

As Governor Kean has said:

We all think that if we do not act quickly, we increase the risk to the American people. We all agree that the status quo is unacceptable. Every day that passes is a day of increased risk if we do not make changes.

In the words of the families of the victims of September 11:

Nearly three years have passed since our nation's homeland security was cataclysmically breached. Far too little has been done to better secure our homeland. We therefore request that Congress and our President act with the greatest urgency.

We need to listen to the experts.

We need to listen to the voices of those who have lost loved ones and are working to see that the horror that was visited on their families is not visited on others.

We need to listen to the American people who are concerned about the safety of their families and communities. And then we need to do what the American people expect of us.

Senators MCCAIN and LIEBERMAN have put together comprehensive legislation that covers each of the 9/11 Commission's 41 recommendations.

They will be introducing that legislation this afternoon.

We all understand that we have limited time in this session and a great deal of unfinished work. This should be our first order of business.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ENZI). Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business for statements only until 5 p.m., with the time equally divided in the usual form.

The Senator from Mississippi.

Mr. LOTT. Mr. President, my apologies; what is the time divide?

The PRESIDING OFFICER. The time until 5 p.m., is divided in the usual manner.

#### THANKING NEW YORK CITY

Mr. LOTT. Mr. President, I would like to comment on the agenda we are going to be dealing with in September. But before I do that, I want to say I was very proud of the job that was done by the people of New York City, the leadership of New York City, and all who were involved in the Republican National Convention in New York.

I must confess, I dreaded going to New York City for our convention. I was worried about the heat at the end of August. I was worried about the traffic and congestion. I was worried about the ability to secure the place from potential terrorist threats. I was concerned about what the protesters might do. I had a lot of concerns.

I also had some concerns about how the convention itself would be perceived. But I must say, I was pleased with the way the city handled the convention. It was not as hot as I expected. The traffic was not as bad as I expected. The protesters were there, but they stayed within reasonable bounds. They were able to express themselves. Some of them went too far, and they wound up being arrested. The police in New York City did a very effective job. They were friendly. They were helpful. The city officials, Mayor Bloomberg, the State officials, Governor Pataki and his administration, all who were involved in the security and transportation aspects of the convention deserve to be commended because it turned out to be very good.

The convention itself, the events surrounding the convention, the experience, exceeded my greatest expectations. There were good speakers every night. I won't dare to name them now because if I name one, I might not name another who did a wonderful job. I was inspired by it all. But not wanting to make this a partisan speech, my real purpose is to extend my congratulations to the city of New York. They did a great job. I feel as many people said when New York City was attacked on that infamous day of 9/11, we all became New Yorkers, and from that we all became Americans again. We did a lot of things in a bipartisan, non-partisan way for the future of the people in that city and for the security of the American people. That was a good experience which came out of that terrible event.

So I want the record to show I found the whole event most enjoyable and a productive product for the political process.

#### SENATE AGENDA

Mr. LOTT. Mr. President, looking at the agenda for September—others set the agenda and I understand that and I will support that—there are certain things we must do. We need to confirm Congressman PORTER Goss to be head of the CIA. We need to look at the 9/11 Commission recommendations and see how much of those can be done in a responsible way.

I know there will be some who will resist and will defend the status quo or worry about committee turf. But we have a problem. Our intelligence operation is not set up properly. We had failures as we went into Iraq. We should not try to deny that. We should acknowledge it. I commend our men and women in the intelligence community who do a great job. They are on the line this day in Afghanistan, Iraq, and even here in America. We should recognize that talent. We should be careful not to undermine the morale of those organizations. We have learned there is a problem with chain of command and how the analytical material is checked and double-checked. We know the Intelligence Committees in

the Congress have not been set up in a way to do proper oversight. I can say that from experience, having looked at it from a leadership position, but also as a member of the Intelligence Committee for the last year and a half. It is not set up properly. Membership should be permanent, so that members not only can attend hearings, but understand what they are hearing, the dialog, acronyms and people, and burrow in and ask the right questions. This is not so that we will go native and become captive to the community, but so we will be able to ask the right questions. Even the staffing arrangement has to be changed.

We have a limited period of time and, obviously, this requires taking up some of that time. I want us to act in this intelligence area, as far as how it is set up, in the executive and legislative branches. We may not be able to do it all in September, but let's do all we can and then we can continue to work on it, provided, of course, we don't let the forces of the status quo rise up and prevent the necessary changes that I believe are called for. I am a strong advocate of reform across the board when it comes to our intelligence community.

Of course, we have to deal with the appropriations bills in some way. I am pleased the leadership decided to call up the Homeland Security Appropriations bill. Certainly, other than defense, nothing is more important to fund as soon as we can and in the best way we can than homeland security. I hope we can get through that process in a reasonable period of time, knowing there will be some amendments to be offered. We should get that appropriations bill done.

Beyond that, I am not sure whether we are going to have an omnibus appropriations bill or a continuing resolution or for how long funding will be continued. That will be left in the hands of others in the leadership and even the Appropriations Committee. But I want to talk about some other issues that don't always pop up when people are talking about what we should do in September.

Yes, we should deal with the intelligence issue. We should do some confirmations—confirm PORTER GOSS. We should do some judges and appropriations. But there are an awful lot of other things that have not been done yet that we should complete before we go out. It is going to be very unattractive and, in fact, an admission of failure to do our job if we don't complete work on some of the bills that are in conference—for instance, the highway bill. I hear some talk now that we should extend the current highway authorization into next year. Why? We need those highway jobs this year.

There are very few things we can do, if anything, that would create more jobs quicker than to pass a highway bill. There are highway projects, bridge projects and public transportation projects all across this country that

can begin immediately and will put thousands of people to work. By the way, it would make our roads safer and would help with economic development. We are in conference. There have been a lot of discussions, but I don't know that we are going to be able to get it completed if we don't pick up the pace. If we don't, then I think that all involved should feel badly because the American people will not be well served if we don't do the highway bill and we put it off until after the election or even next year.

I urge the leadership on that conference committee in the House and Senate, Democrat and Republican, to pay attention to this highway bill and get it done. It would be a huge achievement for the American people if we pass that bill before we go out. I am not incriminating any individuals, but I am going to feel very critical of the Senate and the Congress if we don't get that highway bill done before we go home again.

I realize maybe it is futile now, but when are we going to get serious about energy? For 3 years we have been striving mightily to produce an energy bill. We get tangled up on one issue or another, such as over whether we should drill in Alaska. Now it is over an additive, MTBE. Meanwhile, we don't have a national energy policy. When the price of a barrel of oil went to \$48 and more, as it did, I began to ask why, and what are we going to do about it? I know that if we pass an energy bill in the morning, it would not immediately affect the price of a barrel of oil that much, but it would help our long-term energy security. I think this is an issue that is staring us in the eye and we are continuing to blink.

Sooner or later we are going to pay an economic or a national security price if we don't stop our dependence on foreign energy, and oil specifically. I am very unnerved to think we depend on over 50 percent of our oil coming from Saudi Arabia, Nigeria, Venezuela, and elsewhere. What if they cut us off for whatever reason? What would happen and how soon? I am tired of hearing excuses about why we didn't do it. I want to know how we are going to get it done. This bill came through committee, passed the Senate and the House, came out of conference and was passed by the House and came to the Senate, and with 57 votes we stalled out.

Here we sit with no clear path to getting an energy bill. A pox on all our houses if we don't do something about that. Some people say stop filling the Strategic Petroleum Reserve. I agree. We should not fill the SPR when the price of oil is as high as it is. That is a small part of what should be done. We need the whole package. And I want to say this: We need more exploration, more oil drilling, more natural gas wells, more coal, more hydroelectric power, and we need to perfect clean coal technology. We should have incentives for conservation and alternative

fuels, the whole package, but here again the Congress is failing in doing its job by not passing an energy bill. We should do it before we go home for the election.

Another bill I think is urgent that we pass is the so-called Jumpstart Our Business Strength, or JOBS, bill. It is a bill that is required because the World Trade Organization held that some of our tax policies were an unfair subsidization of our manufacturing. The World Trade Organization ruled that way. By the way, as a result of that, each month the tariff put on American goods by the European Union continues to go up 1 percent—it is now 11 percent, headed for 17 percent—because we supposedly had an export subsidy. That subsidy should be eliminated and that money should be moved over into the manufacturing area in a way that would help keep American industry in America and create jobs.

How can we not do this? Some people throw up their hands and say we cannot get it done in the next month; that the House and Senate bills are too big; that the Senate bill has too much in it, and they are too different; how will we ever merge them? I don't care. Throw them both out the door and come up with a different, smaller bill, one that gets the job done in conference, and do it now. The chairmen of the committees in the House and the Senate and the ranking members need to get this done. I don't see how in the world we can leave this session of Congress and not pass that JOBS bill and allow American products to be hit with an ever-increasing tariff of 1 percent increase every month, going up to 17 percent, and say we will see you later and we will get to it next year. I urge my colleagues, especially the leadership and chairmen of the committees and the ranking members, to find a way to get this bill done.

Lastly—and I will yield the floor—some people are whispering that ugly phrase “lame duck.” I have been here 32 years. I have been through lame ducks and they are all ugly—to come back after the election, when Congress is filled with people who have retired and have been defeated, and may have a different vested interest, perhaps.

Now I admit that on occasion, even though they were ugly, they were usually brief and we did something good. We did it during the Clinton administration. We did a very important trade bill and, I think, once in the late nineties, maybe we came back and did the omnibus appropriations bill and then left. But I am worried about the large amount of work being considered for a lame duck session this year and whether that would be in the best interest of the American people.

Whatever we cannot get done in terms of appropriations, let's either do it in an omnibus bill for the entire fiscal year or do it through a continuing resolution until February. But the idea that we are going to come back in December and work right up until Christ-

mas and fix what needs to be fixed in that period of time to me is a very dubious and, frankly, unwise suggestion.

How can it be stopped? I had somebody in the leadership ask me that: Oh my goodness, we have other things we have to do; how can we avoid a lame duck session? Real simple, Mr. President. The two leaders in the House and the two leaders in the Senate say we are not coming back for a lame duck session. It is not in the best interest of the American people. Tell the appropriators to do what they have to do, but we are not coming back for a lame duck session. If we do not do that and we come back here, I dread to see it.

I welcome my colleagues back. I hope everybody had a nice, restful August. I hope we get a lot done in September. I do not expect very much because there are a few distractions underway, but we are poised on the brink of being able to do some good things. If we could get a highway bill, an energy bill, the JOBS bill, we could all go out and take credit for it.

I remind my colleagues of the same thing I said many times over the years to leaders, to my good friend from South Dakota—when you produce a product, everybody wins. When you don't call up a bill or you don't finish a bill, the American people lose, and that is where we are poised to go. Which will it be?

I yield the floor, Mr. President.

#### ORDER OF PROCEDURE

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, while the distinguished Senator from Mississippi is on the Senate floor, I will propose a unanimous consent request.

I ask unanimous consent that following the completion of my remarks, Senator NELSON of Florida be recognized for 10 minutes, and following his statement that Senator DORGAN be recognized for 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Reserving the right to object.

Mr. REID. Mr. President, I acknowledge—and I failed to tell my two colleagues this—that Senator FRIST has announced that he is going to come to the Chamber and give a speech. He said he wanted to come around 12:30 p.m. He is due any time now; isn't that right?

Mr. LOTT. Can I inquire under my reservation?

Mr. REID. So I say, if he shows up, I think it would be appropriate to have the majority leader take the floor.

Mr. LOTT. So, Mr. President, the request is that next would be Senator NELSON, and then if Senator FRIST comes at that point he would be recognized?

Mr. REID. The request is—I am going to give a statement now—following my statement, if Senator FRIST is here, he would supersede these two Senators who are waiting.