

fault it was, and everyone was blaming everyone, but Senator KENNEDY focused on getting 330,000 children into school, and he focused on getting them into the best school, any school, that would take them.

He passed legislation I think will serve this country significantly and powerfully in the decades to come. If any major catastrophe, whether man-made or natural, hits our country again, at least the families with children from K through 12 and the children who are in those grades will know they have a champion in Senator KENNEDY, who was not in the majority, but with Senator ENZI as chairman of the Education Committee and with a group of us who were committed to being their helpers, we passed an extraordinary piece of legislation that, with 1 million people having been evacuated from their homes, 250,000 homes destroyed, hundreds of schools, hospitals closed, literally within a few weeks, children were, for the most part, safely ensconced. Even those who found themselves in shelters for weeks and months at times were allowed and encouraged and welcomed into schools because of legislation that Senator KENNEDY passed.

In addition to showing up on this floor day after day fighting for that legislation and fighting against the extremes who wanted to turn it into a political football and vouchers, he held steady to allow children to go to public schools or Catholic schools—to allow children from Catholic schools to go to public schools and children from public schools to Catholic schools, which seems simple, but at the time it wasn't—he personally delivered to our office some nourishment and encouragement to my staff who were overworked and under tremendous stress and didn't call me to let me know he was coming, didn't call the news media to make sure they saw him bringing these things, but just showed up. To me and to my staff, that meant the world.

I thank him for his great service to this country on his 75th birthday. I will submit a lot more for the public record because his legislative achievements are quite long. Since they are well known, I thought I would add some points people might not know about this extraordinary public servant and Senator who turned 75. I only wish medicine would keep up with us so that he could serve another 75. That is unlikely, but I am sure in the final years, in the final chapters of his life, he will continue extraordinary service and will probably go down in history as one of the finest Senators to ever serve in this body.

#### TRIBUTE TO DR. CECIL J. PICARD

Ms. LANDRIEU. Mr. President, my remarks about Senator KENNEDY were for a happy occasion, but this is on a sad occasion. Last week—very close, actually, around the Senator's birthday—we lost our superintendent of edu-

cation, Dr. Cecil Picard. Cecil Picard died prematurely of Lou Gehrig's disease, but he died in the arms of his loving wife of many years, surrounded by his children and his grandchildren.

We knew for a time—and he knew, of course—that the disease that he had been diagnosed with 2 years earlier was going to be fatal. Although he fought it bravely and courageously, it took his life last week.

My husband, Frank Snellings, served on the board of elementary and secondary education, and I want to say publicly what an inspiration Dr. Picard was to us, to our family but, more importantly, what an outstanding leader he was in the area of education reform in a State that he loved, a community which he loved and in which he served as a teacher, principal, superintendent, and then as superintendent of education of our State.

His passion and commitment to early childhood education was contagious. In fact, in the last several years of my knowing Dr. Picard, I never had a conversation with him when he did not mention this subject to me. He would say: Senator, when is the next meeting with the Department of Education? Senator, do the other Senators understand how important early childhood is to this country? Do they really understand that without this, our children will never be ready to learn and will never be able to access the great benefits of the education infrastructure that we put together for them? Don't they understand?

I would say to him: Cecil, unfortunately, they don't understand it the way you do. If everybody in this country had your passion and intellectual grasp of early childhood education, we would not be so grossly underfunded. Because of his work in Louisiana, we now have—and it is his legacy—LA4, Louisiana 4, which the majority—not all, not because of his lack of trying—our 4-year-olds in Louisiana are almost covered for early childhood opportunities. So when they show up and knock at that kindergarten door and that teacher welcomes them with open arms, those children can sit down at that desk or at that table and open a book and begin to really grasp and understand the letters and the meanings of words because they have been taught up to that point how to get their education started.

Of course, learning those early language symbols and numbers and social interaction is so important in those early years. Cecil knew this. His life was committed to education, to being a leader and an advocate for children, a champion for the profession of teaching, with his enthusiasm and ability as a legislator, which is where I met him as a State senator and as a legislator before he was a superintendent.

So as a father, a grandfather, a coach, a teacher, a principal, a senator, and as an education advocate, we cannot say strongly enough in Louisiana that we have truly lost a champion. We

have truly lost someone who, in my lifetime, probably cannot be replaced. Hopefully, another Cecil Picard will come along, but they are few and far between.

So I wanted to say on behalf of the 4.5 million people I represent—and I can say this without fear of being contradicted—that he will be missed, but his legacy will be long remembered, not only in our hearts and minds but in the way people live. His legacy will be reflected in their life, in their productivity, and their contributions to our State and to our Nation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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. Without objection, it is so ordered.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m. today.

Thereupon, the Senate, at 12:24 p.m., recessed until 2:18 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

#### UNANIMOUS-CONSENT AGREEMENT—S. 184

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent to withdraw the request to proceed to S. 184.

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

#### IMPROVING AMERICA'S SECURITY BY IMPLEMENTING UNFINISHED RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. BINGAMAN. Mr. President, I now move to proceed to S. 4 and send a cloture motion to the desk for consideration.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to S. 4, a bill to implement recommendations of the 9/11 Commission.

Joe Lieberman, Russell D. Feingold, Ben Cardin, Robert P. Casey, Jr., Byron L. Dorgan, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, John Kerry, Ken Salazar, Ben Nelson, Carl Levin,

Jack Reed, Chuck Schumer, Jeff Bingaman, Barbara Boxer, Dick Durbin, Mark Pryor.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the cloture vote occur at 2:30 p.m., with the time between now and then equally divided, and that the live quorum be waived.

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

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum, with the quorum being equally charged to both sides.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LIEBERMAN. Mr. President, I rise to speak in favor of cloture on the upcoming vote on S. 4, which is the bill relating to the 9/11 Commission implementation.

I just saw, as I came into the Senate Chamber, outside in the reception room a handful of people whom I would call American heroes. These are women who lost loved ones on September 11, 2001, when terrorists brutally attacked innocent Americans here on our shores, in our homeland. They have taken their grief and worked very hard with many of us here, first to get the Congress and the administration to agree on the 9/11 Commission and then, when that Commission came in with its extraordinary findings and report, worked with us to see that legislation was passed which would implement so many of its recommendations. That was a remarkable bipartisan achievement which I believe has made our Nation safer from terrorist attack but not as safe as we need to be.

In the time that followed, the 9/11 Commissioners themselves asked us to come back and implement the unimplemented parts of their original report or to go back and take another look at the parts they believed and we believed were not adequately implemented or funded, such as homeland security grants or money for interoperable communication systems that in a time of emergency, after a terrorist attack or a natural disaster, enable our first responders to speak to each other in order to adequately and promptly protect us.

These women who are outside the Chamber, whom I saw as I came in, are here today to persuade the Senate to begin debate on legislation to fulfill the recommendations made by the 9/11 Commission. The legislation, S. 4, came out of our committee, and it was an honor and a pleasure, as always, to work with Senator COLLINS. The bill passed our committee with 16 votes in the affirmative and one abstention. It is a very significant, solid piece of work and will make America and the American people even safer.

Is it a perfect piece of work? No. We expect that many of our colleagues will look at different parts of the bill and will want to offer amendments. That is the nature of this process, and we look forward to a good, healthy debate. There is a sense of urgency, however. We are talking about homeland security. We are talking about continuing to raise our guard against the terrorists who attacked us on September 11th, 2001 and who we know are planning and intending to attack us again in this most unconventional and deadly warfare on behalf of a totalitarian ideology, radical Islam, which threatens us as much as the totalitarian ideologies we defeated in the last century. Together, both here at home and throughout the world, we will defeat this threat.

I wish to indicate that most of the bill before us, S. 4, came out of the Homeland Security and Governmental Affairs Committee. There are other parts that came out of the Commerce and Banking Committees, and they, in the ongoing process, will be blended with our bill.

I hope all of the Members of the Senate will vote for cloture so we can proceed to the debate, consider the amendments, get the bill passed, meet with the House in conference, and get a good bill to the President to sign that will build on the security enhancements we have achieved since that dark day of 9/11.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in support of invoking cloture on the motion to proceed to S. 4, the Improving America's Security Act of 2007. This legislation will strengthen our homeland security and will do so in the spirit that shaped the recommendations of the 9/11 Commission.

I have worked very closely with the committee's chairman, Senator LIEBERMAN, as well as with the Presiding Officer, a valued member of the committee, and with all of our committee members to shape this important legislation. Indeed, the committee voted unanimously on February 15 to report this bill. The bill before the Senate now is the product of careful collaboration among the members of our committee, State, local, and tribal governments, emergency response providers, the private sector, the administration, and other stakeholders. It has produced legislation that builds on the earlier work of the Committee on Homeland Security over the last 3 years.

During that time, the committee has produced numerous pieces of legislation implementing the recommendations of the 9/11 Commission and otherwise strengthening our homeland security. In the Intelligence Reform and Terrorism Prevention Act of 2004, Congress enacted many significant measures to achieve the goals of the 9/11 Commission. In fact, that bill imple-

mented the most sweeping changes in our intelligence community in more than 50 years.

More recently, in the last Congress, we passed measures that greatly strengthened protections for America's cargo ports and chemical facilities—again addressing vulnerabilities highlighted in the Commission report. We also approved an overhaul and reform of FEMA that will help improve our emergency response and prepared negotiation, whether it is through terrorist attack or a natural disaster.

As reported by the Homeland Security Committee, S. 4 builds upon these past successes. It would authorize a comprehensive homeland security grant program that includes four vital programs to assist State, local, and tribal governments in safeguarding our lives and property. Our approach to this bill reflects our belief that homeland security is a partnership and that our State and local partners are vital to accomplishing this goal.

I will have much more to say about this bill as the debate proceeds. I will reserve the remainder of my time, if any does remain, and I urge my colleagues to vote to invoke cloture on the motion to proceed to this important bill.

As always, it has been a great pleasure to work with the committee chairman and others, including the Presiding Officer.

The PRESIDING OFFICER. Who yields time?

Mr. LIEBERMAN. Mr. President, I yield back all the remaining time, and I ask for a vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I yield back the remaining time on this side.

The PRESIDING OFFICER. All time is yielded back.

Without objection, the cloture motion on the motion to proceed to S. 184 is vitiated.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the motion to invoke cloture, which the clerk will report.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to S. 4, a bill to implement recommendations of the 9/11 Commission.

Joe Lieberman, Russell D. Feingold, Ben Cardin, Robert P. Casey, Jr., Byron L. Dorgan, Amy Klobuchar, Daniel K. Akaka, Maria Cantwell, John Kerry, Ken Salazar, Ben Nelson, Carl Levin, Jack Reed, Chuck Schumer, Jeff Bingaman, Barbara Boxer, Dick Durbin, Mark Pryor.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to

proceed to S. 4, a bill improving America's security by implementing unfinished recommendations of the 9/11 Commission Act of 2007, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

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

The yeas and nays resulted—yeas 97, nays 0, as follows:

[Rollcall Vote No. 53 Leg.]

YEAS—97

Akaka	Durbin	Mikulski
Alexander	Ensign	Murkowski
Allard	Enzi	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Graham	Obama
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Burr	Inhofe	Sanders
Byrd	Inouye	Schumer
Cantwell	Isakson	Sessions
Cardin	Kennedy	Shelby
Carper	Kerry	Smith
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Clinton	Kyl	Stabenow
Coburn	Landrieu	Stevens
Cochran	Lautenberg	Leahy
Coleman	Lieberman	Levin
Collins	Lincoln	Thomas
Conrad	Lott	Thune
Corker	Lugar	Vitter
Cornyn	Martinez	Voinovich
Craig	McCain	Warner
Crapo	McCaskill	Webb
DeMint	McConnell	Whitehouse
Dole	Menendez	Wyden

NOT VOTING—3

Biden	Dodd	Johnson
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The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. DURBIN. Mr. President, if no one is seeking the floor, 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. KYL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

#### TRIP TO IRAQ

Mr. KYL. Madam President, a colleague of mine asked a little earlier if I would give a brief report of a trip to Iraq, from which I just returned, and I thought I would take this time to do that. Several of my colleagues, both from the House of Representatives and

the Senate, Democrat and Republican, were able to make this trip, and I want to report primarily on what we found when we went to Iraq.

I will start by saying we were in Israel the same day Secretary Rice met with Prime Minister Ehud Olmert and Palestinian President Mahmoud Abbas, and so we had an opportunity to speak with a lot of leaders in Israel as well about the status of the negotiations that had been thought to proceed there, but with Hamas now likely being a part of the Palestinian Government they are likely going to come to a halt. This is most unfortunate.

Obviously, neither Israel nor the United States can have direct dealings with a government which is dominated by a faction that refuses to recognize Israel's right to exist or renounce terrorism or agree to previous Palestinian agreements. This will complicate the process of reaching a permanent accord that the people in the Palestinian areas particularly want to have and the people of Israel also want to have in order to bring violence to a close against them.

So, unfortunately, the news out of Israel is pretty much the same as it has been year after year after year after year: Israel simply does not have a partner for peace at this time. Obviously, Secretary of State Rice is continuing to pursue the situation as best she can to try to help the Israelis achieve that situation.

With regard to the Iraq situation, I took away three primary points from our visit, and I want to discuss them briefly. The first is that after having talked to our commanders on the ground, General Petraeus and General Odierno, and a variety of other general officers as well as troops of other rank, and Iraqi leaders, there is a sense of cautious optimism about the new plan that has been announced and, in fact, is already being implemented. Our troops have begun to arrive, Iraqi troops arriving in greater numbers than before, primarily in the city of Baghdad, and a new military strategy and a political, economic, and diplomatic strategy has begun to play out.

Early signs are encouraging, though everyone cautioned that there will be signs of progress, because they think it is a plan that can succeed, but there will also be bad days.

Nobody should declare victory simply because things seem to be going well for a while. An illustration of this is for about 3 days prior to our arrival there had been no major incidences of violence in the city of Baghdad, yet they were not willing to applaud that too loudly. Good thing, because as we were leaving the country, a couple of car bombs exploded. Clearly, it will be a matter of progress that is not necessarily obvious and certainly will take a while to achieve.

Nonetheless, progress is possible this time because things are now different. In fact, the Deputy Prime Minister of Iraq told us that in his visits with peo-

ple on the streets of Baghdad he was seeing something new, and he said it was an attitude that this time things are different; that there is an opportunity here for success, for a plan to succeed, where it didn't exist before. It is not simply because of greater American presence, it is also because the Iraqis are beginning to do things differently than they had done in the past.

Whereas some people call this a troop surge, I think it is important to note there are many other factors involved in addition to the addition of Iraqi and American troops. For example, the Iraqis are now going to be much more involved in maintaining control of an area after it has been secured. Sometimes in the past the Iraqi or American troops would take an area, would clear it of terrorists or militias, only to have those people infiltrate back when we left. Clearly, an Iraqi presence must be maintained in order for stability to be preserved, and that is what we are now beginning to see.

The Iraqi Shiite death squads and militia activity have gone way down. Again, this is, we believe, partially because of some things the Iraqi Government has done, rounding up about 600 of the Shiite troublemakers and working with the people in places such as Sadr City to persuade them it is better to not resist control by the Iraqi Army than it would be to fight. These are positive signs, but they are certainly not an end of the problems.

There are little things that are being done, for example, to prevent car bombs from going into marketplaces and blowing up a lot of people. They are beginning now to create what are in effect pedestrian malls such as we have in the United States, where vehicles are not permitted. It might still be possible for a single suicide bomber to go into a market and cause destruction but certainly not as much as a car bomb.

The point is, from a military tactical standpoint, the rules of engagement, the activities of the Iraqis, as well as what the United States is doing, all are working together to consolidate the gains that have been made there and to preserve them.

There is also a diplomatic, economic, and political aspect. The newly announced legislation to distribute the oil revenues of the nation to the people of the country is a very important political step that will give the people of Iraq more confidence in their Government. This was mentioned by our Ambassador Khalilzad when we were there. So from the military standpoint there are some signs this is already beginning to work, and I certainly hope our colleagues here in the Congress will do their best to allow this plan to work.

That brings me to the second point. Our commanders, both in Kuwait and Iraq, were very clear that it was important the Congress pass the supplemental appropriations bill to provide

the necessary equipment and reinforcements and not to tie down the tactics of the people on the ground. They are very concerned that we will somehow put limits on the kind of equipment that goes into theater or the number of troops or where the troops go or how they are deployed. Clearly, Congress should not be trying to micromanage a war, and I hope my colleagues who have discussed that in some preliminary way will see the detriment to such an action and will not offer resolutions that would change the way these commanders are able to do their job. This is something specifically that General Petraeus asked of us.

The third and final point is the Iranian influence in Iraq cannot be denied. It is true, I cannot read Farsi, the language of Iran. On the other hand, when General Odierno holds up an item, one of those explosive devices, and says, in Farsi this says “made in Iran,” I can’t verify that, but I believe General Odierno. He pointed to batch and serial numbers on a variety of other weaponry and said, this can all be traced back to Iran.

We are clearly in a situation where we must make it crystal clear to the Iranian leaders this will not be tolerated. We have a right to protect our troops in Iraq and their interference will be intolerable. We have to find a way to get the Iranians to back off of that.

Those were three of the key impressions we took from our trip to Iraq, and I think it boils down to this: Some of our colleagues like to point to the Baker-Hamilton report and say that is what we should be doing instead of what we are doing. Remember what Lee Hamilton said in testimony before the Senate not too long ago. He said, the President’s announced strategy should be given a chance to succeed. He specifically said, give it a chance to succeed.

I think there was some discussion of elements of the study commission’s recommendations, such as a temporary troop surge, which is not inconsistent with what we are now doing. That is what I think we should do, give this plan a chance to succeed. Our troops in theater, our commanders, and the Iraqi leaders all believe they can see early signs of success in this program, even though it has just begun, and they are cautiously optimistic that it can succeed. I think it would be unconscionable for the Congress, seeing the beginnings of success here, to then act in any way that would pull the rug out from under our troops and make it impossible for them to achieve their mission.

I deliberately did not raise the question of the debate back here in Washington with the troops I met, but they raised it with me. They can see what is going on. They watch television. They are very well aware of what is being debated here. They are proud of what they are accomplishing. Their morale is high. Yet I submit to my colleagues

that were we to pass legislation that would undercut their ability to perform their mission as they see it, clearly that situation could change, and this bothers our troops. It certainly, I think, would have the effect of causing our enemies to ask whether we have the will to see this through. As General Petraeus said, this is all about a test of will. Secretary Gates, I believe, and General Petraeus said it as well—in this war, it is a test of wills, and the United States has to make it clear we have the will to see it through.

From our perspective as legislators, we can take the example of the young men and women whom we put in harm’s way to achieve a message. The example I take from them is they have the will. They understand what is at stake. They are proud of what they are doing, and they want us to help them achieve the mission. I think that is the least we can do under these circumstances. I hope my colleagues, as we debate in the ensuing days, will keep in mind what these folks in Iraq who are on the ground looking at this every day have to say about the situation and that we won’t do anything to undercut them but that we will do everything in our power to support their mission.

Mr. LIEBERMAN. Madam President, I rise to speak about S. 4, but I thank my friend and colleague from Arizona, Senator KYL, for his report. It was very interesting for me to hear, and he will probably not be surprised to hear I was both encouraged and in agreement with a lot of what he had to say. I particularly heard that Senator KYL found in the field the first reactions to the implementation of the new plan for Iraq have been encouraging. We all understand it is early, but it conforms with what I have heard from people I have spoken to from Iraq, in that particularly in the neighborhoods in which the joint United States-Iraqi security forces have established dominance in Baghdad, there has been a remarkable and significant drop in the sectarian violence via death squads. Obviously, it is still possible, if someone is crazy enough to be prepared to blow themselves up in a car in a crowd, that the bombings will occur, but I appreciate that encouragement.

I also agree with Senator KYL that both Houses of Congress spoke on these nonbinding resolutions. My colleague and I were both against them. So I suppose what it shows is at this point there is a majority in both Chambers, although not 60 votes here, that is prepared to say in a nonbinding resolution they don’t support the new plan, which Senator KYL and I would say is a new plan to achieve success in Iraq, but that there clearly, in my opinion, are not the votes, not a majority in either Chamber, to do anything else, and certainly not to cut off funding for the new plan, which is the specific authority Congress is given in the Constitution.

So I want to echo what I heard Senator KYL say, which is that I think this

is the moment for a pause over on this side for what I have called a truce in the political war here about the war in Iraq.

Let’s give General Petraeus and his troops an opportunity to make this work. If, God forbid, they don’t, then there will be plenty of time for amendments and resolutions and all the rest because between now and then—General Petraeus said to us, when he was here before the Armed Services Committee, that by the summer he would have an idea, based on some evidence, of whether the new plan was working, and he would report to us. He will begin to report quite soon, I think, on what he is seeing.

Since I don’t see that there is anything that will pass both Houses, certainly nothing that will pass both Houses and be signed by the President to try to block the carrying out of this new strategy, then I think everybody would gain if we just did something that doesn’t come naturally to us, which is to remain silent for a while—particularly if the sound and the fury will ultimately accomplish nothing between now and then.

I thank my friend from Arizona.

Madam President, I rise to speak about S. 4. I thank my colleagues for voting overwhelmingly to invoke cloture on S. 4. The bill, if I understand the state of parliamentary play now, actually will not be formally before the Senate for debate and amendments until tomorrow morning. But I thought I might expedite the matter—because this is a big bill, it is an important bill, there will be many amendments; I think we will be on it several days—if I came over and offered my opening statement on the bill today. I believe Senator COLLINS, the ranking Republican member on the committee, may intend, as her schedule allows, to do the same.

Incidentally, Senator COLLINS and I have—what was for me an honor—worked very closely together on this bill to bring it out of committee. I am very pleased the final vote was across party lines: 16 in favor, 1 abstention. So we bring the bill to the floor with a real sense of bipartisanship.

The bill represents the hard work of the membership of the Homeland Security and Governmental Affairs Committee and includes provisions that are in the jurisdictions of other key committees as well, particularly Commerce and Banking, during which occasions Senator INOUYE and Senator DODD may exercise their right, with my encouragement, to manage those parts of the debate.

I thank the majority leader, Senator REID, for working with all of the committees that have contributed to this effort in bringing before the Senate this comprehensive legislation that I am convinced will make our country safer. I look forward to working in the days ahead with my colleagues on both

sides of the aisle to move the legislation through the Senate, into conference committee, and then ultimately to the President's desk for signature.

September 11, 2001, shocked us. It was a tragedy of unspeakable proportions and human loss. It showed us, in that loss, how we had suffered from what the 9/11 Commission itself called a failure of imagination. By that they meant an inability to imagine that there were people in the world who would do something this outrageously inhuman, striking buildings, symbols of America, but without regard to the diversity of human beings in those buildings and the lives that they were leading.

Someone said that on 9/11 the terrorists showed that they hate us more than they love their own lives. That awakened us to our vulnerability and brought us into a new age.

I spoke, when I spoke on behalf of cloture, of the families of those we lost on 9/11 who have been persistent and honorable and inspiring advocates for closing the vulnerabilities that compromised and ended the lives of so many of their loved ones. They fought with us on behalf of the bill that Senator McCAIN and I introduced to create the 9/11 Commission. They then worked very hard to advocate for the recommendations of the 9/11 Commission. They deserve a lot of credit, as do a lot of other people in Congress and in the administration, for the passage of the 2004 intelligence reform legislation that adopted so many of the recommendations of the 9/11 Commission.

In that bill we created a strong Director of National Intelligence to forge greater unity of effort among our intelligence agencies as they moved forward to inform us about the plans and activities and intentions of our enemies, to stop them before they strike us again.

There are many reasons on this day we can be grateful that America has not been the victim of terrorist acts again. Some of it is just plain good fortune. Some of it, however, I think is the work of the agencies created by the 9/11 legislation in 2004. Some of it is, without doubt, a result of the grace of God. We created in that bill also a National Counterterrorism Center to improve interagency planning to achieve goals in the war against terrorism.

One of the most exciting moments I have had as a Senator was to go out to the National Counterterrorism Center. I urge my colleagues to take the time. Established by the 9/11 legislation in 2004 to make sure, to use a very simplistic metaphor for a very complicated situation, that never again would our Government fail to connect the dots that would have presented the warning that a terrorist attack was coming.

This National Counterterrorism Center is out there. It has all the relevant agencies, they are constantly streaming information, receiving information

from around the country, around the world, and cooperating with one another to protect our security. We mandated in the 2004 legislation the development of an information sharing environment to facilitate the sharing of national-security-related information among the different branches and agencies of the Federal Government and also to make sure that the Federal, State, and local governments were cooperating. When you think about it, State and local first responders are not just first responders, they have the ability, with the hundreds of thousands of eyes and ears that they bring to law enforcement, to be also first preventers. That was a goal of the information sharing environment we established.

In the 2004 legislation we made significant improvements to border and transportation security, focusing on aviation security, of course; building on legislation passed in the immediate aftermath of 9/11, because of our obvious anger that the existing systems of our aviation structure were used to attack the American people directly.

This is only a partial list of some of the significant achievements that resulted from that legislation that I am convinced improved our Nation's intelligence capability and the security of the American people at home. But we know from ongoing congressional oversight, from the work of the members of the 9/11 Commission who continued to be focused on our homeland security, and from common sense, that there is more to be done. Senator REID made adoption of this 9/11 implementation legislation a priority for this Congress.

At a hearing in January that I was privileged to call as the new chairman of our committee, Homeland Security, 9/11 Commissioners and family members of 9/11 victims urged us to go forward and finish the job that we started with the 2004 legislation: to implement parts of the report that were unimplemented by that legislation and to go back and look at some things that were not quite working right or were not fully implemented and see if we could do a better job to close some of the gaps that we left after 2004.

Some of the important Commission recommendations we included in the Senate legislation in 2004 were taken out or diluted in conference. Other provisions that Congress did enact have unfortunately been implemented poorly.

How important is it that we go ahead with this legislation to finish the job we started after the 9/11 Commission report? Let me quote from the 9/11 Report:

The men and women of the World War II generation rose to the challenges of the 1940s and 1950s. They restructured the government so it could protect the country.

That is now the job of the generation that experienced 9/11. Those attacks showed emphatically, that ways of doing business rooted in a different era are just not good enough. Americans should not settle for incremental, ad hoc, adjustments to a system

designed generations ago for a world that no longer exists.

This bill that we will begin considering in the Senate tomorrow continues the process of securing our Nation in this new era where our enemies don't wear the uniforms of soldiers or follow any traditional laws of combat but, rather, move silently among us, probing for weaknesses while plotting attacks on innocent civilians.

This bill will strengthen our ability to respond to not just terrorist attacks but also preparing our Federal, State, and local governments to better respond to natural disasters. We are trying to create an attitude in this bill, an "all hazards" attitude that increases our homeland security against the threat of terrorist attack, but also, in doing so, prepares our Government to respond better to natural disasters—of course, thinking now of the extent to which our Government at all levels showed that it was incapable of responding adequately during Hurricane Katrina.

Let me now discuss some of the important provisions in the bill. The first I want to talk about is information sharing. The 9/11 Report showed us that the different agencies had different pieces of information that should have aroused suspicion about the attack that came on 9/11, but because those pieces were never pulled together, there was no way to assemble that monstrous mosaic and to see the full picture it created so as to be able to stop it. One of the most important innovations since 9/11 is the establishment of fusion centers to share information within and between States. This legislation would improve the crucial sharing of intelligence and information both within the Federal Government and with State, local, and tribal governments, as well as creating standards for those State, local, and regional fusion centers that will be tied to the allocation of homeland security grants.

While preserving the authority of State and local governments over fusion centers, this legislation, S. 4, requires DHS, the Department of Homeland Security, to provide essential elements of support and coordination to the centers. It authorizes the assignment of homeland security intelligence analysts to the centers to lend their expertise and to serve as a channel for information to and from the Federal Government. It also creates a program for State, local, and tribal officials to spend time at the Department of Homeland Security's Office of Intelligence and Analysis to learn about its intelligence information sharing functions and to serve as a link to the State and local governments.

This legislation also will strengthen the information sharing environment which we created in the 2004 legislation. It will enhance the authority of the Program Manager for that environment by allowing the issuance of Government-wide standards whereby all

agencies of the Federal Government would be required to operate under the same rules and guidelines and would not be permitted to conceal information.

The legislation, S. 4, would encourage the elimination of principles such as “need to know” which allow the holder of information in a given Federal agency to control its dissemination to other governmental agencies and, thus, act as a bureaucratic barrier to effective information sharing. We, instead, aim to encourage, through this legislation, the development of a “need to share information” culture in which information is made available—with appropriate safeguards, of course—to all who could make use of it in the war against terror.

Let me go now to homeland security grants. This legislation will enhance homeland security grants to State and local governments and first responders. We simply have underfunded this critical element of homeland security. The first responders, first preventers, need more help to better protect their constituents, those who live in the areas they serve, from potential terrorist attacks and natural disasters.

Our proposal, S. 4, would authorize over \$3.5 billion for each of the next 3 years for key grant programs. It turns around a precipitous decline in funding for homeland security. It provides for a comprehensive system of both terrorism-oriented and all-hazards grants. It will ensure that grants primarily intended to bolster prevention of and preparedness for terrorist attacks will be distributed overwhelmingly based on the risk to an area from a terrorist attack.

Our committee believes we have achieved a balanced proposal that gives most of the money out based on risk but still recognizes there is risk in this new post-9/11 age everywhere and that in an all-hazards approach, first responders everywhere need to be assisted to protect their citizens not just from a potential terrorist attack but from the consequences of a natural disaster.

Interoperable communications: We have known for decades we needed to improve communications operability and interoperability at the different levels of Government. Yet tragically the inability of fire and police to communicate with one another at the World Trade Center after the attacks of 9/11 cost lives. That is a painful fact. Hurricane Katrina showed us once again how important it is to have communications that can both survive the initial disaster and have the capabilities to allow different first responding agencies to talk to each other by sharing voice as well as data communications.

Under this grant program, States would be required to demonstrate that the grants they are applying for and receive would be used in a way that is consistent with their statewide communications interoperability plans and

the National Emergency Communications Plan. In other words, this is not going to be just ad hoc proposals from every first responder for some money to use as he or she desires for their vision of interoperability. It has to be part of a statewide plan connected to the national plan.

The States receiving the money would be required to pass at least 80 percent of the total amount of the grants they receive on to local and tribal governments. The legislation authorizes \$400 million for interoperability improvements—lifesaving, in my opinion—in 2008; \$500 million in 2009; \$600 million in 2010; \$800 million in 2011; and \$1 billion in 2012.

Let me go on to terrorist travel. The legislation contains provisions to improve our ability to disrupt terrorists’ travel and infiltration of the United States, which the 9/11 Commission said was just as important as crippling their financial networks. That certainly makes sense.

It requires the Department of Homeland Security and the Department of State to implement security enhancements to the so-called visa waiver program. It also is increasingly clear that serious vulnerabilities exist within the visa waiver program. There are enhancements to the program that, if adopted in this bill, will close many of those vulnerabilities, including mandating improved reporting by foreign countries on the visa waiver program of lost or stolen passports, requiring countries to share information about prospective visitors who may pose a threat to the U.S., and authorizing an electronic travel authorization system which would require travelers to apply in advance for authorization to visit America, thus allowing their names to be checked against terrorist watch lists well before they board airplanes.

I note Senator COLLINS is on the floor of the Senate, our ranking member. I am going to yield to her in a few minutes. But she has considerably strengthened this section of the bill to protect America from people with the intent to harm us through acts of terrorism using this visa waiver program.

Next, privacy and civil liberties: This legislation also makes important steps forward to ensure that as we fight terrorism, we do not trample on the rights of Americans we are pledged to defend. The legislation includes provisions very similar to those included in the Senate-passed version of the Terrorism Prevention Act with regard to the Privacy and Civil Liberties Board.

I now move on to biosurveillance. The legislation enhances sharing of critical information by authorizing and improving upon an existing effort within the Department of Homeland Security to establish a National Biosurveillance Integration Center.

Next, private sector preparedness: The 9/11 Commission found that the private sector remains largely unprepared and that ignoring private sector preparedness could come at a huge cost

because so much infrastructure, so many targets of terrorists are in private hands. To address this critical problem, S. 4 will promote private sector preparedness, without a mandate, by creating a voluntary certification program that will allow private sector entities to become certified as being in compliance with recommended national preparedness standards. This is an important step forward and will quite sensibly promote, for instance, evacuation plans and steps beyond that.

The legislation also strengthens private sector preparedness by requiring that the Department of Homeland Security establish and report on a list of critical infrastructure across the Nation that would cause catastrophic damage if disrupted, or destroyed. This will strengthen and clarify what is a murky process right now and will focus our attention on protecting those parts of critical infrastructure.

Our legislation also improves upon the existing National Strategy for Transportation Security by ensuring that risk-based priorities identified by the Department are based on the risk assessments conducted by the Department.

The legislation also requires the President and Congress to publicly disclose the total amounts of appropriations requested, authorized, and ultimately appropriated for the American intelligence community. This responds directly to a recommendation of the 9/11 Commission and will improve Congress’s ability to oversee the conduct and progress of our intelligence agencies creating standards of accountability.

I stress, this is the bottom line of the budget: to give Members of Congress and the American people an idea of how much we are investing in intelligence to protect their security and give us some sense of the accountability that we should apply to the intelligence community in delivering that funding.

TSA screeners: This will be debated at some length, I am sure. The legislation includes a provision which I was pleased to cosponsor with the occupant of the Chair, Senator McCASKILL from Missouri, which will ensure that screeners at the Transportation Security Administration—with whom we have become very familiar as we come and go from airports—have the same employment rights as others in TSA and the Department of Homeland Security. There is no good reason to deny these rights to these people. We are only applying to them the same rights as other people within TSA and others in law enforcement in the Department of Homeland Security have, with no negative effect on their performance of those responsibilities.

Madam President, as you can see, this is a very comprehensive bill. I have not touched on many parts of it in this statement. I have tried to focus on the most important. What I am convinced of is that if this bill passes and

becomes law, the American people will be safer from both terrorism and the consequences of natural disasters, such as Hurricane Katrina, than they are today.

All of the hard work of the committee members, including particularly my ranking member, Senator COLLINS, gives me some sense of confidence, along with the work done by our staffs on both sides of the aisle, that this bill really will achieve the goals the 9/11 Commission stated in their report and the hopes that the families of those who were lost on 9/11 have that we act in a way on their behalf and on behalf of all the American people to be able to say we have done everything possible to make sure no other Americans suffer the tragic pain and continuing loss that these American heroes suffered when their loved ones' lives were ended in the brutal terrorist attacks of 9/11.

I have a sense of urgency about this bill. I believe every day we do not do some of the things this bill would enable and establish and support financially is another day in which we are not as secure at home as we should be. This is the carrying out of the first constitutional responsibility we have to ensure domestic tranquility and provide for the common defense, to do so in a way that those who wrote the Constitution could never have dreamed we would have to do. But that is the world we live in today. That is the reality we must face. This is the action we must summon and carry out together to dispatch our responsibility.

Madam President, in the preface to the 9/11 Report, Chairman Kean and Vice Chairman Hamilton wrote:

We hope our report will encourage our fellow citizens to study, reflect—and act.

Well, we have studied and we have reflected. Now is the time, once again, to act to build a safer and more secure America for the generations to come.

I look forward to a good, spirited debate. I hope when we are done, the bill will be even stronger than it is today. We will start tomorrow. I urge my colleagues to come to the floor, even this afternoon, to file amendments because Senator COLLINS and I would like, when we move to this bill tomorrow morning—having carried out our managers' responsibility to make opening statements—to move right to the amendments.

I thank the Chair.

I think Senator COLLINS was called from the Senate floor momentarily, but I know she will be back before I yield.

Madam President, the consent request I am about to propound has been cleared on both sides.

I ask unanimous consent that following morning business on Wednesday, February 28, the Senate proceed to the consideration of Calendar No. 57, S. 4, the 9/11 Commission recommendations legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, on behalf of the leader, I am happy to announce there will be no further roll-call votes today. I know Senator COLLINS will return soon and make her opening statement on the bill.

I thank the Chair very much, and 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.

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

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

Ms. COLLINS. Madam President, I rise to support S. 4, the Improving America's Security Act of 2007. This legislation would strengthen our homeland security and would do so in the spirit that shaped the recommendations of the 9/11 Commission.

As my colleague and friend Senator LIEBERMAN has already indicated, the Committee on Homeland Security voted unanimously on February 15 to report this bill. The bill before us is the product of careful collaboration among members of our committee; State, local, and tribal governments; emergency response providers; the private sector; the Administration, particularly the Department of Homeland Security; and other stakeholders. This collaboration has produced legislation that builds on the work of the Homeland Security Committee over the last 3 years. During that time, the committee has produced numerous bills implementing the recommendations of the 9/11 Commission and otherwise strengthening our homeland security. This bill helps to complete the picture.

The vast majority of the 9/11 Commission's recommendations were enacted in 2004 as part of the Intelligence Reform and Terrorism Prevention Act. There were, however, some recommendations that did not make it through the process or were not incorporated into that bill, and those are reflected in the legislation before us.

The Intelligence Reform Act was a bipartisan effort by the Homeland Security Committee, and it made possible the most significant reforms in the structure and operations of our intelligence community in more than 50 years—in fact, since the CIA was created after World War II. Indeed, approximately 39 of the 9/11 Commission's 41 recommendations have been acted on in one form or another. More recently, Congress passed measures that greatly strengthen the protections for America's cargo ports and its chemical facilities—again addressing vulnerabilities highlighted in the Commission's report and by other experts on terrorism. So during the past 3 years, in fact, a great deal has been done to help make our Nation more secure and to improve our defenses and capacity to respond to terrorism attacks.

The PRESIDING OFFICER. Is there objection?

The Homeland Security Committee also conducted a comprehensive, bipartisan investigation of the Federal, State, and local preparation for and response to Hurricane Katrina, our country's first real test of its homeland security apparatus since the attacks on September 11 of 2001. Our investigation found significant failures in emergency planning, preparation, and response at all levels of government. As a result, we issued a comprehensive report that summarized our investigation. Our investigation included 24 public hearings, interviews of more than 400 people, and the review of literally hundreds of thousands of investigations. It also included the issuance of subpoenas because we wanted to make sure we had access to all the information we needed. As a result of this investigation, the committee issued a detailed report and drafted legislation based on those recommendations. That legislation was incorporated into the Homeland Security appropriations bill which the President signed into law last year.

The FEMA Reform Act built upon the 9/11 Commission recommendations already enacted by reforming the structure of FEMA, enhancing its regional role throughout the country, and giving FEMA a primary place within the Federal Government for planning, training, and exercising with State and local officials.

As reported by the Homeland Security Committee then, S. 4 builds upon our past successes. The legislation before the Senate would authorize a comprehensive homeland security grant program. It includes four vital grant programs to assist State, local, and tribal governments in safeguarding our lives and properties in all catastrophes, whether natural or manmade. Taken together, these four grant programs—the Urban Area Security Initiative, the State Homeland Security Grant Program, the Emergency Management Performance Grant Program, and the Emergency Communications and Interoperability Grant Program—will ensure significant and predictable Federal funding for our State and local partners.

The program will support error-prevention activities such as fusion centers, all-hazards planning, training exercises, and the installation of reliable interoperable emergency communications systems. The bill will help to strengthen emergency preparedness and response. It also strikes the right balance between targeting funding to jurisdictions the Department determines to be at the highest risk and ensuring a baseline of adequate funding for prevention and preparedness across the country because we know that our Nation's homeland security is only as strong as its weakest link.

Let me comment in more detail on these programs. With respect to the Urban Area Security Initiative, also known as UASI, the bill retains the current practice directing the Secretary of Homeland Security to award

grants based solely on risk of terrorist attacks. Clearly, our largest urban areas present attractive, high-value targets to terrorists. Our legislation, the Lieberman-Collins legislation, recognizes that fact, but it makes one sensible change. The Department's eligibility criteria for UASI grant applications has been, to say the least, arbitrary and controversial. For that reason, our bill would expand the potential pool of applicants beyond the current limit of 45. Instead of requiring the Department to select which cities are eligible to apply, S. 4 would expressly permit the largest 100 metropolitan areas to make their case for funding.

Unfortunately, terrorist attacks do not respect city limits. A major attack could affect—or at least require—responses from many neighboring or regional jurisdictions. We also know that when we take a more regional approach, we have a more effective response. Our bill raises funding for the State Homeland Security Grant Program to \$913 million from the \$525 million appropriated in fiscal year 2007. This funding increase would also correct a serious deficiency in the proposed budget for fiscal year 2008. Unfortunately, the administration is calling for only \$250 million for this important program. As with the UASI grants, each State would receive funding on the basis of risk but with a minimum award of 0.45 percent of the program funds. This will, once again, ensure a baseline level of preparedness and response activities across the country.

Hurricane Katrina illustrated that many of the actions required to respond to terrorist attacks are identical to those required for natural disasters. That is precisely why S. 4 would expand the emergency management performance grants. The EMPG has been a vital part of our national preparedness for years. Our bill seeks to increase its stature and importance by providing more funding and by authorizing States to use EMPG funds to construct and enhance emergency operation centers. The EMPG emphasizes all-hazards preparation, and the .75 percent minimum allocation and the population-based distribution of the remainder ensures that every State will receive assistance with planning, training, and exercises for vital functions such as evacuation, logistics, continuity of operations of government, and recovery. Those are skills which all States need to develop. Those are minimal levels of preparedness and response essential for every State. Every State has the potential for either a natural disaster or a terrorist attack or some other catastrophe or emergency. That is why it is important we develop that capacity in every State.

It is important for me to emphasize that S. 4 does not change EMPG's allocation formula; it merely codifies existing practice. The EMPG is basic insurance. As the DHS manual for the program observes:

An all hazards approach to preparedness, including the development of a comprehensive program of planning, training, and exercises, encourages an effective and consistent response to any threatened or actual disaster or emergency regardless of the cause.

This view is consistent with the expert testimony before the Homeland Security Committee during our investigation of the failed response to Hurricane Katrina.

Now, some people have suggested that guaranteeing minimum funding for State and local preparedness is just another example of pork barrel politics. These people could not be more mistaken. As the Rand Corporation noted in a 2004 report on the preparedness of State and local law enforcement after the terrorist attacks of September 11, 2001:

Homeland security experts and first responders have cautioned against an overemphasis on improving the preparedness of large cities to the exclusion of smaller communities or rural areas.

Again, I make the point that we need to bring up all areas to a certain baseline level of preparedness. That doesn't mean we don't factor in risk; we do. Indeed, the majority of the funds in this bill would be allocated based on risk, and we provide more risk-based funding than is the case in current law.

The RAND report went on to recognize that much of our Nation's infrastructure and potential high-value targets are located in rural areas. We also cannot assume a precise calculation of risk. A Federal building in Oklahoma City was not an obvious target for a terrorist bombing. Yet, we know a tragic attack occurred in that city. Rural flight schools were not obvious training grounds for hijackers, nor was the Portland, ME, jetport an obvious departure point for terrorist pilots as they began their journey of death and destruction on September 11.

My point is that terrorists can shelter, train, recruit, prepare, or attack in unlikely places. In view of this cold reality, our bill requires that at least 25 percent of the funding from the UASI and State homeland security grant programs—that is at least \$548 million—be used for terrorism prevention activities by law enforcement agencies.

Sometimes I think we forget the basic truth that if we can prevent a terrorist attack from happening in the first place, that is the best possible approach. We do need to be prepared to respond effectively, but how much better if we can detect and interdict the attack before it occurs. We know from experience here, as well as in other countries, that terrorists can be spotted and attacks intercepted by well-trained local police. The prevention of attacks through better policing must be a focus of our grant programs. The last grant program our bill creates is an emergency communications and interoperability grants program. These grants will help to close the alarming and persistent gaps in our first responders' ability to simply communicate with one another. As the tragic

events of 9/11 and Hurricane Katrina demonstrated, this is often not the case.

Before the second tower of the World Trade Center collapsed on 9/11, the police received a radio message to evacuate, but, tragically, the firefighters never received that message because they used different radios and an incompatible frequency. The result was even more loss of lives. In the immediate aftermath of Hurricane Katrina, the first responders resorted to the use of runners to carry messages by hand from one command center to another because the communications infrastructure was so badly damaged. Well, the events of the magnitude of 9/11 or Hurricane Katrina, fortunately, do not occur every day. There are daily incidents, such as fires, rescues, and hazardous material spills that require different agencies and different jurisdictions to communicate with one another in real time and on demand. This is precisely why the emergency communications grants program is so important.

I will tell you it was very disturbing to hear, during our investigation of Hurricane Katrina, the same kinds of interoperability problems that occurred during 9/11. This is a problem we simply must solve.

Let me comment on some other important features of the bill. It improves protection against terrorists traveling to our country under the visa waiver program by requiring more timely notice from participating countries of lost or stolen passports. It also requires those countries to share more information about travelers who could pose a threat to our security. The bill improves information sharing, establishes multijurisdiction fusion centers in order to encourage information to be shared, and allows the assignment of DHS intelligence analysts to those centers. The bill expands upon a requirement in the Homeland Security Act by requiring DHS to create a prioritized list of critical infrastructure and highest risks for terrorist attacks and other disasters. This list will help protect these critical assets from attacks and enable more effective response when disaster strikes.

The bill also requires that risk assessments be completed for each sector of the economy. Recognizing the need to exercise good stewardship of our taxpayers' money, our bill also includes strong protections against waste, fraud, and abuse. By now, we have all heard the disturbing stories of misspent homeland security grants. In fact, when I was chairman of the Homeland Security Committee, we held hearings looking at how homeland security grants have been spent in some States. Along with Senator LIEBERMAN, I asked the GAO to do an investigation into this area, and GAO testified before our committee. At a time when the needs are so great for equipment, for training, and for more preparedness to strengthen our homeland security, it was very disturbing to

hear the GAO testify that money had been wasted.

Let me give you a couple of examples. In the District of Columbia—yes, right here in Washington, DC, surely a high-risk area, an area attacked on 9/11—we found that leather jackets were purchased for the local police using homeland security grant money. In Newark, NJ, homeland security funds were used to purchase air-conditioned garbage trucks. This is totally inexcusable, when we have such great needs for new communications equipment, for training and exercises, and for help for our first responders. We simply cannot afford to have money frittered away. It is outrageous.

Our bill would help to eliminate those abuses. It would strictly prohibit the use of grant funds on items that don't relate to securing our homeland. It requires States to have an approved plan and for funds to be allocated, distributed, and spent according to that plan, and to achieve certain baseline preparedness goals. It requires DHS to set minimum performance standards for agency grants, and it provides for audits to ensure accountability.

I know that last safeguard is near and dear to the Presiding Officer's heart and that she understands, perhaps better than anyone in this body, the importance of regular, thorough, and timely audits.

Madam President, I acknowledge the work of Senator COBURN, and many other members of our committee, to strengthen the provisions of our bill. I offered an amendment to make sure that homeland security funds were not used for social or recreational purposes. In short, I think we have tightened up the safeguards and put new measures in to ensure accountability.

I mentioned earlier that our bill proceeds in the spirit of the 9/11 Commission; its provisions for increased and more effective information sharing, for strengthening the privacy and civil liberties oversight board, and for disclosing the total sums requested, authorized, and appropriated for intelligence programs all testified to that amendment.

There are many provisions of the bill reported by the Homeland Security Committee that will improve our security in other ways. I want to note once again, however, that this bill is not a sudden, new, or unusual manifestation of congressional determination to strengthen our security. The bill before us today continues the work of Congress in taking proper notice of the 9/11 Commission's recommendations. I am proud to be part of the bipartisan deliberations that shaped this bill, and I urge all of my colleagues to support it.

I want to also acknowledge the tireless efforts of the families of the victims of 9/11. They have worked with Senator LIEBERMAN and me every step of the way when we were drafting the Intelligence Reform and Terrorist Prevention Act in 2004. They were our inspiration and they kept us going. They

ensured that the bill got through to the President's desk and signed into law. They have continued to work with us on the bill before us today. I want to publicly thank them for their effort. They inspired our work.

Our legislation's broad-front attack on the threats we face will ensure good value for every dollar our Nation spends to improve our defenses at the Federal and State and local levels. It will provide appropriate transparency and accountability into the Government's security decisions, and it will strike an appropriate balance between increased security and our cherished civil liberties. The passage of this bill will benefit every American.

Let me close by saying I am certain this bill will be improved even further as we proceed with the deliberations this week. I do not support every single provision in this bill. But on balance, it is yet another step forward as we seek to protect the American people.

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

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

#### MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### APPROPRIATIONS COMMITTEE ON RULES OF PROCEDURE

Mr. BYRD. Mr. President, pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent to have the attached rules and subcommittee memberships for the 110th Congress printed in the CONGRESSIONAL RECORD.

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

##### SUBCOMMITTEES

Senator Byrd, as chairman of the Committee, and Senator Cochran, as ranking minority member of the Committee, are ex officio members of all subcommittees of which they are not regular members.

##### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

Senators Kohl, Harkin, Dorgan, Feinstein, Durbin, Johnson, Nelson, Reed, Bennett, Cochran, Specter, Bond, McConnell, Craig, Brownback. (8-7)

##### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

Senators Mikulski, Inouye, Leahy, Kohl, Harkin, Dorgan, Feinstein, Reed, Lauten-

berg, Shelby, Gregg, Stevens, Domenici, McConnell, Hutchison, Brownback, Alexander. (9-8)

##### DEPARTMENT OF DEFENSE

Senators Inouye, Byrd, Leahy, Harkin, Dorgan, Durbin, Feinstein, Mikulski, Kohl, Murray, Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison. (10-9)

##### ENERGY AND WATER DEVELOPMENT

Senators Dorgan, Byrd, Murray, Feinstein, Johnson, Landrieu, Inouye, Reed, Lautenberg, Domenici, Cochran, McConnell, Bennett, Craig, Bond, Hutchison, Allard. (9-8)

##### FINANCIAL SERVICES AND GENERAL GOVERNMENT

Senators Durbin, Murray, Landrieu, Lautenberg, Nelson, Brownback, Bond, Shelby, Allard. (5-4)

##### DEPARTMENT OF HOMELAND SECURITY

Senators Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Landrieu, Lautenberg, Nelson, Cochran, Gregg, Stevens, Specter, Domenici, Shelby, Craig, Alexander. (9-8)

##### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

Senators Feinstein, Byrd, Leahy, Dorgan, Mikulski, Kohl, Johnson, Reed, Nelson, Craig, Stevens, Cochran, Domenici, Bennett, Gregg, Allard, Alexander. (9-8)

##### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

Senators Harkin, Inouye, Kohl, Murray, Landrieu, Durbin, Reed, Lautenberg, Specter, Cochran, Gregg, Craig, Hutchison, Stevens, Shelby. (8-7)

##### LEGISLATIVE BRANCH

Senators Landrieu, Durbin, Nelson, Allard, Alexander. (3-2)

##### MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Senators Johnson, Inouye, Landrieu, Byrd, Murray, Reed, Nelson, Hutchison, Craig, Brownback, Allard, McConnell, Bennett. (7-6)

##### STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

Senators Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, Reed, Gregg, McConnell, Specter, Bennett, Bond, Brownback, Alexander. (8-7)

##### TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Senators Murray, Byrd, Mikulski, Kohl, Durbin, Dorgan, Leahy, Harkin, Feinstein, Johnson, Lautenberg, Bond, Shelby, Specter, Bennett, Hutchison, Brownback, Stevens, Domenici, Alexander, Allard. (11-10)

##### SENATE APPROPRIATIONS COMMITTEE RULES—110TH CONGRESS

###### I. MEETINGS

The Committee will meet at the call of the Chairman.

###### II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of