

The DeMint amendment, however, strips away those rights and protections. Proponents have raised specious arguments about the consequences of providing worker protections to people whose job it is to protect us. In fact, the opposite is true.

The McCaskill amendment helps ensure that a screening system intended to prevent acts of terrorism actually prevents acts of terrorism. If we want TSOs to protect our health and safety, we should protect theirs. For the sake of screeners and travelers both, TSOs should not be overworked.

For the sake of screeners and travelers both, TSOs should not fear retaliation if they report security breaches.

For the sake of screeners and travelers both, TSOs should have somewhere to turn if they are being harassed or bullied at the workplace or if there are health and safety issues in the workplace.

Basic rights, basic common sense. That is what the McCaskill amendment is about. It doesn't give TSOs the right to strike. It does not compromise the public safety. Actually, it promotes the public safety.

I urge every Member of this body to allow TSOs the same basic rights and privileges and protections as other Federal employees. Vote yes on the McCaskill amendment because you care about these workers, and vote yes because you care about all of us, the people they are protecting.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized.

COLLECTIVE BARGAINING

Mr. BURR. Mr. President, I take the floor today to speak on two subjects and very briefly to address my colleague from Ohio. Mr. President, I wish to make an important point about why these collective bargaining provisions are, in fact, harmful to the United States of America and to the American people. It is a pretty simple point.

Terrorists don't have collective bargaining agreements. I will say that again. Terrorists don't have collective bargaining agreements. Terrorists don't go on strike. Terrorists don't call their unions to negotiate before they attack. They are always plotting and, because of this, we must be always working vigilantly to protect our homeland.

Today we are debating how quickly we are going to respond to threats from terrorists who are eager to strike us, and some in this body are suggesting that we should give the ability of the people who are on the front lines to collectively bargain. It is absurd. It is absolutely absurd. But I assure my colleagues, if this collective bargaining language stays in, we risk doing exactly that—accepting something absurd.

(The remarks of Mr. BURR pertaining to the introduction of S. 765 are printed in today's RECORD under "Statements

on Introduced Bills and Joint Resolutions.")

Mr. BURR. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

RISK-BASED FUNDING

Mr. MARTINEZ. Mr. President, I wish to speak this morning in favor of Feinstein-Cornyn amendment No. 335 and highlight how important it is that our homeland security grants be awarded on the basis of risk.

As we have debated and discussed on the floor of this Chamber on numerous occasions, the smartest and most pragmatic approach to funding for homeland security grants is based on the level of risk faced by communities, not by some arbitrary formula.

It is a simple approach. Places that face more risk and are more attractive targets to terrorist attacks should receive more funding. This was the approach articulated and supported by the 9/11 Commission, and it is one that this body should have approved.

As we all know, the way homeland security funds are distributed now reflects a political compromise. It does not reflect a realistic assessment of our Nation's security needs. Some money will be based on risk, but all States are guaranteed of receiving some funding.

It makes very good sense to create a structure whereby first responder funds are allocated based on risk of a terrorist attack. In my home State of Florida, we have ports, tourism, and population centers. We have major cities, such as Miami, Tampa, and Jacksonville, all with stadiums, professional sports franchises, and busy downtowns.

As a former mayor of Orange County, I recognize the critical need for risk-based funding of homeland security grants.

If you look at the population of Orlando, it appears to be a moderately sized city. However, if one considers the interests of the greater Orlando area with tourist attractions, amusement parks, and resorts, at any one time, there can be millions of Americans and foreign visitors in the Orlando area.

According to the Orlando County Visitors Bureau, roughly 45 million visitors come to central Florida each year—45 million visitors. There is no way our current funding system accounts for this reality. Across Florida, we have significant roadways, railways, and some of the busiest ports in the world. We are told all are potential targets, but our current method of funding does not reflect the needs of my State or that of many other States. We need to correct this problem. The American people expect us to correct this problem. That is why I am supporting the Feinstein-Cornyn amendment.

Following the recommendations of the 9/11 Commission, this amendment

would, first of all, ensure that homeland security grants are allocated on a risk-based formula built on assessment of threat, vulnerability, and consequence to the maximum extent practicable. Secondly, it would assure a guaranteed minimum funding for homeland security grants, without turning the program into another grant system for redistributing Federal funds arbitrarily. The amendment also directs the DHS Secretary to consider transient and tourist populations as risk targets for deciding the disbursal of funding for homeland security grants. Finally, it sets minimum performance requirements for homeland security grants and a 2-year audit cycle for grant recipients by the DHS inspector general.

Under this amendment, every State would continue to receive some funding; it is just that now the cities and States most at risk would receive most of the funding. This amendment certainly makes sense to Florida's new Governor, Charlie Crist, who believes it to be the best option for Florida. I feel the same way. I know other Senate colleagues of mine believe Senators FEINSTEIN and CORNYN have put together a commonsense amendment that helps the cities and States most at risk. I will vote in favor of this amendment, and I encourage my colleagues to do the same.

Our Secretary of Homeland Security, Michael Chertoff, also thinks it a prudent move and said as much during a debate on the homeland security grants during 2005. Secretary Chertoff remarked then:

Funding our first responders based on risk and need gives us the flexibility to ensure our finite resources are allocated in a prioritized and objective manner.

What this means is communities across this Nation—whether they are large or small; whether or not they would appear to be high-risk terrorist targets—are receiving precious resources that are going to local law enforcement agencies so they can upgrade their equipment and other resources. We should not be allocating, in some formulaic method, the limited money set aside for first responders. We need to take a more direct approach.

There is a reason terrorists struck New York and Washington on September 11: They wanted to strike two of our most powerful cities. They wanted to cripple our Government and sabotage our economy. It is for these reasons that cities such as New York and Washington should receive homeland security grants that are commensurate with that risk. A spending formula does not speak to this basic reality.

I support the Feinstein-Cornyn amendment and ask my colleagues to support this amendment as well.

As we continue this important debate, the heart of our efforts should be on making America safer, not rewarding particular communities or interest groups. It is disheartening to me that

so much of the debate thus far has been about granting additional rights to unions. Is this going to make us any safer? Is it worth all the time we are spending on it? Of course not.

Rather than debating all aspects of union rights associated with our national security, we should be considering some other proposals that have been offered, such as increasing penalties for those found to be financially supporting the families of suicide bombers or granting additional subpoena authority to Federal terrorism investigators so they can find individuals who wish to do us harm and then bring them to justice. This debate should be about strengthening our national security; it should not be about strengthening unions. This should not be about political payback; it should be about making America safer. Anything less would be a disservice to this body and do little to further the safety and security of those we are elected to represent.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

IMPROVING AMERICA'S SECURITY ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 4, which the clerk will report.

The bill clerk read as follows:

A bill (S. 4) to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

Pending:

Reid amendment No. 275, in the nature of a substitute.

Sununu amendment No. 291 (to amendment No. 275), to ensure that the emergency communications and interoperability communications grant program does not exclude Internet Protocol-based interoperable solutions.

Salazar/Lieberman modified amendment No. 290 (to amendment No. 275), to require a quadrennial homeland security review.

DeMint amendment No. 314 (to amendment No. 275), to strike the provision that revises the personnel management practices of the Transportation Security Administration.

Lieberman amendment No. 315 (to amendment No. 275), to provide appeal rights and employee engagement mechanisms for passenger and property screeners.

McCaskill amendment No. 316 (to amendment No. 315), to provide appeal rights and

employee engagement mechanisms for passenger and property screeners.

Dorgan/Conrad amendment No. 313 (to amendment No. 275), to require a report to Congress on the hunt for Osama Bin Laden, Ayman al-Zawahiri, and the leadership of al-Qaida.

Landrieu amendment No. 321 (to amendment No. 275), to require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors.

Landrieu amendment No. 296 (to amendment No. 275), to permit the cancellation of certain loans under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Landrieu amendment No. 295 (to amendment No. 275), to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005.

Allard amendment No. 272 (to amendment No. 275), to prevent the fraudulent use of social security account numbers by allowing the sharing of social security data among agencies of the United States for identity theft prevention and immigration enforcement purposes.

McConnell (for Sessions) amendment No. 305 (to amendment No. 275), to clarify the voluntary inherent authority of States to assist in the enforcement of the immigration laws of the United States and to require the Secretary of Homeland Security to provide information related to aliens found to have violated certain immigration laws to the National Crime Information Center.

McConnell (for Cornyn) amendment No. 310 (to amendment No. 275), to strengthen the Federal Government's ability to detain dangerous criminal aliens, including murderers, rapists, and child molesters, until they can be removed from the United States.

McConnell (for Cornyn) amendment No. 311 (to amendment No. 275), to provide for immigration injunction reform.

McConnell (for Cornyn) amendment No. 312 (to amendment No. 275), to prohibit the recruitment of persons to participate in terrorism.

McConnell (for Kyl) amendment No. 317 (to amendment No. 275), to prohibit the rewarding of suicide bombings and allow adequate punishments for terrorist murders, kidnappings, and sexual assaults.

McConnell (for Kyl) amendment No. 318 (to amendment No. 275), to protect classified information.

McConnell (for Kyl) amendment No. 319 (to amendment No. 275), to provide for relief from (a)(3)(B) immigration bars from the Hmong and other groups who do not pose a threat to the United States, to designate the Taliban as a terrorist organization for immigration purposes.

McConnell (for Kyl) amendment No. 320 (to amendment No. 275), to improve the Classified Information Procedures Act.

McConnell (for Grassley) amendment No. 300 (to amendment No. 275), to clarify the revocation of an alien's visa or other documentation is not subject to judicial review.

McConnell (for Grassley) amendment No. 309 (to amendment No. 275), to improve the prohibitions on money laundering.

Thune amendment No. 308 (to amendment No. 275), to expand and improve the Proliferation Security Initiative while protecting the national security interests of the United States.

Cardin amendment No. 326 (to amendment No. 275), to provide for a study of modification of area of jurisdiction of Office of National Capital Region Coordination.

Cardin amendment No. 327 (to amendment No. 275), to reform mutual aid agreements for the National Capital Region.

Cardin modified amendment No. 328 (to amendment No. 275), to require Amtrak con-

tracts and leases involving the State of Maryland to be governed by the laws of the District of Columbia.

Feinstein amendment No. 335 (to amendment No. 275), to improve the allocation of grants through the Department of Homeland Security.

Schumer/Clinton amendment No. 336 (to amendment No. 275), to prohibit the use of the peer review process in determining the allocation of funds among metropolitan areas applying for grants under the Urban Area Security Initiative.

Schumer/Clinton amendment No. 337 (to amendment No. 275), to provide for the use of funds in any grant under the Homeland Security Grant Program for personnel costs.

Collins amendment No. 342 (to amendment No. 275), to provide certain employment rights and an employee engagement mechanism for passenger and property screeners.

Coburn amendment No. 325 (to amendment No. 275), to ensure the fiscal integrity of grants awarded by the Department of Homeland Security.

Sessions amendment No. 347 (to amendment No. 275), to express the sense of the Congress regarding the funding of Senate approved construction of fencing and vehicle barriers along the southwest border of the United States.

Mr. LEAHY. Mr. President, is there a pending amendment?

The ACTING PRESIDENT pro tempore. The pending amendment is amendment No. 347.

AMENDMENT NO. 333 TO AMENDMENT NO. 275

Mr. LEAHY. Mr. President, I ask to set that aside and call up amendment No. 333.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself, Mr. THOMAS, Mr. STEVENS, Mr. ROBERTS, Mr. PRYOR, Mr. SANDERS, and Mr. ENZI, proposes an amendment numbered 333 to Amendment No. 275.

Mr. LEAHY. I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the minimum allocation for States under the State Homeland Security Grant Program)

On page 69, lines 19 and 20, strike "0.45 percent" and insert "0.75 percent".

Mr. LEAHY. Mr. President, I can explain this easily. It is a bipartisan amendment. I offer it on behalf of myself and Senators THOMAS, STEVENS, ROBERTS, PRYOR, SANDERS, ENZI, HATCH, and WHITEHOUSE to restore the minimum allocation for States under the State Homeland Security Grant Program. Right now, in the underlying bill, it is proposed at .45 percent. Our amendment would restore it to current law which is .75. That means that every State would have, of the homeland security money, at least .75 percent of it.

I should point out, incidentally, as with current law, our State minimum, under our amendment, would apply only to 40 percent of the overall funding of this program. This may sound somewhat tricky, but what it means is