

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.

There was no partisanship in their Committee and they developed a bill that has been endorsed by both the 9/11 Commissioners and many of the family's personally affected by the 9/11 attack.

The Democratic leader and I have worked closely together throughout this process, and I appreciate his leadership and cooperation. Now I hope we can complete the process by appointing conferees today and reaching a final agreement with the House as quickly as possible.

Mr. DASCHLE. I thank the majority leader for his kind words and for his exemplary work on this bill. Both the process and substance of the Senate bill reflect upon the best traditions of the Senate, and the Leader deserves enormous credit for that.

Our side wants to appoint conferees and send a bill to President Bush as quickly as possible. But many on our side have concerns about what will happen when we meet with the House.

The Senate bill passed by a 96–2 margin. It was, as you said, a model of bipartisan cooperation from start to finish. And every Republican Senator voted for S. 2845.

The House followed a different approach. Virtually every House Republican just voted against the bill that every Republican Senator voted for. So this could be a difficult conference.

In addition, many on our side are concerned over the pattern that's emerged in conferences with the House.

Almost a year ago Republican and Democratic Senators reached a consensus on an omnibus appropriations bill. But when we went to conference, that consensus gave way to the House demand that their position prevail. So Senate position on overtime, country-of-origin labeling, and other issues were dismissed.

Earlier this year the Senate overwhelmingly passed legislation dealing with our Nation's pension system; the House passed a bill that had no bipartisan consensus.

In that conference there was one outstanding issue regarding multi-employer pensions. And despite the bipartisan consensus in the Senate, the House again demanded that the Senate position be dropped. And it was.

Just last week, we had a conference on the FSC bill. This bill passed the Senate almost unanimously. But on critical issues dealing with FDA regulation and overtime provisions, the House conferees succeeded in demanding that the House position again prevail.

So there is considerable apprehension on our side what will happen in this conference if the House again demands that its position be accepted. All of those previous bills were important, but I think we all would agree that nothing is more important than making our country safe from attack. We have to get this bill right and the Senate bill does that.

Mr. FRIST. I have a markedly different view than Senator DASCHLE

about some of his legislative history, but I understand his concern.

We do have to get this bill right and our side is committed to that. We have to work together in conference just as we worked together in the committee and on the floor. I have talked with Senator COLLINS, who will lead the Senate conferees, and she has agreed that she will not pursue a conclusion to the conference, nor sign any conference report, that undermines the bipartisan working relationship that has existed in the Senate.

If changes are made to the Senate bill, they will be the result of the mutual, good-faith effort to reach agreement among Senate conferees. Moreover, the Democratic leader has my commitment that should the process break down due to disagreements over either substantive matters or extraneous provisions, then I will not bring a conference report to the floor.

We are prepared to make these commitments on our side, but want to be sure that we have your commitment to continue to work with us in good faith on this legislation and to complete action as quickly as possible.

Mr. DASCHLE. I thank the majority leader for his comments and assurances. For the Senate to work effectively we need to be able to rely on each other's word. We accept your word that the Senate conferees will stay together, and you have my word that we will continue to work in good faith and do everything possible to complete action on this bill as soon as possible.

As we act quickly we ought to make sure that we minimize logistical problems for the conferees.

I think we can avoid scheduling difficulties if there is at least 48 hours notice prior to meetings, and that there be an understanding that there will be ample time to meet and deliberate before decisions are made on significant matters. I hope that's acceptable to the majority leader.

Mr. FRIST. I agree that's sensible and acceptable to our side.

Mr. DASCHLE. I thank the majority leader and I am happy to yield.

Mr. KENNEDY. I appreciate the statements of both of our leaders, and I think all Members understand the importance of this conference. I particularly appreciate the desire to work in good faith on these provisions. I have noted that in the House bill there are some extraneous provisions, particularly with regard to both immigration and refugees.

There are important changes in asylum standards that turn back our tradition in terms of refugees, which has been more of an ideological position, but really it is unrelated to the challenges, to the threats. And there have also been very important provisions in terms of deportation that is to a far extent. We have not had any of those hearings on the Judiciary Committee, and those are very important issues and questions.

I thank our leaders for their willingness to say that we want to work on

what is the underlying legislation. There are extraneous issues that have been added in the House. If they were to come back and be as negative as they are in the House bill, then it seems to me that it would fail to meet the kind of standards that have been outlined in good faith.

So I thank both of our leaders for their excellent statements. I appreciate our leader raising these questions on some very substantive, important issues that are completely unrelated to the whole question of terrorism or intelligence. It would need a good deal of discussion here on the Senate floor before they were done.

I thank the Senator.

Mr. DASCHLE. Mr. President, I thank the distinguished Senator from Massachusetts. I share his view about the importance of these matters and about the urgency with which we must work to ensure the completion of our work on the same bipartisan basis that we demonstrated to pass the bill here on the floor.

#### DISASTER ASSISTANCE

Mr. DASCHLE. Mr. President, today is a day that has taken too long to come. But it is a day of victory for hard-pressed farmers and ranchers who have been devastated by various natural disasters around the Nation. Today, we have approved \$2.9 billion in emergency relief for family farmers and ranchers across America.

From Florida to Washington State, all along the eastern seaboard and into the Midwest and upper Midwest, farmers and ranchers have faced circumstances beyond their control.

In my State of South Dakota, we have seen 5 years of drought. Farmers have gone out of business and ranchers have sold entire herds. This is not just an issue for farmers and ranch families alone, it is an issue for the rural communities in which they live as well.

In a State like mine, whose primary industry is agriculture, weather-related disasters are truly economic disasters for the entire State's population. That is why many of us have been fighting for adequate disaster assistance for so long.

When we passed the farm bill in 2002, a bill that I am very proud to have been a part of, we added a new program, the Counter-Cyclical Program. It only provides assistance to producers when prices are low. In fact, this program has now saved \$15 billion just in the last 2 years.

We said at the time we would not need any economic disaster assistance, and we have not. But we will need weather-related disaster assistance. That is something that the administration has failed to acknowledge. In fact, in 2002, in the middle of the worst drought since the Dust Bowl year of 1936, the President came to our State and told farmers and ranchers to tighten their belts, that they were not going to get any disaster assistance. That