

collaboration with entities which receive Federal funds or resources; and

“(C) may not accept more than one-half of all funds accepted from Federal sources.”; and

(4) adding at the end the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Board to carry out this Act \$750,000 for each of fiscal years 2005, 2006, 2007, 2008, and 2009.”.

The bill (S. 2639), as amended, was read the third time and passed, as follows:

S. 2639

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. REAUTHORIZATION OF THE CONGRESSIONAL AWARD ACT.

(a) EXTENSION OF REQUIREMENTS REGARDING FINANCIAL OPERATIONS OF CONGRESSIONAL AWARD PROGRAM; NONCOMPLIANCE WITH REQUIREMENTS.—Section 104(c)(2)(A) of the Congressional Award Act (2 U.S.C. 804(c)(2)(A)) is amended by striking “and 2004” and inserting “2004, 2005, 2006, 2007, 2008, and 2009”.

(b) TERMINATION.—Section 108 of the Congressional Award Act (2 U.S.C. 808) is amended by striking “October 1, 2004” and inserting “October 1, 2009”.

(c) TECHNICAL AMENDMENTS.—The Congressional Award Act is amended—

(1) in section 103(b)(3)(B) (2 U.S.C. 803(b)(3)(B)), by striking “section” each place it appears and inserting “subsection”; and

(2) in section 104(c)(2)(A) (2 U.S.C. 804(c)(2)(A)), by inserting a comma after “1993”.

# SEC. 2. FEDERAL FUNDS AND RESOURCES.

(a) TECHNICAL AMENDMENTS; CLARIFICATION OF ACCEPTANCE OF FEDERAL FUNDS AND RESOURCES.—Section 106 of the Congressional Award Act (2 U.S.C. 806) is amended—

(1) in subsection (a)(1), by striking “from sources other than the Federal Government”; and

(2) in the heading of subsection (e), by striking “NON-FEDERAL FUNDS AND RESOURCES; INDIRECT RESOURCES” and inserting “FUNDS AND RESOURCES”; and

(3) in subsection (e)—

(A) in paragraph (1), by striking “Subject to the provisions of paragraph (2), the” and inserting “The”; and

(B) by striking paragraph (2) and inserting the following:

“(2) The Board—

“(A) may benefit from in-kind and indirect resources provided by Offices of Members of Congress;

“(B) is not prohibited from receiving benefits from efforts or activities undertaken in collaboration with entities which receive Federal funds or resources; and

“(C) may not accept more than one-half of all funds accepted from Federal sources.”; and

(4) adding at the end the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Board to carry out this Act \$750,000 for each of fiscal years 2005, 2006, 2007, 2008, and 2009.”.

# DEPARTMENT OF HOMELAND SECURITY FINANCIAL ACCOUNTABILITY ACT

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 4259, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4259) to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, to establish requirements for the Future Years Homeland Security Program of the Department, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

## HOMELAND SECURITY STRATEGY

Mr. LIEBERMAN. Mr. President, I rise to call attention to a critical piece of this legislation—the requirement in section 5 of H.R. 4259, the Department of Homeland Security Financial Accountability Act, for an annual homeland security strategy.

Before 9/11, we did not truly perceive the threat of terrorism on our own soil, and what homeland security efforts we did have underway were badly divided. Dozens of agencies responsible for pieces of our homeland security were scattered across the Federal Government, and were largely unconnected to State and local officials and first responders on the front lines in our nation's cities and towns. There were overlaps and, more critically, treacherous gaps. And because everyone was responsible for parts of the effort, no one was ultimately in charge.

We took one large step to remedy these weaknesses by creating the Department of Homeland Security, DHS. The Department brings more than two dozen of the Federal Government's critical homeland security agencies and programs under one roof, allowing for unprecedented coordination and co-operation. It also created a Cabinet Secretary charged with managing the budget and personnel of these agencies, and capable of providing a focal point for homeland programs and issues in the Cabinet and beyond.

But we knew that in addition to creating a better organization we would need to lay out a clear roadmap to galvanize our homeland defenses—at all levels of Government and the private sector. That is what many of us called for and, regrettably, it is something this Nation still sorely lacks.

The administration did produce a “National Strategy for Homeland Security” in July 2002 that correctly identified many of the challenges we face in preparing to meet the threat of terrorism. But that document predates the creation of the Department of Homeland Security and is already badly out of date.

More significantly, as the highly regarded Gilmore Commission on terrorism noted in its final report last December:

Much is still required in order to achieve an effective, comprehensive, unified national strategy and to translate vision into action. Notably, absent is a clear prioritization for the use of scarce resources against a diffuse, unclear threat as part of the spectrum of threats—some significantly more common than terrorism. The panel has serious concerns about the current state of homeland security efforts along the full spectrum from

awareness to recovery and is worried that efforts by the government may provide the perception of enhanced security that causes the nation to become complacent about the many critical actions still required.

It is true that the Department of Homeland Security is proceeding with some more targeted strategic regarding specific areas of concern, but these cannot replace a comprehensive strategy that sets the ultimate policies and priorities for our homeland effort.

That is why I am pleased that the legislation before us calls upon the administration to develop and update its homeland security strategy in connection with its budgeting process for the Department of Homeland Security. More specifically, the legislation requires that the Secretary for Homeland Security:

... set forth the homeland security strategy of the department, which shall be developed and updated as appropriate annually . . .

and explain how that strategy relates to the Department's planned budgeting.

As it does so, the administration should adhere to the guiding principles laid out in the February 3, 2004 report by the General Accounting Office, GAO, now referred to as the Government Accountability Office, regarding the Nation's various strategies related to terrorism and homeland security. In that report, the GAO surveyed 7 existing Federal strategies related to terrorism—including the National Strategy for Homeland Security—and laid out guiding principles to improve these strategies. These principles stress accountability and prioritization as requirements for a sound strategy. The new strategy must employ risk assessment and analysis to help prioritize strategic goals, then indicate the specific activities needed to achieve those goals, as well as the likely costs and how such funds should be generated. In other words, the strategy must make real choices about priorities and resources. The current strategy identifies many goals, but rarely provides real deadlines for action, standards or performance measures to assess progress, or details on the resources required for stated initiatives.

The strategy should clearly spell out organizational roles and responsibilities, including the proper roles of State, local, private and international actors and the coordinating mechanisms to bring these actors together. Almost 3 years after 9/11, we still too often must ask “who is in charge?” of key pieces of our homeland security agenda. And, critically, the homeland security strategy must address how it relates to other Federal strategies regarding terrorist threats, and how the strategies will be integrated.

Such a strategy must also provide more leadership on critical components of our homeland effort, such as a thoroughgoing strategy to maximize information sharing related to homeland security throughout the Federal Government and with state and local officials

and, where appropriate, the private sector. The strategy must look at preparing the public health sector to detect and respond to terrorist attacks, at integrating military capabilities into our homeland security planning, at building emergency preparedness throughout all levels of Government and the private sector, and securing our critical infrastructure, much of which is in private hands.

While the Department of Homeland Security is central to our effort to protect the homeland, many critical components of the homeland security effort nonetheless lie outside the Department. An effective strategy must address all key homeland security programs, and should involve the cooperation of the Homeland Security Council and the President's Special Assistant for Homeland Security to assist the Secretary in gathering appropriate input from throughout the Federal government.

The Department of Homeland Security has made important strides in improving our homeland defenses. But in the face of ongoing threats of terrorist attacks on our homeland, we cannot afford anything less than our best effort. Today, we still lack strong direction on critical aspects of our homeland security effort. A new and more forceful national strategy will energize and organize our resources—at all levels of Government and within the private sector—to better meet the threats ahead.

Ms. COLLINS. Mr. President, I thank my colleague for his comments on this important issue, and rise to add my own remarks on the critical importance of building a strong homeland security strategy. As members of the Governmental Affairs Committee labored over legislation to create the Department of Homeland Security, we became well acquainted with the daunting array of programs and policies that are part of our homeland security effort. In creating the Department, and through efforts we have undertaken since that time, the committee has worked to help supply the Department of Homeland Security with the tools it will need to be successful. Our oversight work has demonstrated the need to have a strong national strategy to guide our homeland efforts. I agree with my colleague that GAO and others have identified ways in which our homeland security strategy could be strengthened and updated. This legislation will facilitate improvements by requiring that the administration lay out its homeland security strategy anew, and coordinate this strategy with its annual budget requests. This should bring out strategic vision into sharper view, and ensure that adequate resources are sought and secured to carry out homeland priorities.

#### FINANCIAL ACCOUNTABILITY

Mr. BINGAMAN. Mr. President, I would like to express my support for passage of H.R. 4259, the Department of Homeland Security Financial Account-

ability Act. This Act will apply the Chief Financial Officers Act of 1990 to the Department of Homeland Security, and will codify the existence of an Office of Program Analysis and Evaluation within the Department. This latter provision, which was not part of the Senate-passed companion bill, S. 1567, is an important one, and I would like to engage in a colloquy with the chair and ranking member of the Committee on Governmental Affairs to clarify what is and is not intended by this provision.

The Department of Homeland Security is charged with carrying out a wide range of activities related to our domestic security. In my view, it is probably the executive department with the broadest range of activities that need to be coordinated and reconciled from a programmatic standpoint. It is crucial that the Department have a robust programmatic coordination function at the highest level, and that this function have, at its base, a strong analytical capability for purposes of setting priorities among the disparate parts of the Department for purposes of budget formulation and execution. For this reason, the statutory creation of an Office of Program Analysis and Evaluation, and the mandate that it report no lower in the organization than directly to the new chief financial officer, is very sound.

There is another related function in the Department of Homeland Security that has been given a different placement by statute. That is the function of test and evaluation for developing homeland security priorities and for assessing specific technologies. Under section 302 of the Homeland Security Act of 2002, the Under Secretary for Science and Technology within the Department of Homeland Security was given statutory missions for, among other things, "assessing and testing homeland security vulnerabilities and possible threats," "testing and evaluation activities that are relevant to any or all elements of the Department" and "coordinating and integrating all research, development, testing, and evaluation activities of the Department." It is crucial that these testing and evaluation functions remain under the management of the Under Secretary for Science and Technology, because they need strong scientific management and focus. We cannot afford to spend constrained Federal funds for homeland security on approaches or technologies that are not technically sound, or that are not cost-effective compared to other technologies.

I do not believe that there is an inherent conflict between the new statutory office created by this bill and the existing statutory assignments in the Homeland Security Act. Offices like the proposed Office of Program Analysis and Evaluation exist in several executive departments, and are generally more focused on assessing programmatic directions, outcomes, resources, and priorities. The test and

evaluation function, in contrast, focuses more specifically on technical issues and relative technical merits. In the Department of Defense, for example, both functions are in distinct organizations that work together where appropriate to complement the different strengths and missions that each brings to the table. It would be my assumption that this is the outcome that Congress wants to see in the case of the Department of Homeland Security.

With this as background, I would like to ascertain from my colleagues, the chair and ranking member of the Committee on Governmental Affairs, if they agree with my understanding that the statutory creation of the new Office of Program Analysis and Evaluation is not meant to supersede or alter the testing and evaluation function that Congress has previously assigned to the Under Secretary of Homeland Security for Science and Technology.

Ms. COLLINS. The Senator is correct.

Mr. LIEBERMAN. The Senator is correct.

Mr. BINGAMAN. I thank my colleagues.

Mr. SESSIONS. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4259) was read the third time and passed.

#### CONGRATULATING AND COMMENDING THE VETERANS OF FOREIGN WARS OF THE UNITED STATES AND ITS NATIONAL COMMANDER-IN-CHIEF, JOHN FURGESS OF TENNESSEE

Mr. SESSIONS. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 444, which was submitted earlier today by Senator FRIST.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 444) congratulating and commending the Veterans of Foreign Wars of the United States and its National Commander-in-Chief, John Furgess of Tennessee.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SESSIONS. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

Mr. REID. I ask the Senator from Nevada, Mr. REID, be added as a cosponsor.

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

The resolution (S. Res. 444) was agreed to.

The preamble was agreed to.