

it to those young men and women. The number of people coming back—24,900 American servicemen have been wounded, 11,200 seriously. Virtually all of us here have seen those soldiers lying seriously wounded. Does anyone think they don't have the highest claim on this country's resources to reach out and help them with everything that is available to us? Does anyone believe there is something more important than that? If so, I want to know what it is. I hope very much, whether it is the Jonathan Schulze case or any of the other cases, this investigation is thorough, complete, urgent, and is completed in a way that says to this President: You can't seriously continue to consider cutting in-patient care for mental health in the VA system.

AMENDMENT NO. 313 TO S. 4

Mr. DORGAN. Madam President, I want to talk briefly about an amendment I have offered to the underlying piece of legislation.

I would like to ask it be considered in morning business as a separate subject. I have offered an amendment that is very simple. It calls for a report every 6 months by this administration on the subject of what is happening with respect to the search for Osama bin Laden and the leadership of al-Qaida. I hope I will get a vote on that amendment perhaps this afternoon, and if not, I hope by tomorrow. That amendment was one I offered last week. I want to show a couple of charts that describe why I have offered such an amendment.

Mr. Negroponte was the Director of National Intelligence until about two weeks ago. He and the current leader of the intelligence service have said the same thing in open testimony before the Congress:

Al-Qaida is the terrorist organization that poses the greatest threat to U.S. interests, including to the homeland.

He also said this:

Al-Qaida continues to plot attacks against our homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders from a secure hideout in Pakistan.

Again, it says from their secure hideout in Pakistan. On September 15, 2001, 4 days after 9/11, recognizing it was al-Qaida and Osama bin Laden and the al-Qaida leadership that attacked this country and boasted about it, the President said this:

We will not only deal with those who dare attack Americans; we will deal with those who harbor them and feed them and house them.

Two months later he said:

As a part of our offensive against terror, we are also confronting the regimes that harbor and support terrorists.

Two months following that he said:

Osama bin Laden has no place to train his al-Qaida killers anymore. And if we find a training camp, we will take care of it.

Well, the head of intelligence for this country says he knows where the al-Qaida leadership is. We saw last week film clips on television of al-Qaida training camps. Yet somehow there is a giant yawn about all of this. In fact, the President later said, in 2003:

I don't know where bin Laden is. I have no idea and really don't care. It is not important, and it is not our priority.

He also said:

I am not truly that concerned about him.

If the head of intelligence for this country says the greatest threat posed to this country by a terrorist organization is a threat that comes from al-Qaida, a threat to our homeland to inflict mass casualties, and they are in a secure hideout in Pakistan, and if, in fact, the President previously said as a part of our offensive against terror we are also confronting the regimes that harbor and support terrorists, and if Pakistan is our ally and al-Qaida is located there to train new terrorists, why on Earth are we not going after the leadership of al-Qaida? What explains that? It, frankly, escapes me.

I have introduced a piece of legislation that does three things: First, every 6 months, there will be a report from this administration to the Congress—a classified report—telling us where is the al-Qaida leadership. If they now say they are in a secure hideout in Pakistan, they can reaffirm that; and, if not, where are they?

Second, tell us each country where bin Laden, Zawahiri, and other leadership may be and whether the government of each country is cooperating with our attempts to capture them. If these countries are allies, are they harboring these terrorists, preventing us from the opportunity to go and eliminate the leadership of this terrorist organization?

Third, this report will require the heads of our intelligence and of our Defense Department to tell us what additional resources they need to capture the leadership of al-Qaida.

Today, it is 2,001 days—let me mark that—since the terrorist attack against our country which murdered thousands of innocent Americans. Osama bin Laden, Zawahiri, and others in al-Qaida boasted about being the perpetrators of that terrorist attack. That was 9/11/2001.

Coincidentally, today is 2,001 days later. The perpetrators who boasted that they committed the terrorist acts against our country that murdered so many thousands of Americans remain, apparently, in a secure hideout in Pakistan and still taunt us. They send the television and the radio stations their videos and their voice tracks telling us their views of world events.

I have said before on the floor of the Senate in recent weeks, if we have 21,000 soldiers to surge somewhere, I would much prefer those 21,000 soldiers be surged to find the leadership and eliminate the leadership of al-Qaida. I don't understand why this administration says: We don't know where he is. I

have no idea and really don't care. It is not that important. It is not our priority.

That comes from the President. But his top intelligence chief says they are in a secure hideout in Pakistan. Even more important, I don't understand when the President says he is not concerned about him. The top intelligence chief said this is the greatest threat to our country. We better be concerned about him—the President and the Congress and the American people. We ought to be concerned enough to decide this is a priority; it is a priority for us to bring to justice those who are the greatest threat to our country, the greatest terrorist threat.

That doesn't come from me. That comes from Mr. Negroponte and his successor who, in the last 2 months, both said the greatest terrorist threat to our country is al-Qaida. They continue to plot attacks against our homeland with the objective of inflicting mass casualties, and they radiate outward from their leaders from a secure hideout in Pakistan. It is unbelievable to me that 2,001 days later that we saw, according to the New York Times 2 weeks ago, "Terror Officials See Qaeda Chiefs Regaining Power."

Senior leaders of al-Qaida operating from Pakistan over the last year have set up a band of training camps in the tribal regions near the Afghan border, according to American intelligence and counterterrorism officials. American officials said there was mounting evidence that Osama bin Laden and his deputy, al-Zawahiri, have been steadily building an operations hub in the mountainous Pakistani tribal area of north Waziristan.

I don't have the foggiest idea how this is allowed to continue or to happen. In fact, my colleague and I—Senator CONRAD and I—offered an amendment similar to this some months ago. It was dropped in conference. Senator CONRAD joins me as a cosponsor of this amendment this time as well. Both of us believe there is something missing. When we offered it the last time, there was this enormous concern about our offering it. It seems to me that this just makes common sense—find out what is the most significant threat to our country and take steps to eliminate that threat.

This country took its eye off the issue of Afghanistan. All of us understand that, regrettably. I worry about what might happen in Afghanistan this year. We took our eye off this issue. Osama bin Laden—you haven't heard his name around here for a long while. It was Osama "been forgotten." Nobody talked about him. Even the President said: I don't know where he is. I don't care. It is not important, and it is not our priority.

What on Earth is that? I don't understand it. This amendment is simple. We are asking for three steps. Every 6 months we would like a report. What are you doing? What is the progress in dealing with the greatest terrorist threat to this country? Don't tell us that we don't have time or resources to

deal with the greatest terrorist threat to our country. We must deal with that threat, and we must deal with it on an urgent basis.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. CORNYN. Madam President, how much time remains in morning business?

The PRESIDING OFFICER. Morning business extends until 3 p.m., and Senators may speak for up to 10 minutes each.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 15 minutes. I will yield back time if I don't need all of that. I also ask unanimous consent that Senator WEBB be recognized following my remarks.

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

AMENDMENTS TO S. 4

Mr. CORNYN. Madam President, I want to speak briefly on four different amendments that are pending to the 9/11 bill that is on the Senate floor. First of all, I want to talk about the issue of homeland security grant funding. Today, I will join with my colleague, Senator DIANNE FEINSTEIN of California, and several other colleagues and ask that this amendment be accepted. It stands on the principle that the limited funds that are available from the taxpayers' pockets to pay for homeland security be prioritized based on security concerns and not divvied up based on porkbarrel politics.

I realize the first instinct, perhaps, of a body that represents as diverse a nation as ours, with 50 States, is to take whatever amount of money there might be for any particular project and figure a way to divide it up 50 ways.

We know our security risks are not based on that sort of structure or approach, and it is important that we do try to take the limited resources we have available for homeland security grant funding and allocate them on a risk-based approach.

This approach is pretty simple. It is so simple and so commonsense, it strikes me as unusual that it has not already been embraced by the Congress. It is simply a system that will protect our most vulnerable assets and populations, one that recognizes the need to protect the critical infrastructure and vital components of our national economy. It is vital that we better allocate our limited resources to the most vulnerable places in the country that we need to protect, and that these funds be distributed in an efficient and timely manner.

The principle upon which this risk-based funding is premised has three

main criteria: threat, vulnerability, and consequence. That is, what is the greatest threat to our country? What is the greatest vulnerability in terms of if there was a successful attack against our Nation's infrastructure, what infrastructure would be the most vulnerable and have the greatest negative consequence on our country?

It requires States to quickly pass on Federal funds to areas where they are most needed as well and provides greater flexibility using these funds and that they be done consistent with federally established capability standards.

This amendment would allow States to retain authority to administer grant programs, but there are penalties to States that do not pass funds on to local governments within 45 days. If a State fails to pass the funds through, local governments may, under this amendment, petition the Department of Homeland Security to receive those funds directly.

This is an attempt to respond to one of the concerns I hear in my State from local governments and local authorities that are dependent on the State government to actually pass the funds through. In fact, despite the good work this body did on issues such as Hurricane Katrina and Hurricane Rita relief, we find that a lot of the funds that have been appropriated by Congress are simply bogged down in the bureaucratic structure when it moves from the Federal Government to the State government on to local governments.

So this amendment, which I hope our colleagues will support and which will actually result in a net increase in funds to 70 percent of the States, is based on two fundamental premises. One is that we ought to allocate those limited funds based on risk, vulnerability, and consequence, and that we ought to then try to get the money to the local officials and the local persons who need it most and to break it out of this bureaucratic structure that too often delays funds getting to the people who need it most quickly.

I also have offered an amendment separately, amendment No. 312, about which I wish to speak briefly. This is a terrorism recruiting prohibition and penalty that is lacking under our current law. We know it has been more than 5 years since we were attacked on September 11. It is important, as time works to ease the pain on that terrible day, that we in Congress ensure we are providing every possible tool to prevent another terrorist attack on American soil. We have made significant progress in updating our law enforcement and intelligence agencies, enabling them to better protect us at home and abroad, but there is still a lot we need to do.

One area we must address and is addressed by this amendment is the issue of terrorist recruiting.

The FBI and other agencies of the Federal Government have made it clear that al-Qaida and other terrorists are intent on striking us again. We

know from the 9/11 report that al-Qaida is patient and willing to wait years to take advantage of an opportunity to attack us, and in the meanwhile, they carefully formulate how they will carry out their plan. According to congressional testimony, terrorists and terrorist sympathizers are seeking to recruit people within the United States. Of course, their goal is to find individuals who do not fit the traditional terrorist model who are willing to engage in terrorism. Recruiting these individuals who blend easily into our society provides al-Qaida and other terrorists an operational advantage.

This is not, however, an academic discussion. Let me use one example of why I believe this amendment should be adopted.

Intelligence documents regarding Khalid Shaikh Mohammed—the so-called mastermind behind 9/11—reveal that he was running terrorist cells in the United States. These documents also show that it was al-Qaida's goal to recruit U.S. citizens and other westerners who could move freely in the United States. They targeted mosques, prisons, and universities throughout the United States where they could identify and recruit people who they thought might be sympathetic to their cause and then persuade these individuals to join their terrorist organization.

Currently—and this is a shocking fact—we have no statutes specifically designed to punish those who recruit people to commit terrorist acts. The amendment I am offering would remedy this serious gap in our law. My amendment simply provides that it is against the law to recruit or, in the words of the amendment, "to employ, solicit, induce, command, or cause" any person to commit an act of domestic terrorism, international terrorism, or Federal crime of terrorism, and any person convicted of doing so would face severe punishment. This amendment would also provide that anyone committing this crime would be punished for up to 10 years in Federal prison. If death of an individual results, he or she would be punished, on a finding and conviction of guilt, to death or any term of years or for life. If serious bodily injury to any individual results, the punishment would be no less than 10 years or for no more than 25 years.

I believe this is a commonsense amendment designed to fill a serious gap in our Criminal Code that should not exist any longer, certainly not this long after 9/11. I urge my colleagues to support this amendment.

I have also offered amendment No. 311, which is one that is not unfamiliar to Members of this body. I offered this amendment during our immigration debates last year. It is one supported by the Department of Homeland Security because this amendment, which received bipartisan support last year, will remove current litigation barriers impeding the ability of the Secretary of Homeland Security to do his job;