and we want our colleagues to be on record, to say when I was given a choice of where to be on this issue, this is where I came down; this is the side of the ledger on which I want to be recorded.

Maybe we will be surprised and 60 of our colleagues will join us in voting for the waiver. But if that is not the case, let the American public then judge where people were when the choices needed to be made.

I suspect we need to talk about this in more concrete terms.

I was impressed with the remarks of the Senator from Michigan about the comments of the people in Michigan. I believe she held a number of hearings or discussions with people in her State about first responders. I wonder if she might share with us once again some of the concerns she heard from her fire and police and emergency medical personnel about whether or not they believe they are better prepared.

We have heard from our distinguished panel of people who analyze

this from more of a global perspective. But on the ground, in local communities—that may not have the benefit of Nobel laureates to examine all the laboratories in the country to look at this from a distance—what are they saying? What are our average police officers and firemen saying? What are our emergency medical personnel saying? How well do they think they are prepared?

Ms. STABENOW. I thank my colleague again for his leadership on this issue.

I have had 11 different meetings from Detroit—large urban areas—to Macomb County, all the way up to Marquette in the upper peninsula, and over to the west side of the State. This report talks about only 50 percent of our firefighters having the radio equipment they need.

I heard firsthand from the folks on the ground, and I am not sure it is even 50 percent. They talked about in some cases the fire department could not talk to the police department in the same city, that the city could not talk to the county.

When we call 911, we expect that call is going to lead to a series of other communications, that it is going to get the right people to us, and that we are going to be able to respond quickly. In the case of a bioterrorism attack, the public health department, of course, is very concerned about the inability to communicate with the fire department. And it is not that they do not have radios; it is that they do not have interoperability. They do not have the same frequency. They do not have the same technology. There is newer and newer technology that allows them to communicate ideally all across the whole State.

We hope we will be developing communications equipment that will have everybody in the county being able to talk to each other and able to talk around the entire State. But the radios, the communications systems were a major issue in those meetings.

The second major issue was training, the ability to have the newest training, the newest equipment in case of a bioterrorism attack. And then, of course, the whole question of added personnel.

I might just add, I believe the sense of urgency occurs here because of the lag time it takes when we approve the dollars to do the training, to get the equipment. I know last year, as a border State, in Michigan, this was a major issue for us. In Detroit, we have the largest border crossing of the northern border. We have over \$1 billion in goods that come across the border every day.

And when we put in place—thanks to the support of our colleagues on both sides of the aisle—additional resources for Border Patrol and Customs, it has taken almost a year to train those folks. We are just now seeing the increased personnel at the border as a result of decisions made a year ago to increase the dollars.

Even if we do this now, we are talking about months or a year before the training can actually happen and take effect or that the communications equipment can be purchased and put together. I think there is even a greater sense of urgency as a result of the fact that it takes time once we even make the decision.

Mr. DODD. I thank my colleague for her comments. Maybe there are some who believe that terrorism is no longer a problem, that these organizations are no longer viable. I hope there are very few people who would embrace that belief. One needs only to read the papers every day to learn that even in Iraq it is not just a question of those members of the Baath Party who are apparently engaging in the assassination of our U.S. men and women in uniform in the military.

We are now told there are terrorist organizations operating that have gotten into Iraq from Yemen and Saudi Arabia and elsewhere. We know of cell groups. There is hardly a day that does by that we don't read about another group that has been identified or where contacts have been made by organizations. This is a real threat and a growing one. Again, the report points it out.

This is serious business. We should never again have to go through what we went through on 9/11 and the wake of 9/11. We cannot guarantee that, but there will be a tremendous indictment, in my view, historically if we don't act.

Just look at some of these numbers that we have received on the inadequacy. There are 1 million firefighters who put their lives on the line every day. Yet we are told currently two-thirds of all fire departments operate with inadequate staff—two-thirds of all fire departments, first responders, with inadequate staff.

In fact, as pointed out in testimony before the Committee on Science and Technology of the House of Representatives, on October 11, 2001: Understaffing had caused or contributed to firefighter deaths in Memphis TN; Worcester, MA; Iowa; Pittsburgh, PA; Chesapeake, VA; Stockton, CA; Lexington, KY; Buffalo, NY. There is about a fireman a day who loses their life or is seriously injured.

Now they are being asked to do that which they never would have imagined, such as dealing with chemical materials. Imagine a major terrorist attack with how we had our departments. Look what they had to do on 9/11. Departments from Connecticut went into New York. Departments from New Jersey went into New York. Other departments tried to backfill to cover our departments that left. It was a nightmare.

As the Senator properly points out, they could not even talk to each other. They did not have the proper interoperability of the phone systems. I would like say to my colleague that the problem has been corrected 2 years later, but it has not been. The fact is, it is still an incredible fact that most of our

local people cannot even talk to each other, let alone talk across State lines where you have tremendous densities of population.

Again, the budget shortfalls at the local and State level are huge. Pick up your newspaper. Today it is California, \$38 billion in deficit. I mentioned earlier what the deficit is in Connecticut. I mentioned what I thought was Michigan's number. My colleague may want to correct me, but I believe it is bigger than \$4 billion, as she pointed out. I don't know what it is in Nevada or Alaska. But every State is facing tremendous pressures to meet these obligations. So the numbers are shrinking on the State and local levels.

By the way, while I have been critical about not doing more, I commend the Appropriations Committee. They upped the number \$1 billion from what the President wanted. The Commander in Chief, in my view, ought to be leading on this issue and saying to Congress: I will help you get the money. We are going to provide the resources.

With all due respect, we need more help. And if the Commander in Chief is even low-balling a number from what the committee did, below what we are told we need by \$15 billion a year, where is the leadership on this issue? I will be happy to yield to my colleague.

Ms. STABENOW. The Senator makes such an important point. I was thinking, as he was speaking about how we are losing a firefighter a day—I believe he said as a result of not being prepared for the challenges they face—we have people now, unfortunately on a daily basis, who are losing their lives in Iraq. We are deeply concerned about our troops.

But can you imagine if we said that only half of our military men and women in Iraq could talk to each other through their radios, that only half or maybe only 10 percent have the training they need, or that they did not have the equipment they need. Our Commander in Chief, rightly so—our President—has stepped forward and said: Whatever they need to be prepared, we will make sure they have it.

As the Senator has indicated—and as I have as well—the folks on the front lines at home, in their uniforms, should have no less consideration. Why don't we say, whatever you need—if you are wearing a firefighting uniform, a police officer's uniform; if you are emergency medical personnel—you ought to have whatever you need on the frontline fight because it is a war on terrorism. This should not even be a debate. I think when we compare it, it is startling to think about what we are saying to the men and women on the front lines at home.

Mr. DODD. My colleague again raises a very good point. Again, I am told by staff that every one of our men and women in military uniform in Iraq and Afghanistan have with them devices that allow them to determine immediately if they have been affected by chemical or biological weapons. There

is a certain amount of equipment or type of equipment they can have which will allow them to immediately know. And they should have it.

The fact is, we have nothing like that available to our first responders at home who may be asked to respond to those situations.

The Senator makes the point so well. Again, our discussion of what our military needs to protect our country is not the subject of this debate. The mere point we are trying to raise this issue is that we are spending this amount in these places, and if someone were to come in and say we need more—and they will, no doubt; I guarantee you, as I stand here, there will be a request saying we need more—I suspect there will not be just two or three Senators sitting here arguing about whether or not we are going to get it, and if there are budget points of order against an amendment, they will be defeated when they ask for a waiver. I guarantee you, it will go through here like a hot knife through butter when it comes.

The issue is, we are making a similar case for a similar set of challenges.

Because I don't think my colleague was here when I started the debate, let me just read the first lines of this report written by Les Gelb, who is now stepping down and is being replaced by Richard Haass, the new head of the Council on Foreign Relations. I think my colleague from Nevada will appreciate this:

As I sit to write this forward, it is likely that a terrorist group somewhere in the world is developing plans to attack the United States or American interests abroad using chemical, biological, radiological, nuclear, or catastrophic conventional means. At the same time diplomats, legislators, military intelligence officers, police, fire, and emergency medical personnel, and others in the United States and across the globe, are working feverishly to prevent and prepare for such attacks. These two groups of people are ultimately in a race with one another. This is a race we cannot afford to lose.

Right now we are losing the race, according to the report of people who tell us we are not meeting the requirements we should have. As we stand here, I promise you there are people somewhere planning to attack us. I know there are people in our Government working hard to stop it at the local, State, and national level. The distinguished group of people who compiled this report, led by a former colleague, says we are dangerously, inadequately not funding what needs to be done. We are losing the race.

All our amendment suggests is, let's find the means. We can do this. This isn't brain surgery. This is not that hard. If we were faced with a similar question about whether or not we need more resources to protect our men and women in military uniform, we would do it, and we should do it. We should do no less for those here at home trying to protect us against a terrorist attack.

Mr. REID. Will the Senator yield?

Mr. DODD. I am happy to yield.

Mr. REID. I hesitated because I think the final statements you have made here have so dramatically painted a picture of why we need to do something, not next Congress but now. I say to my two friends, the sponsors of this amendment, I personally very much appreciate the offering of this amendment. I appreciate it because we have had some other good amendments that have been defeated. But you have taken the approach that there are a lot of things that need to be done, that rifle shots won't work. We need to take into consideration the full impact of the Rudman report and do something about it.

I am convinced, as the Senator has indicated, the amount the Senators have suggested is really too small. But I say to everyone within the sound of my voice, let's say the distinguished Americans who wrote that report are 10 percent off and they are asking for 10 percent more than is really needed. What harm will be done from that because we have too much protection? We all know what can happen if we do not have enough protection.

I know the people of the State of Nevada are scrambling. On any given day in Las Vegas there are 300,000 tourists. People who are firefighters, police officers, medical personnel, when something goes wrong, have to take care of those tourists just as they do with someone born there. I was born in the State of Nevada. But they have as much responsibility to take care of the tourists from Connecticut as I do. I want this RECORD to be spread with my admiration and respect for the courage the Senators have shown in calling this really what it is. We need more money. That is what it takes to make sure this country is safe. Right now, according to some of the finest people in all America, we are not safe.

Mr. DODD. I thank our colleague from Nevada for that observation. He represents a unique State, he and the Presiding Officer. Literally millions of people, not just from the United States but from all over the world, visit Nevada. It is a special set of responsibilities that people of Nevada assume by inviting the world to come. And obviously, this could easily be a target. It is hard to imagine what the next target could be, but I promise, there are people planning it. They are planning it as we sit here today. Whether it is a nuclear powerplant, whether it is a major office building, whether it is a recreational facility, they are doing it.

I don't like saying that, but I can't say anything less to my colleagues because that is the conclusion of people who have spent hours and days and weeks examining all of this and telling us.

I thank my colleague from Michigan. I am grateful to her. She is a remarkable Senator. In a short amount of time, she has made a significant contribution to the public debate. I am very grateful to her for joining me in

this particular effort. It is a lot of money. I have never offered an amendment of this magnitude.

I see the distinguished senior Senator from West Virginia, who has been around many years.

This is almost \$15 billion. I have never offered anything quite like this. But I have never felt as concerned and as worried about a situation as I am about this one.

Shortly there will be a vote. We will more than likely not prevail. But there will be a record about those who believed we should do more. I hope we get proven wrong. There is no desire that we would like to be proven right. But I have a sense of foreboding that by not taking the steps, we are leaving ourselves very vulnerable. The trauma of America being hit again and being told we should have done more to prepare for it and didn't could have an effect far beyond the damage done by the attack itself, to know that a Congress was convened and was given information that told it to do more and do a better job and was given a chance to do so and turned it down. That is something I think history will judge us very harshly on if we make that mistake.

I hope we don't. I hope the majority of my colleagues who may be listening to this brief debate this morning will break ranks and come over and say: We can do better. Let's go back to the drawing board and come up with the resources, provide the support we need for our first responders.

I have no further requests for time. I don't know if my colleague from Michigan wishes to be heard further. I appreciate the generosity and kindness of the distinguished Senator from Mississippi who has been very patient listening to us make this case. I am very grateful to him and Senator STEVENS, as well as Senator BYRD, for taking as much time, a couple of hours this morning, to express our views on the subject.

Again, the Senator from Nevada said it well. I had planned a whole series of smaller amendments on all sorts of pieces of this. The Senator from Michigan and I sat down and decided, instead of just trying to do this item by item by item, we would ask our colleagues to respond based on this report and come up with, in the Office of Homeland Security, a set of priorities that they may determine differently than what our amendment agenda might provide.

For those reasons we urge the adoption of the amendment. That can be done by supporting the motion to waive the point of order. I yield the floor.

Mr. SARBANES. Mr. President, I would like to express my strong support for the amendment introduced by Senators MIKULSKI and DODD, of which I am a cosponsor, that would provide an additional \$150 million for the Assistance to Firefighters Grant Program—FIRE Grants.

As a co-chairman of the Congressional Fire Services Caucus, I am proud

to have been a strong supporter of the original legislation that established and funded the FIRE Grant Program. Since that time, this program has proven itself, by all accounts, a tremendous success.

Just this past May, the U.S. Department of Agriculture's Leadership Development Academy released a comprehensive evaluation of the program, noting that it was "highly effective in improving the readiness and the capabilities of firefighters across the country." Moreover, the study found that 97 percent of those receiving grants reported that the assistance had a positive impact on their abilities to handle fire emergencies, and, of those receiving equipment through the FIRE Grant program, 99 percent of departments indicated that the acquisitions made with the funding had dramatically improved the safety of their firefighters.

The need for this additional funding is abundantly clear. In December of this past year, FEMA and the National Fire Protection Association jointly released the Congressionally-authorized "Needs Assessment of the U.S. Fire Service." The results of this report were startling. Among its findings, the report noted that an estimated 57,000 firefighters lack protective clothing, half of all fire engines are at least fifteen years old, and approximately one-third of firefighters are not equipped with essential self-contained breathing apparatus.

Furthermore, during this year's FIRE Grant application process, record numbers of fire houses around the country have requested assistance. By the April 11 application deadline, the Department of Homeland Security reports having received approximately 19,950 FIRE Grant applications, for a total request of over \$2 billion in Federal funding. Unfortunately, with an appropriation of only \$745 million, the Department expects to fund well under half of these requests. The amount contained in the Homeland Security Appropriations measure currently before the Senate barely exceeds this amount, at a level of \$750 million.

The Mikulski-Dodd amendment would merely fund the FIRE Act at its fully-authorized level of \$900 million. In light of the demonstrated need and inadequacy of current funding levels, I would prefer a larger amount. However, the Senate authorized \$900 million for this program in the Fiscal 2002 Defense Authorization Act, and I believe we must at least meet this modest commitment.

I urge my colleagues to support this amendment.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

● Mr. LIEBERMAN. Mr. President, I rise in strong support of the amendment offered by my colleague Senator DODD to add \$15 billion in funding for our first responders and first preventers. I commend my friend for his strong leadership, and I am proud to be a cosponsor.

One of the Federal Government's primary responsibilities under the Constitution is to provide for a common defense. Today, in the face of the terrorist threat, that means more than building a mighty, well-equipped and well-trained Army, Navy, Air Force, Marines, and Coast Guard. It means strengthening the shared security of our 50 States and their cities and towns, as well as our territories. Today, the readiness of our firefighters and police officers and public health professionals is every bit as important to our national security as the readiness of our soldiers, sailors, and airmen.

Homeland security is expensive. It can't be accomplished on the cheap. And because the war against terrorism is a national fight, a substantial portion of the responsibility falls to the Federal Government. It takes serious money to make the necessary changes to our services and infrastructure. To employ, train and equip top-flight first responders. To buy biometric security systems, hire more border personnel, install information sharing networks and develop biological and chemical testing and treatment capabilities. Securing the Nation's ports, as well as chemical and nuclear plants must become a top priority. In transportation, we must move beyond aviation and also secure mass transit, rails, air cargo, pipelines, tunnels, and bridges. These tough jobs and countless others can't be accomplished with wishful thinking or a magic wand. And they cannot be accomplished by placing an unfair share of the burden on State and local governments who are already facing the worst fiscal crises in decades. Ever since before we established the Department of Homeland Security, many of us were asking this administration to provide adequate resources, to provide them quickly and to target them more effectively. But unfortunately, that hasn't happened.

Across the country, states and localities are being spread thinner than ever at the moment they can least afford it. Homeland security and healthcare costs are rising. Deficits are rising. But the economy isn't. Only our firefighters can protect against chemical weapons or rescue families trapped in buildings. But in some cities and States around the country today, our first preventers and responders are actually being laid off because of budget cutbacks. That is like reducing your troop force in a time of conventional warfare. It is crazy and it must stop and only more money from Washington can make it stop. Yet this administration's indifference is undermining the men and women who are our first line of defense in the war against terrorism.

The American people expect and believe that we are doing our utmost to ensure that sufficient funds are provided, but in too many communities, the reality is unlikely to meet the expectation. The administration has failed to make sure that the necessary

funds go to those who need it most: the local firefighters, police officers, emergency technicians, and public health workers who protect and serve us every day.

In February, I proposed spending an additional \$16 billion on homeland security above the President's fiscal year 2004 budget—\$7.5 billion of which was for first responders. In June, I offered an amendment at the Governmental Affairs Committee markup to add \$10 billion to Senator COLLINS' legislation authorizing grant programs for our first responders, but my amendment was defeated on a party-line vote.

During the markup, it was suggested that we should not authorize that amount of funding without an independent assessment of what the real needs are. Well, now that rationale, which I believe failed to consider the testimony, public statements, and other assessments which already existed, no longer can be made. That is because on June 29th a report by an independent task force sponsored by the Council on Foreign Relations—composed of distinguished former government officials, including a director of the CIA and the FBI, our colleague Senator Rudman, a White House terrorism adviser and a former chairman of the Joint Chiefs of Staff—corroborated the conclusions I and others reached months ago. The report, entitled, "Drastically Underfunded, Dangerously Unprepared," determined that "the United States has not reached a sufficient national level of emergency preparedness and remains dangerously unprepared to handle a catastrophic attack on American soil. . . . If the nation does not take immediate steps to better identify and address the urgent needs of emergency responders, the next terrorist incident could have an even more devastating impact than the 9/11 attacks." Indeed, the task force report found that the U.S. is on track to fall nearly \$100 billion short of meeting critical emergency responder needs over the next 5 years. This estimate does not even include some known needs—such as detection or protection gear for police—because the task force could not obtain reliable estimates for those areas. The administration's response to the warning from this respected commission? It brushed off the report's spending recommendation as "grossly inflated."

The task force report listed a number of urgent needs left unmet due to lack of funding. They point out that funds are urgently needed, among other things, to: provide interoperable communications equipment for all emergency responder groups across the country so that those on the front lines can communicate with one another while on the scene of an attack; enhance urban search and rescue capabilities of major cities; extend the emergency 911 system nationally; provide protective gear and weapons of mass destruction remediation equipment to first responders; and increase

public health preparedness and develop surge capacity on the Nation's hospitals.

The report's findings are sobering. For example, the report noted: "On average, fire departments across the country only have enough radios to equip half the firefighters on a shift, and breathing apparatus for only one third. Only 10 percent of fire departments in the United States have the personnel and equipment to respond to a building collapse." The report found cities without the means to determine whether terrorists had struck with dangerous chemicals or pathogens, and public health labs incapable of responding to a chemical or biological attack.

Earlier today, yet another report was issued—this one by the Progressive Policy Institute—which noted that the Bush administration has failed to adequately address critical homeland security needs, including: improving intelligence gathering and analysis; improving security at the state and local level; controlling our national borders; protecting against bio terror attacks; and protecting critical facilities. The report graded the administration's overall efforts to protect the homeland as "D." It acknowledged that some progress has been made in a few areas, but added "we find that the Bush administration has not brought the same energy and attention to homeland security that it has brought to overseas military efforts. The administration has failed to adequately fund a number of essential homeland security functions. In the absence of presenting a compelling vision of the changes necessary to protect the homeland, the Bush administration has failed to push back on the government bureaucracies that have resisted meaningful change. In short the President has failed to make homeland security his top priority."

The PPI report and the Independent Task Force of the Council on Foreign Relations Report follow a series of assessments that have raised serious questions about the extent and effectiveness of the administration's homeland security efforts. The administration must stop ignoring the evidence that, with respect to homeland security, almost 2 years after the September 11, 2001 attacks, we remain "drastically underfunded, dangerously unprepared."

These reports have simply confirmed what we the Governmental Affairs Committee and others in Congress have been told for many months: The reality is that left without sufficient resources, State and local governments and first responder organizations are struggling—and failing—to keep up with their day-to-day critical services to their communities as their homeland security obligations take an increasing toll. At a hearing of the Governmental Affairs Committee this spring, one police chief told us that he had to eliminate or cut back community police, drug enforcement, traffic

enforcement and programs in schools in order to station most of his force at the airport.

Even as they are forced to abandon more and more of their traditional work to serve as the front line in the war on terrorism here at home, these first responder groups are unable to work effectively because they are lacking sufficient funds. Ed Plaughter, Fire Chief of Arlington, VA told the Governmental Affairs Committee that the stress of protecting the homeland without adequate resources is affecting the morale of first responders. Captain Chauncey Bowers of the Prince Georges County, MD Fire Department testified before the Governmental Affairs Committee on behalf of the International Association of Firefighters and told us that we need a national commitment to homeland security preparedness; he urged us to work to ensure that every fire department in America has the resources to protect our citizens.

First responders need equipment such as personal protective clothing, respirators, and devices for detection of chemical, biological and radiological hazards. They need training in using such equipment, and training in how in general to respond in an attack. Nevertheless, local fire and police officials at our hearings told us at the Governmental Affairs Committee hearings they do not have the resources to pay for training or equipment that they need to prepare for a possible attack. Indeed, most emergency workers still do not have the training or the equipment they require. The December 2002 needs assessment of the U.S. Fire Service conducted by the Federal Emergency Management Agency (FEMA) in conjunction with the National Fire Protection Association found that about one-third of firefighters per shift are not equipped with self-contained breathing apparatus, and nearly half of all fire departments have no map coordinate system. And with respect to training, another study by FEMA found that 27 percent of fire department personnel involved in providing emergency medical services lacked any formal training even in those duties, and incredibly, 73 percent of fire departments failed to meet regulations for hazardous materials response training.

The administration's own budget documents estimate that only about 80,000 first responders were trained and equipped in 2002 with funding at the Federal level of \$750 million. Unless this administration provides significantly more funding, it will take us decades to train our first responders to cope with weapons of mass destruction. We do not have that kind of time.

Even if we could supply training and equipment to all of our first responders, there are simply not enough of them. A survey by the Progressive Policy Institute of 44 of the largest police departments found that 27 of them—nearly two-thirds—are experiencing personnel shortfalls as a result of inad-

equated budgets and problems attracting new recruits. According to the report, the city of Chicago, as a result of increased overtime costs, has delayed hiring new officers and thus has seen its ranks decline between 2000 and 2002. Detroit's experience has been similar, with a 50 percent increase in overtime costs while its ranks thinned by 5.3 percent between 2000 and 2002.

This report is shocking and sad at a time when we should be enhancing our first line of defense. It highlights the need to provide adequate funding to hire additional police officers and firefighters. Yet the Bush administration has steadfastly opposed the efforts of the sponsor of this amendment to support the SAFER Act, which would authorize over \$1 billion per year for 7 years to hire 10,000 additional firefighters per year. I am proud to be a cosponsor of that legislation and the amendment to the DOD bill which would partially fund those firefighters; and I was proud that the homeland security bill which I authored last Congress included funding to hire firefighters, but that provision was defeated by Republicans on the Senate floor.

The PPI survey also makes clear the need for adequate funding for overtime related to training. Indeed, according to the Conference of Mayors, cities across America spent \$70 million per week when the homeland security alert was raised to orange—much of it for overtime expenses.

Finally, even if local police and fire departments had sufficient personnel, they lack the ability to communicate effectively in a time of emergency. In most areas of the U.S., the police, firefighters and emergency technicians in the same jurisdiction have no way to communicate in the field because their equipment is not compatible. Lack of interoperability in communications systems has been cited as a cause of the deaths of 343 firefighters in New York City on September 11, 2001, because police could not reach them prior to the collapse of the World Trade Center towers.

Achieving this goal, however, will be expensive, and the administration's funding commitment is wholly insufficient. The Public Safety Wireless Network, a joint Treasury and Justice Department policy group, estimates it could cost up to \$18 billion. According to the National Task Force on Interoperability, at the State level, replacing basic radio systems for a single public safety agency can cost between \$100 million and \$300 million. Meanwhile, Secretary Ridge testified before the Governmental Affairs Committee on May 1, 2003 that \$40 million had been appropriated to run "some demonstrations projects with regard to interoperable communications." This is an inadequate response to a long-standing and expensive problem, and will leave our first line of defense without the basic equipment they need.

Our police officers, firefighters, emergency management officials, and

public health officials—those we call first responders and first preventers in the fight against terrorism—are struggling to protect us from unprecedented dangers. Those funds must come from Washington because this is a national fight, and budgets are tight and getting tighter in state and local governments across our Nation. Unfortunately, most of my pleas and those of my colleagues—along with those of independent, bipartisan experts and State and local governments—have fallen on deaf ears within this administration.

Senator DODD has chosen the exact opposite route, and the route we urgently need to pursue. His amendment embraces the recommendations of the expert task force of the Council of Foreign Relations. I strongly urge support of the amendment offered by my colleague Senator DODD.●

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have submitted to the manager of the bill a list of amendments that we have remaining on the bill. This has been cleared with Senator BYRD. At any time the majority is ready to enter an agreement that there would be only a certain number of amendments in order, we are certainly ready to do that.

We have one Senator who can't offer an amendment because there is a Senator on the other side who is unavailable to do that right now. So we have people ready to offer other amendments. If the Senator from Mississippi has completed debate on the last amendment, we are ready to go on another amendment within a short period of time.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we appreciate the assistance of the distinguished Senator from Nevada. We have tried to find out the number of amendments that may remain to be offered to the bill so we can get some idea of what we are looking at in terms of the time we have for consideration. We hope to complete action on this bill later today. I am confident we can do that.

We still have a number of amendments that have to be offered and dealt with. We hope Senators who do have amendments will come to the floor and offer them.

In just a couple of minutes, we are going to ask unanimous consent that the list of amendments we know about be the only amendments in order to the bill. We have several amendments on that list. Just glancing at the list, it looks like about 12 in number at this point. We hope Senators won't call and say they "may" have an amendment. If they do have one, they have a right to offer it. We will respect the right of any Senator to offer an amendment to the bill.

We have considered most of the amendments about which we have heard. I am going to ask that Senators

who have an amendment let us know about it so we can clear the list on both sides and limit the number of amendments that remain to be offered to the bill.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Will the Senator yield for a question?

Mr. COCHRAN. I am happy to yield to the distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I have three amendments. But I do not want to vote on my amendments in a stack. For my amendments, I want to have them voted on each after the debate on that particular amendment. I think that is the better way. I think whatever debate we can have on an amendment—I will say my amendment, and I have three—is fresh in the minds of those Senators who have been listening, or those who will listen, who are able to listen in their offices. I don't like stacked votes, as far as any amendments I have are concerned. Stacked votes may be for the convenience of Members, but, in my judgment, we are not here necessarily for the convenience of Members. We are here in this forum to debate and to act upon amendments that are in the interests of the Nation, as we see them.

So for the information of the distinguished manager, I do have three amendments, but I want to call them up whenever I can have votes on them following the debate.

Mr. REID. Will the Senator from Mississippi yield?

Mr. COCHRAN. Yes.

Mr. REID. I have spoken to the two sponsors of this amendment and they feel exactly as Senator BYRD does. They have spent all morning debating their amendment, and they are not going to allow us to go to another amendment until we vote on theirs. I suggest we vote on their amendment. Otherwise, we are not going to go forward on this bill. We asked them to come to the floor early this morning. They have been here. The debate has taken more than 2 hours. I think it has been one of the finest debates we have had in some time. I join with them, and I will object to proceeding to another amendment.

Mr. BYRD. Mr. President, I say further, if I may, what I have said is no reflection on the distinguished manager of the bill. He has been an excellent chairman of this new subcommittee and this is the first time we have appropriated on a full bill for this new Department.

The Senator from Mississippi could not have performed better. He has been very fair with the members of his subcommittee. He has always been very fair with me. What I have said is not to be taken as any reflection or criticism of him whatever. His work is trying to get this bill passed.

As the co-manager, I am interested in moving it along, too. But speaking from a personal viewpoint—and I don't

call up many amendments of my own—I want to state to the Senator and to all Senators, while they are thinking of stacking votes, I have three amendments that I don't want in a stack. I want to vote on them when we have completed our debate. I don't want any 2-minute summation between other rollcalls. I think we have fallen into a kind of slipshod way of acting in the Senate. This is no fault of the Senator from Mississippi. I am voicing my sentiments with respect to my own amendments. I don't think it is a very good way to legislate, to line up six or eight votes. Sometimes we fall into a vote-arama, where we have a good many amendments called up, debated, set aside, and voted on later in a stack, when those Senators who perhaps listened during the debate have gone on to other things and have lost their recollection of what was said in the debate.

I think we ought to vote on amendments when we complete the debate. Perhaps that is not always practicable. I can understand that, having been a majority leader and having been a minority leader. I understand the practicalities of these things. But the ideal way to proceed is as I have suggested—with debate on an amendment and then a vote.

Mr. COCHRAN. Mr. President, I must say that I agree, as a general rule, with the distinguished Senator from West Virginia and the Senator from Nevada about the way the Senate should transact its business. I agree completely.

There are situations, such as on the Budget Act, when we are limited in the amount of time we have for the consideration of a measure and necessarily we end up with one of these vote-aramas, as the Senator points out.

I think, as a general rule, as we consider a bill, after the debate on the amendment is complete, or whatever the issue is, such as a motion to waive a point of order, we should vote on it. I agree.

For that reason, I advise Senators that we are about to have a vote on the motion to waive by Senator DODD on the point of order that was previously made to the Dodd amendment. The yeas and nays have been ordered on the motion to waive.

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

Mr. COCHRAN. Yes.

Mr. REID. If you have clearance on your side, I think it is appropriate to propound the unanimous consent agreement.

Mr. COCHRAN. Mr. President, before we vote, I ask unanimous consent that the following amendments be the only amendments in order to the bill, H.R. 2555:

Senator BYRD, three amendments; Senator LEVIN, two amendments; Senator FEINGOLD, two amendments; Senator ROCKEFELLER; Senator REED; Senator SCHUMER, three amendments; Senator HUTCHISON, two amendments; Senator DASCHLE, two amendments; Sen-

ator SARBANES has an amendment; Senator LANDRIEU, two amendments; Senator FEINSTEIN has an amendment; Senator BAYH, two amendments; Senator COLLINS has an amendment; Senator FRIST, two amendments; Senator SPECTER has an amendment; Senator TALENT has an amendment; Senator MCCAIN has an amendment; and Senator WARNER has an amendment.

Mr. REID. I ask the Senator to modify that to allow any possible managers' amendments cleared by both managers.

Mr. COCHRAN. I agree to that addition to my unanimous consent request.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Is there objection?

Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I thank the Senators sincerely for assisting us in the identification of the outstanding amendments.

Mr. President, the yeas and nays have been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered on the motion to waive.

If there is no further debate, the question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Pennsylvania (Mr. SPECTER) are necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I also announce that the Senator from Minnesota (Mr. DAYTON) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "YEA."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 41, nays 54, as follows:

[Rollcall Vote No. 299 Leg.]

YEAS—41

Akaka	Edwards	Levin
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Biden	Graham (FL)	Murray
Boxer	Harkin	Nelson (FL)
Breaux	Hollings	Pryor
Byrd	Inouye	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Corzine	Kohl	Schumer
Daschle	Landrieu	Stabenow
Dodd	Lautenberg	Wyden
Durbin	Leahy	

NAYS—54

Alexander	Burns	Cornyn
Allard	Campbell	Craig
Allen	Chafee	Crapo
Bennett	Chambliss	DeWine
Bingaman	Cochran	Dole
Bond	Coleman	Domenici
Brownback	Collins	Dorgan
Bunning	Conrad	Ensign

Enzi	Kyl	Sessions
Fitzgerald	Lott	Shelby
Frist	Lugar	Smith
Graham (SC)	McCain	Snowe
Grassley	McConnell	Stevens
Gregg	Miller	Sununu
Hagel	Murkowski	Talent
Hatch	Nelson (NE)	Thomas
Hutchison	Nickles	Voinovich
Inhofe	Roberts	Warner

NOT VOTING—5

Dayton	Lieberman	Specter
Kerry	Santorum	

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. COCHRAN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I have conferred with the two managers of the bill. They have agreed that Senator FEINSTEIN will offer the next amendment. If the two leaders agree, then that amendment would be set aside and Senator BYRD would offer the next amendment. We will have two votes around 2 o'clock, give or take a little bit. I think all will work out well in that regard. Senator FEINSTEIN is outside the corridor, and she will bring her amendment in within a matter of a few minutes. Until she arrives, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, first, I give my thanks to the distinguished Senator from West Virginia for allowing me to offer this amendment at this time, and also to the distinguished Senator from Nevada.

AMENDMENT NO. 1365

(Purpose: To prevent and respond to terrorism and crime at or through ports)

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk on behalf of myself and Senator KYL.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. KYL, proposes an amendment numbered 1365.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. FEINSTEIN. Mr. President, I rise today to offer an amendment aimed at preventing and punishing a

terrorist act at one or another of our Nation's 361 seaports. This amendment is a stripped-down version of S. 746, the legislation I introduced with Senators KYL, CHAMBLISS, and SCHUMER.

The provisions of this amendment have a de minimis cost.

The Technology and Terrorism Subcommittee of Judiciary, both under Senator KYL's leadership and also under my leadership, held some of the initial hearings on port security. Of course, we found very early on what others have found; that is, our ports are really not equipped to, A, handle the challenge of terrorism, and, B, to do so in a way to protect the American people.

This legislation builds on amendments made to our laws in the past year but goes further than those changes to ensure the security of our seaports.

We have found that many of our criminal laws have major loopholes in them and really do not take into consideration crimes that take place aboard ships.

I have shown this amendment to the staff of Senator HOLLINGS. We have shown it to Senator MCCAIN. Yesterday, I went through it with Senators GRASSLEY and BAUCUS of the Finance Committee, and none of them indicated any objection or problem.

Specifically, this amendment would make it a crime for terrorists to attack a port, or a cruise ship, or to deploy a weapon of mass destruction at or through a seaport.

It would make it a crime to put devices in U.S. waters that can destroy a ship, or cargo, or interfere with safe navigation or maritime commerce.

It would update our Federal criminal piracy and privateering laws and increase penalties.

It would make it a crime to use a dangerous weapon or explosive to try to kill someone on board a passenger vessel.

It would make it a crime to fail to heave to—that is, to slow or stop a vessel—at the direction of a Coast Guard or other authorized Federal law enforcement official seeking to board that vessel, or to interfere with boarding by such an officer.

It would make it a crime to destroy an aid to maritime navigation, such as a buoy or a shoal breakwater light maintained by the Coast Guard if this would endanger the safe navigation of the vessel.

It would make it a crime for a terrorist or a criminal to try to attack U.S. citizens or U.S. marine life by putting poison in the waters offshore.

It would require the Attorney General to issue regulations making it easier to determine the extent of crime and terrorism at a seaport, and improve communication between different law enforcement agencies involved at ports.

In addition, this amendment would help improve physical security at seaports by ensuring greater coordination.

In particular, and most importantly, it would designate the captain of the port as the primary authority for seaport security at each port. This would enable all parties involved in business at a port to understand who has final say on all security matters.

The amendment would help ensure that we devote our limited cargo inspection resources in the most efficient and effective manner. For example, it would impose deep monetary sanctions for failure to comply with information filing requirements, including filing incorrect information. The current penalty is only a few thousand dollars.

The Interagency Commission on Crime and Security in U.S. Seaports found that about half of the information on ship manifests is inaccurate. Let me repeat that—half of the information on ship manifests is inaccurate. This means that many manifests are sloppily done. We cannot afford that.

Finally, the amendment would require Customs to come up with a plan to expand its container security initiative and make better use of its scarce inspection resources. This would help push U.S. authority beyond our Nation's borders and improve our ability to monitor and inspect cargo and containers before they arrive near American shores.

If a weapon of mass destruction arrives at a U.S. seaport, it is too late.

Let me provide a couple of examples of why we need to pass this legislation, and do it fast. Our whole bill is in the Commerce Committee, and Senator MCCAIN has agreed—I think in September—to schedule a hearing on the remainder of the bill.

But, for purposes of this amendment, what we have done is strip out those sections of our larger bill where we believe, first of all, there is not much cost and, second of all, where we believe that it is important to get started.

Today, if a person blows up an airplane, he commits a crime. However, if he blows up an oil tanker, he does not commit a crime—unless he is doing it to injure someone with a commercial interest in the vessel.

In addition, if a person distributes explosives to a non-U.S. national, he commits a crime. But if the same person sows mines in the San Francisco Harbor, he does not commit a crime.

The amendment we offer today will close these loopholes, ensuring that our criminal laws are updated to deal with the current terrorist threat.

Currently, our seaports are the gaping hole in our Nation's defense against terrorism. According to the U.S. Bureau of Transportation Statistics, 13 million containers—those are 20-foot equivalent units—came into U.S. ports in 2002. However, the Government inspected only about 2 or 3 percent of these containers. The rest were simply waived through. In addition, in almost every case, these inspections occurred after the containers arrived in the United States.

The problem is a single container could contain 60,000 pounds of explosives. That is 10 to 15 times the amount in the Ryder truck used to blow up the Murrah Federal Building in Oklahoma City. And a single container ship can carry as many as 8,000 containers at one time.

So containers can and will be easily exploited to detonate a bomb that could destroy a bridge, a seaport, or other critical infrastructure, causing mass destruction and killing thousands.

Worse, a suitcase-sized nuclear device or radiological "dirty bomb" could also be installed in a container and shipped to the United States. The odds are that the container would never be inspected. And even if the container was inspected, it would be too late. The weapon would already be in the United States, most likely near a major population center.

In addition, any attack on or through a seaport could have devastating economic consequences. Excluding trade with Mexico and Canada, America's ports handle 95 percent of U.S. trade. Every year, our ports handle over 800 million tons of cargo valued at approximately \$600 billion.

In its December 2002 report, the Hart-Rudman Terrorism Task Force said something interesting:

If an explosive device were loaded in a container and set off in a port, it would almost automatically raise concern about the integrity of the 21,000 containers that arrive in U.S. ports each day and the many thousands more that arrive by truck and rail across U.S. land borders. A three-to-four-week closure of U.S. ports would bring the global container industry to its knees. Megaports such as Rotterdam and Singapore would have to close. . . . Trucks, trains, and barges would be stranded outside the terminals with no way to unload their boxes. Boxes bound for the United States would have to be unloaded from their outbound ships. Service contracts would need to be renegotiated. As the system became gridlocked, so would much of global commerce.

We have worked on this bill with a large number of port people over a substantial period of time. This has not been quickly put together. I thank the Justice Department, the Coast Guard, Customs, the Transportation Security Administration, and leaders of ports in my home State for their assistance with this legislation.

I also thank the working group that helped put our full bill together. This group includes Dick Steinke, executive director of the Port of Long Beach; Rob Quartel, CEO of Freightdesk Technologies; Charles Upchurch, president and CEO of SGS Global Trade Solutions; Jason Clawson, president of JBC International; Stephen Flynn, Senior Fellow, Council on Foreign Relations; Michael Nacht, dean of the Goldman School of Public Policy; Kim Peterson, Executive Director of the Maritime Security Council; and Amanda deBusk, a member of the Interagency Commission on Crime and Security in U.S. Seaports and former Assistant Secretary for Export Enforcement, the Department of Commerce.

Mr. President, this has been vetted. We have passed it through all of the applicable Federal agencies. We must close these loopholes. We must tighten these criminal penalties. We must make one person in charge of security at every port so every agency isn't stumbling over the next agency there.

Senator KYL has indicated that I speak for him as well. So I hope, the managers of the bill on the floor will be able to accept this amendment or, at the very least, allow us to vote for it and add it to the bill.

Again, I thank the Senator from West Virginia. I know he was ahead of me in line but he very graciously allowed me to proceed first.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I raise a point of order under rule XVI that the amendment constitutes general legislation on an appropriations measure and is not in order.

The PRESIDING OFFICER. A point of order has been made.

The point of order is not debatable. The amendment does constitute legislation on an appropriations bill. The point of order is sustained and the amendment falls.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

(The remarks of Ms. LANDRIEU are printed in today's RECORD under "Morning Business.")

Ms. LANDRIEU. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1367

Mr. BYRD. Mr. President, this week the Senate has considered a number of amendments to increase homeland security funding to address known vulnerabilities in our Nation. These are vulnerabilities we know are there. We have offered amendments to add funding for expanded homeland security missions that have been authorized by Congress and signed into law by the President since 9/11.

I believe these amendments have been defeated not on the merits but be-

cause their adoption would have resulted in the bill exceeding limits established in the budget resolution. These are meritorious amendments, and I am confident some of the Senators who voted against them voted against them because the bill would then exceed limits established in the budget resolution. That is a compelling reason for many to consider.

Therefore, today I offer an amendment that addresses these known vulnerabilities to the extent possible within the limits of our 302(b) allocation. I do so because the vulnerabilities are documented and the needs are clear.

This bill includes \$823 million, consistent with the President's request for information, analysis, and infrastructure protection. Since February, we have asked—now listen—the Department of Homeland Security to identify for us what specific infrastructure in this country is most vulnerable.

To whom should we go to find out the answers, if not the Department of Homeland Security? That is the Department which should be able to pinpoint, should be able to give to the Congress, a list of the most vulnerable infrastructure and give us the priorities: Which is more vulnerable, A or B or C? That is the agency that ought to be able to answer the questions.

Have we gotten any answer to our questions? No, no answer. This is the Department that should be held accountable and will be held accountable, and the Department has not responded.

We have asked these questions more than once. So I shall offer an amendment that addresses these known vulnerabilities, to the extent possible, within the limits of our 302(b) allocation, and I do so because the vulnerabilities are documented and the needs are clear.

This bill includes \$823 million, consistent with the President's request for information, analysis, and infrastructure protection. Since February—let me say that again—since February, we have asked the Department of Homeland Security to identify for us in the Congress, in the Senate, what specific critical infrastructure in this country is most vulnerable.

To date, the Department has provided no detail about how these funds would be spent—no detail, none. We requested it, as I say, as early as February and since February.

The President is asking us to buy a pig in a poke. The administration wants us to give them \$823 million of the taxpayers' money and they have not told Congress how the funds will be spent or whether these funds can be used effectively. Now why wouldn't they tell us? Why wouldn't they tell us?

What we do know is that the Coast Guard has over \$1.7 billion of pending applications for port security grants in order to secure our most vulnerable ports. We know that. What we do know is that the Coast Guard has estimated

the cost of the ports implementing the Maritime Transportation Security Act security standards is \$5.4 billion over 10 years and \$1.1 billion in the first year. So when you add the funds in this bill to previously appropriated funds, the Department would have only \$518 million to help the ports improve their security.

What we do know is that the Department of Homeland Security received applications from over 20,000 of the Nation's local fire departments, totaling \$2.5 billion out of their desire to equip and to train themselves to deal with weapons of mass destruction and to improve their capacity to respond to other emergencies in their communities.

What we do know is that only 10 percent of our fire departments have the capacity to deal with a major building collapse. What we do know is that only 13 percent have the equipment and training to deal with biological or chemical terrorist attacks.

What we do know is that the Coast Guard commandant has testified that there is no funding in the budget for the Coast Guard to enforce the new port security standards that are mandated by the Maritime Transportation Security Act and that the Coast Guard imposed on the port industry on July 1.

What we do know is that the General Accounting Office has concluded that 123 chemical facilities across the country—some of them in the great Kanawha Valley in West Virginia—has concluded that 123 chemical facilities across the country, if attacked, could inflict serious damage and expose millions of people to toxic chemicals and gasses. There are 3,000 chemical facilities in 49 States that if attacked could affect more than 10,000 people each. This is serious business. The General Accounting Office found that the Federal Government has not comprehensively assessed the chemical industry's vulnerabilities to terrorist attack.

This amendment would address those issues by providing \$100 million for port security grants, \$100 million for grants to fire departments, \$42 million for the Coast Guard to implement the port security requirements of the Maritime Transportation Security Act, and \$50 million for chemical security vulnerability assessment.

This amendment is fully offset for both budget authority and outlays by reducing amounts in the infrastructure account by \$292 million.

I say again that the amendment has fully offset both the budget authority and outlays by reducing amounts in the infrastructure account by \$292 million. Even after this reduction, the infrastructure account will have a funding level which is three times the level from fiscal year 2003.

I urge the Senate adopt the amendment. The Senate should address these known vulnerabilities now.

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

The PRESIDING OFFICER. The current amendment will be set aside and the clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 1367.

Mr. BYRD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 785, line 6, insert the following:

TITLE VII—FULFILLING HOMELAND SECURITY PROMISES

OFFICE OF THE UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY

TRANSPORTATION SECURITY ADMINISTRATION  
MARITIME AND LAND SECURITY

For an additional amount for "Maritime and Land Security", \$100,000,000, to remain available until September 30, 2005, for port security grants, which shall be distributed under the same terms and conditions as provided under Public Law 107-117.

UNITED STATES COAST GUARD  
OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$42,000,000, to remain available until December 31, 2004, shall be for 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 an additional amount for "Firefighter Assistance Grants," \$100,000,000, to remain available through September 30, 2005, 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 AND INFRASTRUCTURE PROTECTION

Of the amounts made available for the "Office of the Under Secretary for Information Analysis and Infrastructure Protection", \$50,000,000, to remain available until September 30, 2005, shall be for chemical facility security assessments.

OFFICE OF THE UNDER SECRETARY FOR INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

On page 66, line 9, strike "\$823,700,000," and insert "\$581,700,000."

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is my intention to review the amendment, and when I have had an opportunity to reread it, I will be in a better position to respond to it.

I am very hopeful the funding in this bill will enable the Secretary of the Department of Homeland Security and the heads of the various directorates and the other agencies that are funded in this bill—the Coast Guard and others—to carry out their responsibilities to improve the overall security of our homeland to protect against terrorist attacks, to try to anticipate terrorists attacks, and to recover from natural disasters.

We have within this Department a wide range of functions and responsibilities, one of which has been identi-

fied in this amendment as, I suppose, being funded at too high a level because the offset that is contained is to take funds from one of these directorates and move it to the function of port security.

It is a very difficult challenge to try to balance the competing interests within this Department to make sure each area is not only well staffed with people who know what they are doing, but that they have the funds to carry out their mission.

The directorate that suffers if this amendment is adopted is the one who helps bring together the intelligence information to assess the vulnerabilities of various critical infrastructure areas such as chemical facilities identified by the Senator from West Virginia. If that money is taken away, it will be less likely they can carry out their mission in the way we would all hope they could.

This is a very important area of activity for the Department of Homeland Security. It is an area that, if limited in the way proposed by this amendment, would reduce the capacity to obtain intelligence or warnings and to carry out the threat analysis functions that are the responsibility of this directorate, and \$292 million would be taken from the directorate responsible for information analysis and infrastructure protection.

That is 35 percent of the funds that are made available in the bill for this directorate. This is a drastic cut. It is a meat-ax approach to one directorate, to shift funds to another area that we all recognize is in need of funding, but it already is funded. It is funded at a level that, in the judgment of our committee, would help ensure that our ports are protected, that we are able to defend against not only terrorist attacks but any other activity that would threaten or undermine the security interests of the United States.

Just this week, an article was carried by the Washington Post talking about inadequacies of the new intelligence unit at the Department of Homeland Security and talking about the challenges it faced. I read the article and am familiar with some of the charges made in the article. But the conclusion was that they were not able to compete with the CIA, the FBI, the other established intelligence-gathering agencies because they were having a hard time attracting competent people and getting the number of analysts they ought to have in this Department to carry out their responsibilities. It pointed out, for example, that the intelligence analysts don't have the computers they need that are capable of receiving classified, top secret and above, documents.

If this amendment is adopted, it is going to make it even more difficult. I can't imagine their being able to sustain the workforce they have. People they tried to recruit to come aboard this Department and help deal with these new challenges may have to be

dismissed. The ability of the Department to perform assessments of critical infrastructure—drinking water supply systems, chemical facilities, as I mentioned—and other areas where large numbers of people may gather from time to time; arenas, stadium crowds, baseball parks, and the Nation's seaports are just some that come to mind.

I am hopeful that the Senate will reject this amendment. It is clear to me that there are a lot of Senators who would like to increase the funding available for port security grants. If you are going to award a grant to a port, you have to be able to evaluate the security needs of these ports. All the ports in the United States are filing applications. There is a backlog of applications. One of the reasons for the backlog, in terms of assessing and approving and selecting the ones to be funded, is lack of personnel to do the job.

It seems to me this amendment seeks to improve port security but at the same time take away money that would be used to assess which ports are in greater need, where should the grant money go, which ones of the applications have the highest merit. You have to have people to do that. This amendment takes away money for the people to make those assessments.

Also affected by the offset would be the National Communications System, which would be cut deeply if this amendment were accepted. The priority telecommunications programs would not be able to be implemented, programs which allow high-ranking officials to be able to use cellular telecommunications in the event of a terrorist attack or other catastrophic event. This was a major problem on September 11. We talked about the breakdown in communications. One agency could not communicate with the other. This has been a problem nationwide. The adoption of this amendment would exacerbate that problem.

I think the amendment, while I know the distinguished Senator from West Virginia is deeply concerned about the port security issue, would undermine one of the most important activities and cripple an already tight budget situation, make it more difficult for our intelligence units to function effectively in the Department of Homeland Security.

At the appropriate time, it is my intention to move to table the amendment of the Senator from West Virginia, but I do not intend to make that motion until other Senators who may wish to be heard on the amendment have a chance to speak.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1318 WITHDRAWN

Mr. REID. Mr. President, I ask unanimous consent that I be allowed to withdraw amendment No. 1318.

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

AMENDMENT NO. 1367

Mr. BYRD. Mr. President, the distinguished Senator from Mississippi uses an old phrase that I cut my teeth on when I worked in a meat shop back in the coal camps during the Great Depression. He speaks about this "meat-ax" approach—meat-ax. Meat-ax, my foot. Is this administration serious or is it not serious about homeland security? Is it serious or is it not serious? We have heard all this talk—or is it mere talk? Is it just rhetoric? Is it rhetoric without resources?

Let me say again, Congress, the Senate, has asked the administration, the Department of Homeland Security, for a list of its vulnerabilities. How would it spend the \$823 million? We say to the Secretary of Homeland Security: How are you going to expend the moneys? What are the vulnerabilities? Tell us. The moneys have been sitting there unspent for how long? Ten months? What are the vulnerabilities? Tell us. We are the elected representatives of the people. The Secretary of the Department of Homeland Security wasn't elected by anybody to the current position he holds.

I have great respect for former Governor Ridge, but what are the vulnerabilities? Let us see your list. To date, no list. The Department has not responded. So we say: If you have \$823 million sitting there, and we know that this Nation and its people cry out for security, we hear about al-Qaida being here and there, and about its being in Iran and about all the threats, the level of threats, we know about the code orange and code yellow and the code red—but no list. Where is the list?

I think we have a right to say if you are not going to show us a list, we know there are vulnerabilities, and we propose to spend some money to meet those needs. The American people are busy. Those who have jobs are busy trying to put a little bread and butter on the table. They cannot read all of the news stories about budgetary problems and 302(b) allocations. They depend on us in the Senate. They depend on the Senator from Mississippi. They are depending on the Senator from West Virginia. They depend on the Senator from Kentucky who presides over the Senate at the moment. They depend on the Senator from New York and the Senator from Vermont. They think we ought to know.

They think the Department of Homeland Security, which has been handed these responsibilities by the Congress, is taking care of everything. They think the Department is on top of the problem.

They believe their homes are secure and their schools are secure. They believe the vulnerabilities that have been talked about are being taken care of.

The American people go to their jobs every day and work hard. They return home in the evenings and read the newspapers. They watch the television news and talk with their families over the supper table. We still call it supper

in West Virginia. They think all that is taken care of. Many of them rest easy because they think we are on the job, that we will do the job for them, and that we are looking out for them. We are not looking out for them.

I say to you the Department will not respond to the Congress. Of course, it is not a surprise to me anymore because this administration looks upon the Congress with contempt—at least that is my perception—with utter disdain. Those peons up there, they want to know what the vulnerabilities are. We will tell them when we get ready.

Senator STEVENS and I, upon more than one occasion in times gone by, have sought to add moneys to appropriations bills to meet the needs of the defense of this Nation and homeland security. The administration, with some apparent contempt, wrote us back on more than one occasion that the administration has everything well in hand. They don't need the extra moneys that you are wanting to provide. The administration is not ready for that. We will let you know. We on Mount Olympus from our ethereal atmosphere will one day let you know how much money we need, but not now.

That is the contemptuous attitude some of those people downtown have. It is pretty clear from their letters and from the way they spurn the Congress and turn the back of their hand to the Congress.

I say the American people ought not be misled. But they are being misled if they perceive and believe they are being protected, that we are on top of everything, and that the administration has its act together. They are wrong.

Here is an amendment that would address the known vulnerabilities to the extent possible.

I don't believe the American people ought to be misled. They ought to have a right to believe that we are attending to the gaps in their security.

The distinguished Senator from Mississippi speaks about this \$823 million that is there, and if we do this little amendment we will be in essence robbing the account or taking away from account moneys that the Department knows better how to spend. Even with the reduction in this amendment, the account is tripled over the fiscal year 2003 level.

The chairman has called this amendment a meat-ax cut—meat ax. I bear a scar on my left thumb today put there by a meat ax. I know what a meat-ax cut is. A meat-ax cut in spending. Yes. The account would grow from approximately \$180 million to \$582 million. I don't see this as a meat ax cut. I don't see this as a cut.

Securing our ports is important to our infrastructure by any definition. It is important to our infrastructure. How could we better spend that money? The money is lying there. It is not being spent. And the Department won't even tell us in the Senate what

the priorities are, and how they would suggest those moneys be spent.

This amendment defines the infrastructure investments that we know about and know must be made.

I hope Senators will support this amendment.

There is nothing political about this amendment. The money has been appropriated for infrastructure. The Department in charge of the expenditures of this money won't tell the Congress how the money should be spent or what the priorities are or how the Department sees those priorities or how the Department intends to spend the money or how the Department would propose this money be spent or what the vulnerabilities are. The Department won't tell us that.

What are we to do? The American people think they are being secured. They are not.

I hope Senators will support this amendment and spend the money where it will do the most good—on where we know there are vulnerabilities to the Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise today to express my strong support for the good government amendments that my colleague, Senator BYRD, shall be offering later today. The public is looking to the Department of Homeland Security to ensure that our country is prepared to the best of its ability for any future terrorist attack.

What must the public think when they see individuals who recently worked for Secretary Ridge turning around and lobbying for a specific special interest? What do they think when individuals who run companies competing for government contracts from the Department of Homeland Security are appointed to a special advisory council to that same Department?

These events may not be hindering our preparations against another terrorist attack, but they surely raise an appearance of am impropriety.

To ensure that the public has full confidence in the Department of Homeland Security and the actions that are taken to prepare the country, the Senate should pass these important amendments.

I thank my colleague, Senator BYRD, for raising these important issues. I urge my colleagues to support these good government amendments.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Mississippi.

Mr. COCHRAN. Madam President, I move to table the Byrd amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1367.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I also announce that the Senator from Minnesota (Mr. DAYTON), is absent attending a funeral.

I further announce that, if present and voting, the Senator from Minnesota (Mr. DAYTON), and the Senator from Massachusetts (Mr. KERRY) would each vote "no."

The PRESIDING OFFICER (Mr. CRAPO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 300 Leg.]

YEAS—51

Alexander	DeWine	McCain
Allard	Dole	McConnell
Allen	Domenici	Miller
Bennett	Ensign	Murkowski
Bond	Enzi	Nickles
Brownback	Fitzgerald	Roberts
Bunning	Frist	Santorum
Burns	Graham (SC)	Sessions
Campbell	Grassley	Shelby
Chafee	Gregg	Smith
Chambliss	Hagel	Specter
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Talent
Cornyn	Kyl	Thomas
Craig	Lott	Voinovich
Crapo	Lugar	Warner

NAYS—45

Akaka	Dorgan	Levin
Baucus	Durbin	Lincoln
Bayh	Feingold	Mikulski
Biden	Feinstein	Murray
Bingaman	Graham (FL)	Nelson (FL)
Boxer	Harkin	Nelson (NE)
Breaux	Hollings	Pryor
Byrd	Inouye	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kohl	Schumer
Corzine	Landrieu	Snowe
Daschle	Lautenberg	Stabenow
Dodd	Leahy	Wyden

NOT VOTING—4

Dayton	Kerry
Edwards	Lieberman

The motion was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Senators SPECTER and SCHUMER are now going to offer an amendment. They have agreed to take 30 minutes for the two of them. I ask unanimous consent that there be 1 hour of debate evenly divided between the proponents and opponents of this amendment; that there be no second-degree amendments in order prior to any vote on or in relation to the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Pennsylvania.

AMENDMENT NO. 1368

(Purpose: To increase the funding for discretionary grants for use in high-threat urban areas)

Mr. SPECTER. Mr. President, I send an amendment to the desk on behalf of Senator SCHUMER, Senator WARNER, Senator CLINTON, Senator MIKULSKI, Senator CORZINE, Senator KENNEDY, Senator MURRAY, Senator LAUTENBERG, and myself and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. SCHUMER, Mr. WARNER, Mrs. CLINTON, Ms. MIKULSKI, Mr. CORZINE, Mr. KENNEDY, Mrs. MURRAY, and Mr. LAUTENBERG, proposes an amendment numbered 1368.

On page 58, line 6, strike "\$2,888,000,000" and insert "\$3,138,000,000".

On page 59, line 1, strike "\$750,000,000" and insert "\$1,000,000,000".

Mr. SPECTER. Mr. President, the purpose of this amendment is to increase the funding for high threat urban areas from \$750 million to \$1 billion for fiscal year 2004 of the Homeland Security bill. It is well known that the threat of terrorism is with us on a daily basis, and it is our hope that another terrorist attack such as the one on September 11, 2001 can be avoided.

Our intelligence agencies are working at a high pitch to try to avoid such a terrorist attack, but we know it is relatively easy to infiltrate our borders, that we have vast areas where we are accessible from the sea, land, and air, and that it is possible to bring in explosives and dangerous items by way of bioterrorism or explosives.

There is no doubt that the high-risk areas, urban areas, are more susceptible for these kinds of attacks because they pose a target where terrorists could reach a large number of people, evidenced by September 11 when the Trade Towers were attacked, going after thousands of people, the plane that went into the Pentagon, and the plane which was most likely headed for the Capitol, doing a maximum amount of damage.

It is obviously necessary to be as prepared as we can be within reason, and in order to avoid having the terrorists win, we have to set a goal of concern but not being terrified, and a way not to be terrified is to be prepared—hopefully, adequately prepared.

Candidly, it is very difficult to make a determination factually as to how much money is adequate. Is \$50 million adequate or is \$1 billion adequate? Nobody can say with absolute certainty. But we believe this is a relatively modest increase in the appropriations for high-risk areas and that it is well warranted by the facts.

Earlier today, Senator SANTORUM and I traveled with President Bush to Philadelphia where he spoke. His path is illustrative of the kinds of special risks that are present in an urban area such as the city of Philadelphia. First,

we landed at the airport, which is a natural target. Next, we went along the highways, another target. Then we traveled over an enormous bridge spanning the Schuylkill River, then along the seaport.

At every step of the way, we were looking at high-risk areas, and the number of policemen and security personnel, in addition to the Secret Service and Federal personnel, was very substantial.

In addition to the kinds of areas traversed by the President—the airport, the bridges, the seaport, and the highways—the major urban areas have subways, tunnels, and railyards, all of which exposes them to greater risks.

It is not only the major cities, the urban areas, which have the high risks but there is risk really all across America. No one knows if the terrorists will strike again, where the terrorists will strike again, when the terrorists will strike again, but we have to be prepared.

During the July recess, I made it a point to travel through 14 Pennsylvania counties and visit first responders. I went to the city of Pittsburgh—a big city, obviously—to take a look at what was being done there, to take a look at the paraphernalia, the clothes worn by the firefighters as first responders. They are very expensive. I looked at the mechanical units that detect anthrax in the air, that detect bioterrorism substances in the area.

I went to a series of small towns, including the Indiana Volunteer Fire Association. I went to the Oil City Fire Department. In the smaller communities there is great concern. They are worried a terrorist attack on a small community would alarm smaller communities all over the country. Whereas smaller communities might feel it is the big cities that are the first lines, perhaps it will be the smaller communities.

The funds are distributed to the smaller communities from the States. If there is an increase in funding for a State such as Pennsylvania, New York, New Jersey, or Maryland, for the high-risk areas, there will obviously be more funds available for smaller communities. The big cities are being called upon to spend a great deal of money when the threat line is elevated.

In fiscal year 2002, the city of Philadelphia spent \$21.2 million on increased domestic security costs overtime by the police, fire, and public health employees associated with rapid assessment teams. This year, from February 7 to February 20, the threat level was increased from yellow to orange in the city of Philadelphia, costing an additional \$1.3 million during that 2-week period alone for domestic protection.

The city of Pittsburgh has also had to bear the costs of increased protection resulting from September 11. In fiscal year 2002, the Pittsburgh Department of Public Safety spent almost \$7 million for additional protection. I visited the Allegheny County Threat Cen-

ter and the first responders in Pittsburgh. The money spent so far is clearly insufficient. I repeat, no one knows exactly what the costs would be to make it sufficient, but there would be some reassurance in the high-risk areas and also in the balance of the country where the smaller communities will get increased funding as a result of a special allocation to the high-risk areas which would enable State governments to allocate more to the smaller communities with this additional allocation, with this additional appropriation.

Other urban areas are similarly affected. For example, the increased police protection in New York City costs approximately \$5 million a month; protection at the United Nations costs in the range of \$8 million a month. This is just a thumbnail sketch. It could be amplified with every city, every urban area, every high-risk area in the country.

It is our submission in putting forward this amendment that this is a modest additional protection on a very serious threat which confronts our Nation today.

How much time remains for the proponents?

The PRESIDING OFFICER. Twenty-two minutes.

Mr. SPECTER. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask for 8 minutes from my colleague from Pennsylvania.

Mr. SPECTER. So done.

The PRESIDING OFFICER. The Senator from New York is given 8 minutes from the proponents' time.

Mr. SCHUMER. Mr. President, I thank my colleague from Pennsylvania for sponsoring this legislation along with me, Senator WARNER, Senator CLINTON, and others. It is vital legislation.

In general, we have to make homeland security as large a national priority as security overseas. I have been supportive of the President in fighting the war on terror overseas, but I do not think we are doing enough at home. I have had a series of amendments in that regard. This amendment may be the most important of all amendments.

Senator SPECTER laid this out quite well. We have certain areas that have high needs in terms of the threat to them. To take all the money in an airplane and let it gradually disperse itself all over the United States would not make sense.

My city of New York has tremendous problems. I live near the Brooklyn Bridge. That is, obviously, a target. Our city has two police officers at each end of that bridge 24 hours a day, 7 days a week. We could not do less given the great needs of security. Just figure that out. Four officers to fill a 24-hour a day, 7-day-a week shift. That is 20 just for that bridge. Multiply it by the multiplicity of bridges, tunnels, the airports and high buildings, and New

York City is spending a tremendous amount on security.

It is not just cities such as New York. Buffalo, at the other end of my State, is one of the 30 cities wisely included in the high needs formula last time by the Homeland Security Department.

Buffalo has a border with Canada, with bridges. They found a terrorist cell in Lackawanna, a city on the border with Canada. All the commerce with Canada creates special needs.

Our amendment says: Let everyone get a certain amount of money. Everyone has a police department and a fire department. But understand that there are certain areas that have high threat. We ought to do something for them.

This is a modest amendment. First, it only raises the high-needs area \$250 million to \$1 billion. Second—and I underscore this to my colleagues because I have been asked—this does not have an offset. It does not take money away from the smaller States, smaller cities. The theory behind this amendment is we need to do more for our police and our fire and our first responders. Therefore, we are not robbing Peter to pay Paul. We are, rather, saying let the high-needs areas, the high-threat areas, be funded.

Secretary Ridge, former Office of Management and Budget Chair Daniels, and, in conversations on the phone, present OMB Chair Bolton have all agreed we should improve the formula. We should make it better to correspond with high-threat areas. This amendment tries to do that by adding some money into the area that, in my opinion, this bill has most underfunded: High threat.

I remind my colleagues of one other point. Last year, we allocated \$800 million to high threat. The needs are greater. We should be going up. The House allocated \$500 million in their bill. If we go to conference with only the \$750 million in the mark, we are virtually certain to go backward in terms of the money that high-threat areas need and that high-threat areas deserve.

I quote from a well-received report from the Council on Foreign Relations, chaired by a former colleague, Warren Rudman. The Council has estimated: The Federal, State, and local spending for homeland security should increase by \$19.7 billion a year for the next 5 years and more targeted to the areas where the threats are.

If they think we need \$19.7 billion more and we are only increasing this by \$250 million, it shows the modesty of the request compared to the actual need.

To come out of conference and cut money to high-threat areas would be just what many feared in the wake of September 11: that we were getting complacent; that we are going back to the pre-September 11 days; that because nothing has happened in the last year, year and a half, we can relax.

The conditions that cause terrorism, the idea that small groups of people

can use technology to do us terrible damage is with us as much today as it was on 9/10/2001. The good news is we can do things to stop it. We can do them at the Federal level, and we can do them at the local level. But this does cost money.

Money is dear. Obviously, with the deficit we have and other problems, it is dear. But life is even dearer. This is one area where nobody disputes that the Federal Government has the lead role. This is not something the private sector can do on its own. It is not something the States and localities can do on their own.

I hope my colleagues will support this amendment. Again, it doesn't take money from anything else. It does raise the overall amount by a modest \$250 million but probably in the area of the budget that is least funded. Even the mark done by the chairman has less money for high-threat areas than we actually allocated last year.

I yield the floor and return the remainder of my time back to my colleague from Pennsylvania, but I hope we will support this amendment.

**THE PRESIDING OFFICER.** The Senator from Mississippi.

**Mr. COCHRAN.** I make a point of order under section 302(f) of the Congressional Budget Act that the amendment provides funding in excess of the subcommittee's 302(b) allocation.

**Mr. SPECTER.** Mr. President, I move to waive the point of order pursuant to the applicable provisions of law.

**Mr. President,** I yield 5 minutes to the Senator from Massachusetts.

**THE PRESIDING OFFICER.** The Senator from Massachusetts is given 5 minutes of the proponents' time.

**Mr. KENNEDY.** Mr. President, two weeks ago, when Defense Secretary Donald Rumsfeld testified before the Senate Armed Services Committee, he told us that the current cost of maintaining our troops in Iraq is \$3.9 billion a month almost \$1 billion a week.

The administration is prepared to meet that financial burden, even as the American people are beginning to question the future direction of the President's Iraq policies. Hopefully, the death of Saddam's sons will reduce the intensity of the guerilla war being waged against our troops. Hopefully, the administration will finally seek the support of the United Nations and NATO to ease the burden on our troops.

We all agree that when it comes to homeland security, there is no debate. Americans want our cities and our neighborhoods to be safe from terrorists, and they expect their government to do what is needed to accomplish that task.

Yet, while we are spending \$3.9 billion each month in Iraq, this legislation includes only \$3.9 billion for the entire year for first responders here at home—for the police and firefighters and emergency personnel who are the first line of defense against terrorism in our communities.

Perhaps the fact that we are spending more in Iraq each month than we

are in the United States on our first responders would only be an odd coincidence if we were certain that we were doing all we can here at home. Unfortunately, all the available evidence suggests otherwise.

Just last month, the Council on Foreign Relations' Independent Task Force issued a report entitled "Emergency Responders: Drastically Underfunded, Dangerously Unprepared," and it points a very stark picture.

According to the report, America faces a \$98 billion shortfall in first responder funding over the next 5 years and only 10 percent of fire departments across the country have the personnel, training, and equipment to respond to a building collapse. The report also asserts that American cities with between 250,000 and 500,000 residents have experienced a net 16 percent reduction in police personnel over the past 2 years.

Since September 11th, mid-size American cities have had to reduce police staffing by 16 percent. These figures are unacceptable, and they are getting worse.

And yet, time and time again during this debate, we have stood here and offered amendments to increase federal funding to help municipalities and public agencies with these new homeland security responsibilities. But the White House has put its foot down each time, and demanded that our colleagues on the other side oppose this badly needed funding.

Just this week we've offered eight critically important homeland security funding amendments, each of which has been voted down with little consternation about the magnitude of our pressing homeland security needs. Each was rejected on the basis of budgetary concerns, and with the belief that we are doing all we can. But clearly we are not.

We have offered amendments like Senator BYRD's to add \$1.8 billion this year for a broad array of homeland security needs such as port security, air cargo security, energy security, and transportation security. It was rejected.

We have offered amendments like Senator MIKULSKI's to add \$150 million to fully fund the firefighters grant programs. It was rejected.

We have offered amendments like Senator MURRAY's to add \$100 million to the National Emergency Management Performance Grants program, which helps states develop and implement comprehensive security and emergency response plans. It was rejected.

We have offered amendments like Senator HOLLINGS' to add \$300 million to fund essential port security programs. It too was rejected, even though the security of our nation's ports is widely considered the most glaring vulnerability in our Nation's efforts to prevent terrorist attacks.

And finally, we have offered amendments like Senator DODD's that would

fund homeland security needs by reducing the recent tax cuts for millionaires. It wasn't even close.

Prudence would dictate that we pause and make absolutely sure that we are doing everything possible to provide for homeland security, and not simply continue to vote down these amendments because the administration doesn't want Federal spending to increase.

And we still have several more opportunities to do just that.

I strongly support the amendment offered by Senator SCHUMER and Senator SPECTER, because it is one such opportunity to make sure that our high-threat urban areas receive the assistance they so desperately need. This amendment would add \$250 million to protect our largest cities, which face particularly daunting security challenges.

My own city of Boston feels this pressure immensely and feels it acutely. Boston is the regional economic engine of New England, and the center of the seventh-largest metropolitan area in the country.

Boston is also home to the Nation's oldest subway system, several underground highway tunnels, a bustling cargo port, and the only urban liquified natural gas facility in the country.

In short, protecting these pieces of critical infrastructure is a task too herculean for the city to handle on its own, especially in the current budget climate. It is also a Federal responsibility.

Additionally, as an international city, Boston is home to over 36 foreign embassies and tens of thousands of international students. It attracts more than 10 million visitors a year from all over the world, who come to learn about this "cradle of liberty," where the American Revolution began.

That history, and the numerous public monuments and structures that recall it, make Boston a powerful symbol of the American struggle for freedom, democracy, and liberty. Unfortunately, that symbolism also makes Boston an attractive target.

Finally, Boston is home to the Nation's mutual fund industry, the largest concentration of the world's leading hospitals, and more institutions of higher learning than any other city in the United States. An incident involving Boston would most certainly cripple the nation's economy and dismantle the Nation's health care network.

I am grateful that Homeland Security Secretary Tom Ridge has recognized Boston's unique needs and designated it as a high-threat urban area, and I also greatly appreciate that he recently visited Boston to see firsthand the challenges confronting Mayor Menino.

But while this assistance is welcome, it is simply not enough—in the face of massive municipal and State budget cutbacks—to meet Boston's extraordinary needs, which are only going to

become more severe during next year's political convention when some 35,000 delegates, journalists, and visitors come to town.

Mr. President, we have voted down a great many important homeland security funding amendments in the past three days, and we are not doing all we can to protect the American people at home.

We have a \$98 billion shortfall for first responders, at the same time we have approved a trillion in tax cuts for mostly millionaires and at the same time we are sending \$3.9 billion each month to Iraq. We need to reassess our priorities, and this amendment provides us with one more chance to do that before this debate concludes.

Mr. President, the 9/11 Commission released its report today, the "Joint Inquiry, Intelligence Community Activities Before and After the Terrorist Attacks of September 11." It is full, full of the missed opportunities that endangered the security of American lives. It catalogues missed opportunity after missed opportunity that contributed to the suffering of the 177 Massachusetts families that lost loved ones on that horrible day and thousands of other families across the country.

The best answer we can have in response to this report that was made available to the American people today is to make sure we are going to provide the kind of support for homeland security that this amendment provides.

I hope this Senate will accept the Schumer-Specter amendment because it is an important downpayment for the security of our most vulnerable American cities. If we are really interested in learning the lessons of this report today, we will make sure that the necessary resources are provided.

I yield the floor.

The PRESIDING OFFICER. Who yields time? Who yields time to the Senator from New York?

Mr. SPECTER. Mr. President, how much time does the Senator from New York wish?

The PRESIDING OFFICER. There are 11.5 minutes remaining.

Mrs. CLINTON. Five minutes.

Mr. SPECTER. Agreed to.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mrs. CLINTON. Mr. President, I thank the Senator from Pennsylvania for this time to speak and I also thank him for cosponsoring this amendment along with my colleagues Senator SCHUMER, Senator WARNER, and myself.

This money is critically important for high-threat urban areas. It is also money that the Secretary of the Department of Homeland Security has already made clear is needed in order to address the vulnerability and threat and other intelligence information that comes in on an hourly basis, not only to the Department of Homeland Security but to all of our intelligence agencies.

The Secretary and the Department have identified so many communities

as high threat during the past few months that it is a little bit daunting. But I agree with that assessment because, whether it is a large city such as New York City, or a small community such as Lackawanna, we have threats from one part of our country to the next.

Indeed, just last month Attorney General Ashcroft unsealed an indictment against a 34-year-old Ohio truck driver who plotted with al-Qaida to destroy the Brooklyn Bridge. What more impressive symbol of New York and America could you imagine than the Brooklyn Bridge, that gateway bridge that connects Manhattan and Brooklyn, which is traveled over by thousands and thousands of pedestrians and motor vehicles every single day. Faris pled guilty to delivering cash, cell phones, plane tickets, and sleeping bags to al-Qaida leaders. We learned that he, working with terrorists, was planning to sever the Brooklyn Bridge's suspension cables.

After getting close enough to the bridge to conduct surveillance, Faris decided to call off the terrorist attack because of the tight security on and around the bridge, provided by the NYPD.

I am absolutely proud and confident in the activities of the NYPD. There is not a better police force anywhere in the world than the New York Police Department. They have been vigilant, providing the kind of security that is needed. But the NYPD's Operation Atlas that provided that security costs New York up to \$700,000 a day.

Some people might say that is a lot of money. Yes, it is a lot of money. But compared to destroying the Brooklyn Bridge it is nothing. And the fact that the NYPD was on the job, there every single day, scaring off terrorist scouts like this man from Ohio, saved how many lives? We have no way of calculating.

In a guilty plea, Faris also admitted to conspiring to pinpoint targets for simultaneous terrorist attacks on New York City and Washington.

This indictment was unsealed. His surveillance was conducted, not on September 12, 2001, but in recent months. These threats have not gone away, and we need to make sure we do everything possible to provide more funding to high-threat urban areas.

Unfortunately, the threat of acts of terrorism against our great country and Americans is real. And it is especially so with respect to high-threat urban areas like New York, like Buffalo, like Washington, and many communities across the United States.

That's the kind of threat we are talking about, the resources the NYPD used in Operation Atlas are the kind of resources that are needed to thwart a terrorist threat.

The NYPD's outstanding efforts also demonstrate how being prepared can not only help our first responders and communities be prepared to respond to a terrorist attack, but, equally and ar-

guably even more important, it unequivocally demonstrates how being prepared—and how the terrorists knowing we are prepared—serves to deter or prevent a terrorist attack.

Back in January, I gave a speech at the John Jay College of Criminal Justice in New York City to talk about how our country needed to renew its commitment to strengthen our domestic defense.

I also released a report that showed how 70 percent of New York cities and counties had not received any Federal homeland security funding since September 11, underscoring the need for direct funding.

In that speech, I talked about the need to provide extra homeland security attention to the most vulnerable communities in our country, places that are more appealing to terrorists as targets because, for example, of the American values they represent or because they are densely populated.

After hearing more and more about the particular needs of high-threat urban areas across the country, back in early March, I proposed the idea of a Domestic Defense Fund, which had three components: \$5 billion in direct funding for local communities and States; a \$1 billion emergency reserve fund that Secretary Ridge could draw down from to reimburse cities and States in times of heightened threat, or in the event of a high-profile terrorist trial, discovery of a terrorist cell, or similar emergency need; and \$1 billion for high-threat urban areas because, at the time, only \$100 million, and more was needed.

Later than month, I offered an amendment to the budget resolution that would have provided for funding for the Domestic Defense Fund, including \$1 billion for high-threat urban areas, for Fiscal Year 2003. Though that amendment was narrowly defeated, I am pleased that I was able to bring greater attention to the needs of high-threat urban areas.

And in April during the Senate's consideration of the wartime supplemental, I was pleased to join Senators SCHUMER and MIKULSKI in offering an amendment to the supplemental that would have, among other things, provided approximately \$1 billion in high-threat urban area funding.

Though that amendment was also narrowly defeated, I am glad, for the sake of our country, that the supplemental did in fact include an additional \$700 million for high-threat urban areas.

This funding is critically important because of acute and urgent homeland security needs that face certain communities in our nation.

Los Angeles City Councilman Jack Weiss noted that the city has actually received little funding to guard against terrorist attack, even though it is a high-threat area. Every time the Nation's terror alert goes from yellow to orange, it costs Los Angeles \$1.5 million a week and another \$1 million a

week to protect the Los Angeles International Airport.

Baltimore spent \$17.5 million for homeland security and has received very little help from Washington to date.

The New York City Police Department needs almost \$10 million for air filtration systems for sensitive police facilities and \$27 million is needed for additional vessels to patrol the Port of New York. Nearly 2 years after the September 11 terrorist attacks, New York City's first responders—38,000 police officers and 15,000 fire fighters, and thousands of EMS, health department and hospital workers—need nearly \$100 million to ensure that they are properly trained using personal protective and detection equipment and in being prepared for a possible terrorist attack.

The Department of Homeland Security has allocated high-threat funding based on factors such as credible threat, vulnerability, population, the identified needs of public agencies, and the existence of mutual aid agreements.

I ask my colleagues to look at this chart.

Many communities, not just New York and Washington, have been allocated high-threat funding this year, including Houston, Chicago, Los Angeles, Denver, Detroit, Phoenix, Baltimore, Dallas, St. Louis, Kansas City, Cincinnati, Honolulu, Pittsburgh, Portland, New Orleans, Memphis, Cleveland, and Charleston, among others.

This funding will help all of our Nation's most vulnerable targets. The decision is left to Secretary Ridge, but the bottom line is that in disbursing these funds, he is recognizing that some communities face a particularized threat and need extra assistance.

I have said this before, but I will say it again that regarding New York, I would give anything for terrorists not to be targeting New York or Buffalo, but, unfortunately, I can't. What I can do, and what I will continue to do, is to try and ensure that these and other high-threat urban areas receive the assistance they need and deserve.

I want to say again that, yes, we have made some progress since September 11 in improving our homeland defense, but we have not done nearly enough.

Expert after expert has said it, the Homeland Security Independent Task Force of the Council on Foreign Relations—chaired by former Senator Warren Rudman—being the most recent example. It echoes what our first responders have told us again and again. I hope, for the sake of our country and the American people, that we heed their call.

This map should serve as a warning. I hope it serves as a reminder, and hopefully a convincing display about why we need this extra money in order to deal with the threats that we know exist and to make sure we have the job done, not only by the Department of Homeland Security but by our police

officers, our firefighters, and our other homeland frontline defenders who live in and protect high-threat urban areas such as those on this map.

I yield the floor.

Mr. LAUTENBERG. Mr. President, I rise today to offer my strong support for this high threat urban area amendment, which I have cosponsored. This amendment is of particular interest to me because my State is the most densely populated in the Nation and highly vulnerable to terrorism.

New Jersey lost nearly 700 people on September 11 second only to New York in the number of casualties. Tens of thousands of New Jerseyans could literally see the Towers burning from their homes and offices.

Not only do these memories linger for my constituents, but the threat lingers as well. And part of why I wanted to return to the Senate was to work to reduce these threats and bolster homeland security.

That is why I am disappointed in the funding we have put forward for Homeland Security. I believe this bill provides insufficient funding for our country's vast and diverse homeland security needs.

I know the distinguished chairman of the subcommittee worked extremely hard to put together a solid bill, but I believe the \$28.5 billion in this bill does not provide enough resources to protect our local communities this coming fiscal year.

The real problem is that there were not enough funds allocated by the budget resolution earlier this year for our Nation's homeland security needs. While the administration spent much of the winter eagerly planning its tax cuts, the real needs of the American people—and the needs of local firefighters, policemen and women and emergency room staff—have been tragically neglected.

In addition to the overall spending level, I also want to address a truism about homeland security: Whether we like it or not, when it comes to which communities are most endangered by terrorism, all American communities are not equal.

There are some parts of this country that are more in danger of a possible terrorist attack, because of geographical location, population density, number of major transportation hubs, etc. If we ignore this reality, then we are failing to adequately address homeland security.

My state has many densely populated, urban areas that face major threats. In addition, a large percentage of my constituents commute to work in New York City and Philadelphia every work day. My State is traversed by major transit and highway systems that carry not only local traffic, but that also serve as major regional and national thoroughfares.

Each of my State's counties, cities, townships and boroughs need critical resources to enhance the security of their communities. They need first re-

sponder equipment and training; resources for hospitals to respond to potential attacks; communications equipment for police, firefighters and EMTs just to name a few of our pressing needs.

I must say, currently, in New Jersey, there is a certain desperation—a panic even—pervading the first responders who know that the communities they are charged to protect might be the next targets.

For example, the Chief of Police in Jersey City, Jim Buonocore said the following about his police department:

We were the lifeline to New York City during the 9/11 attacks. All the food and supplies came from Jersey City in the days following the attacks. We know what it was like. New York City suffered, but we lived through it and we suffered too.

I am aware that smaller, less populated States across our great Nation are also afraid of a possible attack and equally deserving of Federal appropriations to prepare themselves for such an eventuality. Each State deserves some share of the Federal pot. But the reality is that high threat urban centers need a greater percentage, based on their population and based on the likelihood that an attack will indeed occur in their vicinity.

I ask my colleagues to consider what is best for the Nation, and the best approach is to make sure our most vulnerable areas are protected.

I thank Senators SCHUMER and SPECTER for their leadership on this issue, and urge support for this amendment.

Mr. COCHRAN. Mr. President, have the yeas and nays been ordered on the motion to waive?

The PRESIDING OFFICER. They have not.

Mr. COCHRAN. I ask for the yeas and nays on the motion to waive.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Pennsylvania has 6½ minutes remaining.

Mr. SPECTER. Mr. President, in the absence of any other Senator on the floor seeking recognition, I will make a few additional comments and then conclude.

The case in opposition to the proposed amendment has not been compelling. The risks of terrorism are ever present. The urban areas pose decisively high risks. Taking a look at airports, seaports, bridges, tunnels, and rail lines in the overall picture of homeland defense, the amendment calls for a relatively modest sum of money.

I can represent to my colleagues that there is enormous concern among the mayors and officials in urban high-risk areas as to what is happening. This extra consideration will be very warmly received knowing that the Senate of the United States, and hopefully the

full Congress in conference, recognizes this sort of unique risk and is prepared to back up their efforts.

I ask unanimous consent that Senator DURBIN be added as an original co-sponsor.

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

Mr. SPECTER. Mr. President, in light of the tenor of the debate, as I have noted the response that enough has been said, I yield back the remainder of the proponents' time.

The PRESIDING OFFICER. All time has expired. The question occurs on agreeing to the motion to waive the Congressional Budget Act in relation to the Specter amendment No. 1368. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I also announce that the Senator from Minnesota (Mr. DAYTON) is absent attending a funeral.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 46, as follows:

[Rollcall Vote No. 301 Leg.]

YEAS—50

Akaka	Dodd	Levin
Allen	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Graham (FL)	Pryor
Boxer	Harkin	Reed
Breaux	Hollings	Reid
Byrd	Hutchison	Rockefeller
Cantwell	Inouye	Santorum
Carper	Jeffords	Sarbanes
Clinton	Johnson	Schumer
Coleman	Kennedy	Specter
Conrad	Kohl	Stabenow
Corzine	Landrieu	Warner
Daschle	Lautenberg	Warner
DeWine	Leahy	Wyden

NAYS—46

Alexander	Domenici	Miller
Allard	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Fitzgerald	Nickles
Brownback	Frist	Roberts
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chafee	Hagel	Snowe
Chambliss	Hatch	Stevens
Cochran	Inhofe	Sununu
Collins	Kyl	Talent
Cornyn	Lott	Thomas
Craig	Lugar	Thomas
Crapo	McCain	Voinovich
Dole	McConnell	

NOT VOTING—4

Dayton	Kerry
Edwards	Lieberman

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, Senators SPECTER and SCHUMER have an amendment. They can complete the debate in 10 minutes. That would be in time to have the moment of silence for the two slain officers.

Following that, Senator REED of Rhode Island will offer an amendment and we will arrange with the leadership when the votes will take place.

Mr. COCHRAN. Mr. President, that is satisfactory with this side. We appreciate the help of the Senator from Nevada in working out this time arrangement.

Mr. REID. Mr. President, I ask unanimous consent that there be no second-degree amendments with respect to the Specter-Schumer amendment and there be a vote on or in relation to that amendment.

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

AMENDMENT NO. 1370

Mr. SPECTER. Mr. President, I send an amendment to the desk on behalf of myself and Senators SCHUMER, WARNER, and CLINTON.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. SCHUMER, Mr. WARNER, and Mrs. CLINTON, proposes an amendment numbered 1370.

Mr. SPECTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase the funding for discretionary grants for use in high-threat urban areas and decrease funding for information analysis and infrastructure protection, science and technology, and research and development)

On page 58, line 6, strike "\$2,888,000,000" and insert "\$3,138,000,000".

On page 59, line 1, strike "\$750,000,000" and insert "\$1,000,000,000".

On page 66, line 9, strike "\$823,700,000" and insert "\$636,340,000".

On page 66, line 23, strike "\$866,000,000" and insert "\$803,360,000".

Mr. SPECTER. Mr. President, this amendment is very similar to the last amendment, except that we have provided for an offset.

This amendment seeks to raise the allocation from \$750 million to \$1 billion for high-risk areas, and there is an offset of \$62.640 million from technology, research, development, and acquisition operations, which would bring this figure to the precise amount that is requested by the administration, so that this reduction should pose no real problem. And there is a reduction of \$187,360 from the information analysis and infrastructure protection

and operating expenses. This, again, still leaves that account with considerable funding in the net amount of \$636.340 million. The last vote was 50-46, 50 for the motion to waive the Budget Act. There were some seven Republican Senators who voted in favor of waiving the Budget Act, which I think is a sign of some substantial support on this side of the aisle. A number of my colleagues in the well commented that had there been an offset, there would have been a more favorable consideration.

The essence of this amendment is to more finely target where we are spending the money for homeland defense. We really do not seek to take advantage of the information analysis section or the science, technology, research, and development section, but I think a fair appraisal would be that taking a look at the risks on homeland security, they are more profoundly present in the urban areas. Again, I refer to the trip the President made earlier today to Philadelphia, accompanied by Senator SANTORUM and myself, and that route is illustrative—landing at Philadelphia National Airport, which is a major target; going over an enormous bridge, which is a major target; the Delaware River, which is a major target; and going through tunnels.

I compliment Senator COCHRAN for the work that has been done as chairman of the subcommittee. I have worked with him as well. I do believe that this sort of an increase—relatively modest—would be a great encouragement to make the cities safer. I know from my conversations with the mayors of Philadelphia and Pittsburgh, and the mayor of New York, they are very much concerned about the tremendous additional expenses. Earlier today, I made references to the high additional costs of the cities, illustrated by the fact that in just a 2-week period, from February 7 to 20, when the threat went from yellow to orange, the city of Philadelphia alone had an additional expense of \$1.3 million.

Mr. STEVENS. Parliamentary inquiry, Mr. President. Is there time in the agreement for opposition to the amendment?

The PRESIDING OFFICER. There had been a discussion about 10 minutes, but there was no specific time agreement reached. However, under the previous order, the Senate, at 3:40, will go into a moment of silence in honor of fallen Capitol Police officers.

Mr. SPECTER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, I want to reiterate what my colleague from Pennsylvania said. It is the same amendment as last time, except it has an offset because many colleagues wanted that. The offset doesn't come from small States or from any part of the homeland security distributional money. Rather, it comes from two categories called information analysis and

infrastructure protection, which is reduced by \$187 million. We reduced it by adding up all the various specific amounts that were asked for in the specific programs, and this was an overage after that. Second, science and technology, research and development, where we went with the President's commitment of \$803 million, rather than the committee number of \$866 million. Our high-needs areas need help. This will do it without breaking the budget by one nickel.

It does rearrange the priorities some, but it is the priorities we think are fair. We are trying to accommodate many colleagues on the other side who wished for an offset. This seems to be the right one. I reiterate, our high-needs areas, wherever they may be, or high-threat areas, need more help than they are given in the bill. The bill goes down from the amount we did last year, despite promises by all that it would go up. We don't break the budget, and we don't take it from small States.

I urge support for this amendment, and I yield the floor as we approach the time of 3:40.

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HONORING THE COURAGE AND SACRIFICE OF OFFICER J.J. CHESTNUT AND DETECTIVE JOHN GIBSON ON THE FIFTH ANNIVERSARY OF THEIR DEATHS

The PRESIDING OFFICER. Under the previous order, the hour of 3:40 p.m. having arrived, the Senate will observe a moment of silence in honor of Capitol Police Officers Jacob Chestnut and John Gibson.

(Moment of Silence.)

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, 5 years ago on this day, Officers J.J. Chestnut and John Gibson were killed in the line of duty defending the United States Capitol.

At 3:40 p.m. on Friday afternoon, July 24th, 1998, a deranged gunman burst through what is now called the Memorial Door and shot Officer Chestnut in the head. The gunman then moved to the first floor where he attempted to enter the majority whip's office. There, he met Officer Gibson who blocked the intruder and opened fire. A gun battle ensued and Officer Gibson was fatally shot.

Officers Chestnut and Gibson lost their lives that day for us, for this Capitol, for the United States of America.

Officer Chestnut, a father of five, was only months away from retirement. His sister-in-law said that J.J. was "the most wonderful man you would ever meet . . . He just wanted to enjoy his garden and enjoy his children." A Vietnam vet, Officer Chestnut spent 20 years in the Air Force before serving 18 years as a Capitol Police Officer. He was recognized by all of his colleagues as a dedicated, kind, and good man.

John Gibson, also an 18-year veteran on the Capitol force, was a father of three. He was described by friends as generous and God-fearing. Only a few

days before the shooting, he told one of his colleagues that he had never had to use his weapon, but if he did, he would be focused, and concentrate on the task at hand. Little did he know how soon he would be tested, and how valiantly he would perform in our service, in the Nation's service.

Officers Chestnut and Gibson will always be remembered for their personal and professional integrity, their bravery, and their sacrifice. We honor them today with a brief moment of silence.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. The poet Archibald MacLeish was an ambulance driver in World War I. Years later, in a poem about soldiers lost in battle, he wrote:

The young dead soldiers do not speak. Nevertheless, they are heard in the still houses.

Who has not heard them?

They have a silence that speaks for them at night and when the clock strikes.

It is right, and it is important, that we stop every year at this moment to remember in silence the courage and sacrifice of Officer J.J. Chestnut and Detective John Gibson.

But it is not only at this moment, on this day, that we remember these fallen heroes.

We remember Officer J.J. Chestnut and Detective John Gibson every time we pass the Memorial Door and see that bronze plaque that bears their likenesses.

We remember them whenever we see Capitol Police officers working double shifts to protect us.

We remembered them yesterday, when we heard the awful news about the shooting at New York City Hall.

Like the young soldiers in the poem, 5 years after that terrible Friday afternoon, J.J. Chestnut and John Gibson are still heard in this house—the people's House.

We hear them in the conversations, the questions and the laughter of the schoolchildren and scout troops and all the others who visit this Capitol.

Five years ago, we probably did not understand fully the risks the Capitol Police take every day when they put on their badges and come to work, but Officer Chestnut and Detective Gibson understood.

They knowingly risked their lives because they loved this building and what it represents, and they wanted others to be able to see their Government at work.

We are not as innocent now as we were then. September 11 and the anthrax attacks made us all more aware that there are those who want to see the people's House closed, even destroyed.

The fact that this Capitol remains open—that visitors can still walk these majestic halls and sit in these galleries—is a powerful symbol of America's commitment to democracy. It is a testimony to the skill and courage of the Capitol Police. And it is a daily, living tribute to Officer Chestnut and Detective Gibson.

Today is a sad day for the members of the Capitol family, but it is not just

with sadness that we remember our two fallen heroes.

We also remember how much we liked and respected them. We remember how much J.J. Chestnut loved his garden, and how crazy John Gibson was about his Red Sox. We remember how proud they were of their work, and how deeply they both loved their families.

Our hearts, and our prayers, go out today to their brothers and sisters in arms, the members of the Capitol Police, to the many friends they left behind, and especially, to their widows and children and, in Officer Chestnut's case, his grandchildren.

We think of them often, as well. Their sacrifices, too, will never be forgotten.

Officer J.J. Chestnut and Detective John Gibson gave their lives to protect something that is sacred to all of us. In doing so, they surely saved the lives of countless others. They are heroes.

Five years later, we remain in awe of their courage and sacrifice. And we are grateful to them beyond words.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

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

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

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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004—Continued

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 1370

Mr. STEVENS. I am bothered by the offset on this amendment. In the 2003 bill, we provided \$850 million to high-threat urban grants. This bill already contains another \$750 million for high-threat urban grants. That is a total of \$1.6 billion for high-threat urban grants.

Every community in the country is affected by the alert system. Every community in the country faces increased costs. These megalopolises of the country, the large urban areas, are demanding that everybody pay more for them, but the smaller cities, the smaller counties, the smaller areas, have the same problem. On a per capita basis, it is a higher cost to provide protection to small areas than the high-threat urban areas.

I do not know why we should have New York City and Philadelphia, in particular. They are the ones seeking this money. There is no question there is a need. But there is a need in Peoria. There is a need in Cincinnati. There is a need in Tucson. There is a need in New Orleans.

The money they have taken for this is money that deals with homeland security nationally. One of the offsets