

S. CON. RES. 144

*Resolved by the Senate (the House of Representatives concurring).* That in the enrollment of H.R. 4837, an Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes, the Clerk of the House is hereby authorized and directed to strike subsections (e) and (f) of section 101 of division B and insert the following new subsection:

(e) The amounts provided or made available by this section are designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of Public Law 108-287.

#### INSTRUCTING CONFEREES ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION

The PRESIDING OFFICER. Under the previous order the Senate will proceed to consideration of S. Res. 465, which the clerk will report by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 465) to instruct conferees to the Agriculture, Rural Development, Food and Drug Administration, and related agencies appropriations bill, 2005, or on a consolidated appropriations measure that includes the substance of that act.

The PRESIDING OFFICER. Under the previous order, the resolution is agreed to, and the motion to reconsider is laid upon the table.

The resolution (S. Res. 465) was agreed to, as follows:

S. RES. 465

*Resolved,* That for the purpose of restoring the provisions governing the Conservation Security Program to those enacted in the Farm Security and Rural Investment Act and restoring the practice of treating agricultural disaster assistance as emergency spending, the Senate instructs conferees to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 2005, or a Consolidated Appropriations Measure that includes the substance of that act, to insist that the conference report contain legislative language striking subsections (e) and (f) of section 101 of division B of H.R. 4837, An Act Making Appropriations for Military Construction, Family Housing, and Base Realignment and Closure for the Department of Defense for the Fiscal Year ending September 30, 2005 and for Other Purposes.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the conference report to accompany H.R. 4567, which the clerk will report.

The assistant legislative clerk read as follows:

Conference report accompanying (H.R. 4567), making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005.

The PRESIDING OFFICER. Under the previous order, the vote on the motion to invoke cloture is vitiated.

Mr. COCHRAN. Mr. President, I am pleased to present for the Senate's approval today the conference report on H.R. 4567, the fiscal year 2005 Homeland Security Appropriations Act.

The conference agreement provides total new budget authority for the Department of \$33.1 billion. Of the amount provided for fiscal year 2004, \$32 billion is for discretionary programs.

To further strengthen the capacity of the Nation's first responders to prepare for and respond to possible terrorist threats and other emergencies, this conference report provides a total of \$3.9 billion for the Office for State and Local Government Coordination and Preparedness, including: \$1.1 billion for the State and local formula-based grant program; \$400 million for law enforcement terrorism prevention grants; \$885 million for high-threat, high-density, urban area grants; \$150 million for port security grants; \$150 million for rail and transit security grants; and \$715 million for the firefighter assistance grant program, of which \$65 million is set-aside to begin implementing the SAFER Act. The conference report also includes a separate appropriation of \$180 million for emergency management performance grants.

The conference report includes a total of \$5.1 billion for the Transportation Security Administration, furthering our commitment to secure all modes of transportation. The conference committee made air cargo security a priority and provides \$115 million for air cargo security, an increase of \$30 million from the President's request. This funding will allow the Department to enhance its efforts to target and prohibit the transportation of high-risk cargo on passenger aircraft; as well as to advance efforts to research, develop, and procure the most effective and efficient air cargo inspection and screening systems. In addition, there is a statutory requirement for the tripling of cargo inspections on passenger aircraft.

Additionally, \$8.8 billion is provided to secure our Nation's borders; \$5.5 billion is provided for emergency preparedness and response; \$7.37 billion for the Coast Guard; and \$2 billion for research, analysis, and infrastructure protection. To increase rail security the conference report provides \$172 million for rail compliance inspectors; canine explosive detection teams; rail, freight, and transit security grants; vulnerability assessments; and research and development of technologies to prevent suicide bombers. A total of \$662 million is provided for the Federal Air Marshals, \$50 million more than the requested amount.

A matter of concern to some of my colleagues are the items funded through the offset provided by the extension of the customs user fees. The largest single item that was funded through this mechanism was speeding up the development and deployment of permanent airwings across our north-

ern border. Unfortunately, once the customs user fee extension was dropped from this bill, we lost the offset available to enhance funding for these important items and not exceed the fiscal constraints placed on our subcommittee.

The conference committee met on Thursday, October 7, 2004, and the conference report was filed on Saturday, October 9, 2004. It was adopted by the House of Representatives later that day by a vote of 368 yeas to zero nays. Senate passage of this conference report today will send this fiscal year 2005 appropriations bill to the President for signature into law.

In closing, I thank the ranking member of the subcommittee, my colleague from West Virginia, Senator BYRD; the chairman of the House subcommittee, Mr. ROGERS; and the ranking member of the House subcommittee, Mr. SABO, for their substantial contributions to this bill throughout the year. It has taken many hours of hard work by these Members and their staff members to bring this bill to a successful conclusion. I would also like to thank the chairmen ranking members of the House and Senate full Appropriations Committees and their staff members for the assistance and guidance they have provided to us throughout the process.

I recommend the adoption of the conference report.

Mr. BYRD. Mr. President. I thank Chairman THAD COCHRAN, the House chairman, HAROLD ROGERS, Representative MARTIN SABO, Representative DAVID OBEY, and all of the House and Senate conferees for their hard work on this important legislation. We all share the goal of ensuring that the new Department of Homeland Security has the resources it needs to secure the homeland.

I also commend the thousands of men and women who are on the front lines of homeland security. While I remain very concerned that we are not giving these men and women the tools they need to do their jobs, that in no way detracts from their commitment to serve the Nation every hour of every day.

It is particularly appropriate for us to be considering this legislation as Congress reviews the recommendations of the 9/11 Commission. The President, the Vice President, the Attorney General, the Secretary of Homeland Security, the FBI Director, and the CIA Director invoke the threat of another terrorist attack on an almost weekly basis. The 9/11 Commission concluded that on September 11, 2001, our government agencies were not prepared to deter or respond to such attacks. We are still not prepared to deter or respond to such attacks.

In light of all of these threats, one might anticipate that the President would have amended his anemic 2-percent proposed increase for the Department of Homeland Security. One might have anticipated that the President,

our war President, would have requested increased appropriations for securing our mass transit systems, for screening airline passengers for explosives, for inspecting more containers coming into our ports, for increasing inspections of air cargo, or for increasing the number of Federal Air Marshals. Sadly, this President talks the talk when it comes to homeland security, but when it comes to doing the hard work of making the Nation more secure, the President takes a walk.

The conference report that is before the Senate provides \$33.1 billion, a level that is \$896 million above the President's request. This is an increase of only 5-percent over the levels approved by Congress last year, only 5-percent. At a time when our war time President and his entire administration is telling the Nation to expect another attack, we are approving what is essentially a status-quo homeland security bill.

The conference report that is before us does make several modest improvements to the President's budget. In response to the Madrid bombings and threats of similar attacks here at home, we include funding for mass transit and rail security. We increase funding for port security. We do more to secure air cargo on passenger aircraft. The bill begins to invest in technologies to screen airline passengers for explosives.

While these are important improvements, regrettably, the conferees were simply not given sufficient resources to address serious gaps in our security that we all know exist.

I am particularly disappointed that the Senate majority leader changed his mind and acquiesced to a demand from the Speaker that the conferees drop the customs user fee extension and the \$784 million of homeland security spending that the Senate approved last month. The funding that was stripped from the bill is vital to the security of this Nation. Not one Senator objected to adding the additional funding because it provides needed investments to protect our borders, equip first responders, enhance air and rail security, hire more Federal Air Marshals, and secure nonprofit institutions that are threatened by terrorists.

The 9/11 Commission report includes recommendations to deploy explosives detection equipment at our airports, to address the communications interoperability problem, to focus homeland security dollars based on the greatest risk, and to secure non-aviation targets. This bill simply does not do enough to respond to these recommendations.

Mr. President, time and again, Senators on this side of the aisle have tried to plug the holes in our Nation's security. We have worked to address some of the most basic, and most dangerous, holes in our protections from another terrorist attack. But at virtually every turn, the President and the Senate majority tell us no. The

American people are told no. Why? It costs too much. It costs too much to protect the people's lives. It costs too much to close our borders. It costs too much to screen cargo on our airplanes and to check passengers for explosives. It costs too much to save lives.

This Administration has repeatedly warned that it isn't a question of if another terrorist attack will happen, but when. Unfortunately, I think that the Administration has failed to heed its own warning. By failing to support a significant investment in homeland security, by ignoring the gaps that we all know exist, the White House foolishly is gambling with the lives and the safety of the American people.

However, we have done the best we can with the limited resources that have been given to us and I urge Senators to support its passage. Finally, I want to thank the staffs of the Homeland Security Subcommittee. Both Chairman COCHRAN's staff and my staff have worked diligently this year to produce this important legislation. We had an excellent series of hearings this year that I believe helped the subcommittee to produce a bill that contains significant improvements to the President's request.

Again, I urge Members to support the conference report.

Mrs. CLINTON. Mr. President, I rise to state my intention to vote for the conference report to the fiscal year 2005 Homeland Security Appropriations Act because communities and first responders across our Nation desperately need the funds provided in this legislation.

I want to express my extreme disappointment, however, with many provisions in this conference report, and with the decision by the Republican leadership in the Senate and House to fail to improve the conference report language, and in some cases making it even worse, despite having many opportunities to do.

It is hard to know where to begin, but three aspects of this bill are especially egregious; they defy common sense and are simply not in the best interest of our Nation's homeland defense.

First, in outright defiance of recommendations of the National Commission on Terrorist Attacks Upon the United States, the 9/11 Commission, and of commissions before it, the leadership inserted language into this conference report that requires the Department of Homeland Security to allocate homeland security formula grant funds, such as funds under the State Homeland Security Grant Program and the Law Enforcement Terrorism Prevention Grant Program, on a per capita basis. This is directly contrary to the recommendations of the National Commission on Terrorist Attacks Upon the United States, the 9/11 Commission.

Specifically, in its report, the 9/11 Commission stated:

We understand the contention that every state and city needs to have some minimum

infrastructure for emergency response. But federal homeland security assistance should not remain a program for general revenue sharing. It should supplement state and local resources based on the risks or vulnerability that merit additional support. Congress should not use this money as a pork barrel.

The 9/11 Commission also recommended that an advisory committee be established to advise the Secretary on any additional factors the Secretary should consider, such as benchmarks for evaluating community homeland security needs. As to these benchmarks, the Commission stated that "the benchmarks will be imperfect and subjective, they will continually evolve. But hard choices must be made. Those who would allocate money on a different basis should then defend their view of the national interest."

In short, the Commission made unequivocally clear that the current method of allocating federal homeland security resources, i.e., on a per capita basis alone, must be changed.

Indeed, just a couple of weeks ago, 9/11 Commission Chairman Kean stated:

We have recommended very strongly that homeland security funds should be distributed according to assessment of risk, and not simply by population or pork barrel or any other way. Our understanding is that that recommendation, which is a very important one to us, is not moving, and that other people are saying that we should now remove the discretion that Governor Ridge has now over those funds and mandate that it be only by population. That would fly totally in the face of our recommendations. We feel very strongly that the best ways to distribute those funds are by the proper assessments of risk.

Not only did the 9/11 Commission recommend that such changes be made in how Federal homeland security funds are allocated, but commissions before it, such as the Homeland Security Independent Task Force of the Council on Foreign Relations, chaired by former Senator Warren, have strongly recommended it as well. Indeed, the Rudman Commission stated more than a year ago that "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."

Moreover, the Senate just last week passed landmark legislation, the National Intelligence Reform Act, which contains the Homeland Security Grant Enhancement Act of 2004, which the Senate passed by voice vote as an amendment to the intelligence bill.

The Homeland Security Grant Enhancement Act of 2004, originally introduced by Senate Governmental Affairs Committee Chairwoman COLLINS, contains a number of good provisions, but among the most important is one that requires the majority of Federal homeland security grant funds intended for State and local governments

to be allocated based on threat and risk and other factors rather than on the basis of population alone.

This legislation was the result of almost 2 years of work in the Senate. Legislation that calls for threat-based funding has also been introduced by House Select Committee on Homeland Security Chairman COX, which has been included in the intelligence reform legislation that the House of Representatives just passed.

In short, the language in the conference report to the Fiscal Year 2005 Homeland Security Appropriations Act reflects an utter disregard for the hard work performed over years by members of the Senate and House as well as the expert evaluations and recommendations of the 9/11 and Rudman Commissions.

For the sake of our Nation's homeland defense, I hope that the Congress will soon act on the conference report to the intelligence reform legislation that has now initially passed both the Senate and House. Both the Senate and House bills direct that homeland security funds for States and local communities be allocated based on threat and other factors. Then, the tremendous wrong in this conference report that was done to our Nation's homeland defense will be made right.

Second, this conference report actually includes less funding for our Nation's first responders for fiscal year 2005 than was appropriated for our firefighters, police officers, EMTs and other first responders in fiscal year 2004, less funding for this year than last year, and at a time when the threat of terrorist attack against many of our communities, especially the City of New York, and our Nation as a whole remains.

This conference report has less funding for the State Homeland Security Grant program, less funding for the Law Enforcement Terrorism Prevention Grant program, less funding for the FIRE Act, and less funding specifically for high-threat urban areas.

Lastly, much of the improvements that the Senate made to the homeland security appropriations bill during the Senate's initial consideration of the bill were stripped from the conference report by the House Republican leadership. And when the conferees had the opportunity to remedy this egregious mistake by supporting an amendment by Senator BYRD to restore \$784 million in cuts, that amendment was defeated.

As the conference report itself states, the conference agreement deletes section 518 of the Senate-passed bill, which included \$200 million in additional funding for the Northern Border Air Wing, so that the air wings across our border can be appropriately operated; \$50 million for nonprofit organizations that are at greater risk of terrorist threats; \$50 million in additional critical funding for FIRE Act grants, and \$50 million for Emergency Management Performance Grants.

Though I am disappointed with other provisions either contained in this bill,

or missing, I am pleased that the conference committee included language from an amendment I sponsored to include funding for the firefighters and police officers of New York City.

Specifically, I commend the conferees of both the House and Senate for requiring the Federal Emergency Management Agency to provide \$4,450,000 for Project Liberty pursuant to the request of the Governor of New York. We know that \$25,000,000 remains unexpended, and unobligated, at the Federal Emergency Management Agency and I know they will respond to the direction of the Appropriations Committee to speed these funds to New York.

We owe these heroes every penny available for mental health counseling. Our firefighters and police officers have been receiving this counseling since losing so many of their brothers, sisters, friends, and family members in the attacks. Our firefighters and police officers have had to cope with the unimaginable and yet they stand strong on the front lines to protect the homeland.

The men and women of the New York City Fire Department and New York City Police Department, their families, and retirees, have helped this country cope with the tragic losses of that day, and this Congress has sent a clear message that we stand with them in helping them cope with their own losses.

I will continue to do whatever I can in my capacity as a Senator from New York to make sure our firefighters and police officers receive the funding they need not only in the area of mental health counseling but in all areas of homeland security.

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

• Mr. LEAHY. Mr. President, the conference report before the Senate today includes an important provision that will put a stop to the ill-advised attempt by the Department of Homeland Security to privatize jobs that are vital to keeping Americans safe. The conference report prohibits DHS from spending money to process or approve the privatization of Immigration Information Officer, Contact Representative, or Investigative Assistant positions. The House voted for this exact amendment earlier this year by a vote of 242-163, with 49 Republicans supporting it. The Senate voted 49-47 for this language. During the meeting of the conferees, both the Senate and House delegations voted in favor of this language.

Immigration Information Officers, IIOs, are responsible for screening applications for immigration benefits for fraud, and for performing criminal background checks on applicants. There are more than 1,200 IIOs and Contact Representatives around the nation, working for the Citizenship and Immigration Services, CIS, branch of DHS. The work they do in attempting to discover and prevent immigration fraud—and prevent dangerous people

from abusing the immigration system—is clearly “inherently governmental,” making them an inappropriate target of a privatization effort.

As our Nation continues to face the threat of terrorism, CIS carries a heavy burden in its attempt to process immigration and naturalization applications while ensuring that terrorists—along with other fraudulent actors—do not abuse our immigration system. Information Officers have played a vital role in meeting this burden. Indeed, the agency's own job description requires that IIOs have the “[s]kill to identify fraudulent documents in order to prevent persons from appealing for benefits for which they are not eligible,” a skill that is obviously all the more important in this era. They are also required by DHS to have “[k]nowledge and skill in interviewing techniques and observation of applicants in order to determine if an applicant is misrepresenting the facts in order to appear eligible for a benefit.” Weeding out potential fraud in our immigration system must remain a responsibility of government employees, especially when the perpetrator of the fraud may be a dangerous criminal or terrorist. This conference report will ensure that is the case.

I have a personal interest in this issue because about 100 fine Vermonters currently work as IIOs. I know the fine work they do, and I know that my staff and indeed all of our staffs rely on them and their counterparts throughout the country when we are seeking to help our constituents. I know that our Nation will be better off because these fine men and women will remain in their current positions. •

Mr. KOHL. Mr. President, I am pleased today to support the passage of Department of Homeland Security appropriations bill. This bill accomplishes in large part what must continue to be this Nation's first priority—protecting our country from terrorist attack.

This bill funds essential national programs which protect our borders, our aviation security, our ports, our emergency management assistance, and our critical infrastructure, such as nuclear power plants. In addition, the bill funds essential programs that do not only protect us, but also prepare our States and communities should we be faced with an emergency. These grant programs support our firefighters and other first responders whom we rely on in times of need.

The State Homeland Security Grants enable the States to organize their first responders and communications systems to respond to a terrorist attack. Further, the Urban Area Security Initiative recognizes that our largest cities, such as Milwaukee, have special needs given their large populations that require more directed assistance.

For all of these reasons, I am pleased to support the Homeland Security appropriations bill today and I am encouraged that we are doing what we can to protect our Nation.

FEMA AND FAITH BASED ORGANIZATIONS

Mr. SANTORUM. Mr. President, I commend the leadership of the chairman on this important disaster relief bill.

In the context of this Federal Emergency Management Agency FEMA disaster assistance bill, I want to express my appreciation for recent FEMA policy updates for disaster relief to faith-based organizations. These ongoing challenges and tragedies provide FEMA an opportunity to make certain that they are implementing these policies in a manner consistent with the President's policy which includes faith-based organizations among those community-based organizations helping on an equal basis in these hurting communities.

On December 12, 2002, President Bush announced, "I have directed specific action in several Federal agencies with a history of discrimination against faith-based groups. FEMA will revise its policy on emergency relief so that religious nonprofit groups can qualify for assistance after disasters like hurricanes and earthquakes." FEMA acted quickly to serve eligible religious groups, issuing policy statement 9521.3 concerning Private Non-Profit Facility Eligibility to provide guidance in delivering future grant awards.

In the words of the former FEMA Director Joe Albaugh, "Disasters don't discriminate, and neither should our response to them." The administration recognized this important principle in the case of the Seattle Hebrew Academy. The academy's main building was rendered unfit after it was damaged in the Nisqually earthquake of 2001, but the academy's first application for FEMA relief was denied. After the Academy entered a legal challenge, the Office of Legal Counsel at the Department of Justice entered an opinion on September 22, 2002, which stated, in referring to FEMA's original denial, "We believe that the Acting Regional Director's reading of 44 C.F.R. section 206.221 (e) is not the better interpretation of that regulation." This is a common-sense policy of fair treatment.

Mr. COCHRAN. Mr. President, I commend the Senator from Pennsylvania for highlighting the importance of community-based organizations, including faith-based organizations, in disaster assistance efforts. I also concur that religious organizations should not be excluded when they are victims of disasters. I concur with the Senator that FEMA should continue to see that faith-based organizations are treated fairly in accordance with the President's policy and for the benefit of those in need in times of crisis.

Mr. FRIST. Mr. President, on behalf of myself and Senator SPECTER, I wish to express my appreciation to Senator COCHRAN, chairman of the Homeland

Security Appropriations Subcommittee, for bringing out of conference \$25 million in assistance for 501(c)(3) nonprofits "determined by the Secretary of Homeland Security to be at high-risk of international terrorist attack." I know this was difficult to achieve because the House bill did not have a similar item and due to the loss of the customs users fees as a funding mechanism for our Senate provision.

There are a number of compelling reasons for dedicating homeland security funds to nonprofits. First, nonprofits provide vital health, social, community, educational, cultural, and other services to millions of Americans every day. Second, if nonprofits are forced to divert funds to cover the entire cost of security measures, those funds will deplete resources for vital human services, including capacity to respond to disasters. Third, intelligence reports and the 9-11 Commission Report indicate some nonprofits are among the most vulnerable, highest risk institutions. Fourth, nonprofit institutions of all types serve as gathering places for millions of American citizens every day of the year, and finally the security needs of the nonprofit sector have been largely unmet.

This assistance is intended for basic security enhancements to protect American citizens from car bombs and other lethal terrorist attacks. This assistance is not intended for facility construction; rather, it is intended to be used for installation of equipment such as concrete barriers, blast-proof doors, Mylar window coatings, security fences and hardened parking lot gates, as well as associated training.

The Director of Central Intelligence has stated that al-Qaeda has turned its attention to "soft targets." Terrorists' willingness to attack soft targets of all types has been made readily apparent with attacks in the United States, England, Canada, Israel, Spain, Germany, Iraq, Tunisia, Kenya, Morocco, Egypt, and Turkey, including an international Red Cross building, synagogues, schools, and cultural and community centers.

It is my intention, as sponsor with Senator SPECTER of the Senate provision, that the Secretary should issue regulations to ensure that such funds are disbursed in a manner that ensures basic assistance for the maximum number of institutions and are dedicated to protecting Americans operating or utilizing nonprofits from international terrorist attacks and are not used for other purposes.

Once again, I commend the distinguished subcommittee chairman, my good friend Senator COCHRAN, and my distinguished colleague Senator SPECTER, on their assistance with this vital initiative to protect our Nation's nonprofits.

The question is on agreeing to the conference report to accompany H.R. 4567.

The conference report was agreed to.

TO REAUTHORIZE THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate having received from the House a message, the Senate agrees to a request for a conference on H.R. 1350, the Senate agrees to the request for a conference on the disagreeing votes of the two Houses, and the Chair appoints the following as conferees on the part of the Senate.

The Presiding Officer (Mr. COLEMAN) appointed Mr. GREGG, Mr. FRIST, Mr. ENZI, Mr. ALEXANDER, Mr. BOND, Mr. DEWINE, Mr. ROBERTS, Mr. SESSIONS, Mr. ENSIGN, Mr. GRAHAM of South Carolina, Mr. WARNER, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. JEFFORDS, Mr. BINGAMAN, Mrs. MURRAY, Mr. REED of Rhode Island, Mr. EDWARDS, and Mrs. CLINTON conferees on the part of the Senate.

ORDER OF PROCEDURE

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

Mr. REID. Mr. President, prior to his beginning a speech, it is my understanding the two leaders have some business they want to conduct.

Following their conducting of business, I ask on the Democratic side Senator DODD be recognized for 20 minutes; following that, on our side, Senator KENNEDY for 30 minutes, Senator DURBIN for 20 minutes, Senator JEFFORDS for 8 minutes, Senator SARBANES for 20 minutes, Senator HARKIN for 45 minutes. He has 2 hours under the order that has been entered, but he said he would use part of that time at a later time today. Senator CANTWELL for 8 minutes and Senator HARKIN for 1 hour and 15 minutes. We correct that. After Senator KENNEDY, Senator FEINSTEIN be recognized for 10 minutes.

Senator KYL has already worked out something with Senator DODD that he would be recognized for up to 3 minutes prior to Senator DODD. The Republicans, of course, would be interspersed if they are here and they want to take time and we would go back and forth.

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

The majority leader is recognized.

Mr. FRIST. I ask unanimous consent to engage in a colloquy with the Democratic leader.

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

APPOINTMENT OF CONFEREES TO S. 2845

Mr. FRIST. Mr. President, I want to discuss with the Democratic leader the appointment of conferees to S. 2845, the 9/11 legislation.

I am so proud of the Senate's work on this legislation as anything we have done these past 2 years. Chairman COLLINS, ranking member LIEBERMAN, and all Senators did a superb job in moving this bill forward.