

we are watching rescue workers who have not slept in 2 days, continuing to dig through the rubble, exposing themselves to great hazards, running on adrenaline from the news that three people were just found alive today.

As more information comes to light, we are seeing a picture emerge of another great act of heroism—the crashing of United Airlines Flight 93 in Pennsylvania. From what we can glean from phone calls from passengers on that flight, realizing that the hijackers planned to crash their plane and learning that two hijacked planes had just crashed into the World Trade Center, passengers decided to take action. We can only surmise from their last words to family members that several passengers confronted the hijackers and the plane was prevented from completing its mission. It is unlikely that we will know for sure what target the hijackers had in mind, but we can be fairly certain that brave passengers saved the lives of many hundreds or even thousands of people, and maybe even our own lives. I believe that all of America should be deeply grateful to them and their courage in the face of death.

America has closed ranks behind its President and its people. I am also very pleased that so many of our allies have closed ranks behind us. Yesterday, the North Atlantic Treaty Organization—NATO—for the first time in its 52-year history, invoked collective defense arrangements under Article 5 of its Charter that states that an attack upon one member of the alliance is viewed as an attack upon all. This reiteration of NATO solidarity is unprecedented and will be most helpful in formulating a unified response. Condolences and offers of assistance have poured in from all regions of the world, giving us heart as we focus on the task ahead of us.

Fighting terrorism is an exceedingly difficult task. It will take applying ourselves in a way we have never done before. Ferreting out terrorists and destroying their networks will be long and arduous work. It will require a concerted international effort and potentially great patience. We will need the strong cooperation of our allies, and we will need to reach out to nations that are not our traditional allies. Fighting terrorism is usually a frustrating task, as targets are elusive and the means of terror difficult to control. We still hope to learn a great deal more about the perpetrators of this tragedy and uncover those who helped them. I expect that we will take firm action in retaliation. But this may take time, and it must be done in a manner that will not unnecessarily provoke reprisals or generate additional acts of terrorism. I am confident that American resolve will remain firm no matter how long or how difficult this fight.

In closing, I would like to recognize the contributions to the relief effort from my small State of Vermont. The Vermont Air Guard has already flown

many hours of additional missions as part of the effort to maintain security over American airspace. Vermont doctors, nurses, firefighters, and rescue workers have volunteered in great numbers to help. All over the State, people have lined up to give blood. True to their history, Vermonters are quick to offer their help.

I see this strength replicated all across America. This makes me, and all Americans, proud.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Ms. STABENOW). Morning business is closed.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Ms. STABENOW. Under the previous order, the Senate will now resume consideration of H.R. 2500, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Pending:

Dorgan amendment No. 1542, to increase funds for the trade enforcement and trade compliance activities of the International Trade Administration and to reduce funds for TV Marti.

Dorgan amendment No. 1543, to prohibit the sale of disaster loans authorized under section 7(b) of the Small Business Act.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. I am awaiting the attendance of the Senator from New Hampshire who is in an important conference at the moment. Let me bring my colleagues up to speed. We have tried our best, working out certain amendments all yesterday and earlier this morning—those that would be accepted, those that would be included in the managers' amendment, and those that would still be pending. On both sides we are trying to assemble the determinative list of pending amendments. When we do, we will ask unanimous consent and see if we can facilitate the disposition of this bill today, and no later than tomorrow. We will see what best can be done.

Pending that, let me say a word about the efforts of your subcommittee of Commerce, Justice, State in the field of counterterrorism. For example, in early May, your subcommittee, under the leadership of Senator JUDD GREGG of New Hampshire, chairman at that time, held 3 days of comprehensive hearings of which I now hold a transcript.

On May 8, we had a hearing with Department of the Treasury Secretary Paul O'Neill; Department of Defense Deputy Secretary Paul Wolfowitz; Sec-

retary of State Colin Powell; and Secretary of Transportation Norman Mineta.

That afternoon, we had a hearing with FEMA Director Joseph Allbaugh; National Security Administrator John A. Gordon; and Nuclear Regulatory Commission Chairman Richard A. Meserve.

On May 9, at that hearing, we had Attorney General John Ashcroft; Secretary of Health and Human Services, Tommy Thompson; Commerce Secretary, Don Evans; and in the afternoon, Secretary of Veterans Affairs, Anthony Principi; Secretary of Agriculture, Ann Veneman; and Secretary of the Interior, Gale Norton.

On May 10, we had the joint task force civil support commander, Gen. Bruce Lawlor; the American Red Cross president and chief executive officer, Dr. Bernadine Healy; a panel of State and local representatives from fire, police, public health, and emergency management. And then in the afternoon, we closed the session with the Director of the CIA, George Tenet; the FBI Director, Judge Louis Freeh, and VADM Thomas Wilson.

We were trying our best to lay the groundwork for better coordination of our effort on counterterrorism. I ask unanimous consent to have the statement by President Bush, dated May 8, printed in the RECORD.

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

PRESIDENT GEORGE W. BUSH,

*White House, May 8, 2001.*

#### STATEMENT BY THE PRESIDENT DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION

Protecting America's homeland and citizens from the threat of weapons of mass destruction is one of our Nation's important national security challenges. Today, more nations possess chemical, biological, or nuclear weapons than ever before. Still others seek to join them. Most troubling of all, the list of these countries includes some of the world's least-responsible states—states for whom terror and blackmail are a way of life. Some non-state terrorist groups have also demonstrated an interest in acquiring weapons of mass destruction.

Against this backdrop, it is clear that the threat of chemical, biological, or nuclear weapons being used against the United States—while not immediate—is very real. That is why our Nation actively seeks to deny chemical, biological, and nuclear weapons to those seeking to acquire them. That is why, together with our allies, we seek to deter anyone who would contemplate their use. And that is also why we must ensure that our Nation is prepared to defend against the harm they can inflict.

Should our efforts to reduce the threat to our country from weapons of mass destruction be less than fully successful, prudence dictates that the United States be fully prepared to deal effectively with the consequences of such a weapon being used here on our soil.

Today, numerous Federal departments and agencies have programs to deal with the consequences of a potential use of a chemical, biological, radiological, or nuclear weapon in the United States. Many of these Federal programs offer training, planning, and assistance to state and local governments. But

to maximize their effectiveness, these efforts need to be seamlessly integrated, harmonious, and comprehensive.

Therefore, I have asked Vice President Cheney to oversee the development of a coordinated national effort so that we may do the very best possible job of protecting our people from catastrophic harm. I have also asked Joe Allbaugh, the Director of the Federal Emergency Management Agency, to create an Office of National Preparedness. This Office will be responsible for implementing the results of those parts of the national effort overseen by Vice President Cheney that deal with consequence management. Specifically it will coordinate all Federal programs dealing with weapons of mass destruction consequence management within the Departments of Defense, Health and Human Services, Justice, and Energy, the Environmental Protection Agency, and other federal agencies. The Office of National Preparedness will work closely with state and local governments to ensure their planning, training, and equipment needs are addressed. FEMA will also work closely with the Department of Justice, in its lead role for crisis management, to ensure that all facets of our response to the threat from weapons of mass destruction are coordinated and cohesive. I will periodically chair a meeting of the National Security Council to review these efforts.

No governmental responsibility is more fundamental than protecting the physical safety of our Nation and its citizens. In today's world, this obligation includes protection against the use of weapons of mass destruction. I look forward to working closely with Congress so that together we can meet this challenge.

Mr. HOLLINGS. We noted in this statement that the President appointed Vice President CHENEY to conduct hearings, devise a comprehensive study, and develop a position with respect to coordination, and he designated in the same instrument Joseph Allbaugh, the Director of FEMA, to create an Office of National Preparedness responsible for the implementation of the results.

He asked that FEMA's Director coordinate all Federal programs dealing with weapons of mass destruction and consequence management within the Departments of Defense, Health and Human Services, Justice, the EPA, and the other Federal agencies.

It was our considered judgment that FEMA was not going to be the appropriate office to handle, certainly, the prevention of any kind of terrorism. Since terrorism is now not only admitted to be a crime, but more than that, an act of war—which this particular Senator believes it to be—you have to go with the Department of Justice.

The President, of course, at a time of war, is really the director. But for the peacetime coordination—let's call it that—the subcommittee thought it best not to be implemented by a counterterrorism, or terrorism, czar—we know what drug czars have done; very little, in all candor.

On the contrary, the subcommittee unanimously passed out within the Committee of Appropriations itself—and I read on page 10:

The United States is in the beginning stages of developing an organizational struc-

ture for leadership in the area of terrorism preparedness. A National Coordinator for Security, Infrastructure Protection, and Counterterrorism was established 4 years ago within the National Security Council. Under Presidential Decision Directive 62, the National Coordinator was tasked with coordinating interagency terrorism policy issues and reviewing ongoing terrorism-related activities. While the designation of a National Coordinator signaled the previous Administration's recognition of the weight of the problem, it was not a permanent solution. Responsibility for developing national security policy belongs to the President. However, it is the responsibility of the Congress to provide the means to implement a systematic and synchronized policy that will achieve sustainable Federal, State, and local cooperation on domestic terrorism issues. Whomever is responsible for managing this Nation's activities to combat terrorism must be accountable to the American people.

Despite increased attention to this problem over the last 5 years, there remains considerable confusion over jurisdiction at all levels of government. In order to improve coordination and centralize the policy-making structure for domestic terrorism within the Department of Justice, the Committee recommends the creation of a Deputy Attorney General for Combating Domestic Terrorism (DAG-CT). The Committee recommends \$23,000,000 for this purpose. The DAG-CT shall have as its principal duty the overall coordination and implementation of policy aimed at preventing, preparing for, and responding to terrorist attacks within the United States. This person will be directly responsible to the Attorney General. This office will be responsible for domestic terrorism policy development and coordination and will speak for the Department on and coordinate with all of the appropriate agencies for terrorism-related matters.

The subcommittee also committed, of course, at the full committee, the authorization for that Deputy Attorney General, section 604. I read:

(b) Section 504 of title 28, United States Code, is amended by inserting after "General" the following, "and a Deputy Attorney General for Combating Domestic Terrorism".

(c) There is established within the Department of Justice the position of Deputy Attorney General for Combating Domestic Terrorism, who shall be appointed by the President, by and with the advice and consent of the Senate.

(d) Subject to the authority of the Attorney General, the Deputy Attorney General for Combating Domestic Terrorism shall serve as the principal advisor to the Attorney General on, and, with the Deputy Director of the Federal Emergency Management Agency, serve as one of two key government officials responsible for domestic counterterrorism and antiterrorism policy.

We tried, providing this, to put it in step with the President's directive. Now, with the terrible events of the past two days, the White House, along with the leadership, has agreed on a \$20 billion package relative to counterterrorism and any activity the administration deems necessary as a result of that terrorism.

Of course, the subcommittee would be willing to conform now or in conference with what the President and the leadership desire. But there must be coordination and there must be a fixed responsibility if we are really going to handle this particular prob-

lem. I am confident the American people would agree with us that we have to have better coordination from the very get-go; namely, with respect to intelligence.

I got into that intelligence game almost 50 years ago, in 1954 as a member of the Hoover Commission investigating intelligence activities. At that particular time we had good covert activity, fine agents buried within the Soviet Union and other places. There is not any question, if we can get into the Soviet Union, we can get into Osama bin Laden and Hamas, and Hezbollah, and any other of these terrorist groups.

We used to read all these articles about how difficult intelligence work was. It is not an easy thing, where you just call to find something out. On the contrary, you work at it.

Our friend Tom Clancy just momentarily said, of the 20,000 employees out there at the CIA, we only have about 800 in covert operations. And to quote General Schwarzkopf after Desert Storm—I will never forget a briefing we had at the Appropriations Committee Defense Subcommittee—he said he could not depend on intelligence from the CIA, that it was mush.

The reason he called it mush was he said it was so overanalyzed, the corners were cut, the edges were rounded, and everything else of that kind. I found out at that time they had 864 intelligence analyzers at the CIA. Cold, hard facts are analyzed, analyzed, and analyzed, and everyone wants to protect their backsides, so in analyzing, you are giving yourself a grade, you are not giving the cold, hard, intelligence fact. That is what General Schwarzkopf called it—mush. He said he had to depend on his pilots in Desert Storm.

Obviously, the problem persists with a massive attack upon the United States in such a coordinated and deliberate fashion, and we have not an inkling. We know about Mogadishu; we know about the barracks in Saudi Arabia; we know about the Embassy in Kenya; we know about the Embassy in Tanzania; we know about the U.S.S. *Cole*, we know about the prior attack on the World Trade towers. The leader of all that continues to say he is really going to pull off an attack on the United States of America. And when it occurs, we say we wonder who did it.

We are hard learners. We have to get going and get serious about this war we are in. In that light, I want to make sure counterterrorism is coordinated and we do everything possible to secure ourselves domestically.

With respect to that, on Thursday morning at 9:30 we will have a meeting and a hearing before the Commerce, Science, and Transportation full Committee whereby we will hear from notably, I take it, the Secretary of Transportation, and Jane Garvey, the head of the Federal Aviation Administration. Also, perhaps we will hear from the FBI in a closed hearing ahead of time so that we will know exactly what is needed and what the threat is.

Eliminating the curbside check-in option as part of new federal security standards announced yesterday doesn't fully address our security problems. After all, luggage checked curbside or at the desk both have to go through some type of scanner.

Unless and until we federalize the security screeners and the scanners that you find at airports, unless we federalize like the European Governments, we are not going to get a better result than the present one. And that is folks who are privately hired by the airlines working for minimum wage, staying for an average of three months or so.

My wife had two knee replacements. She has titanium knees. We know the metal detector is going to sound. I am trying to explain to the employees there and they do not understand. We need trained professionals working in airport security.

Heightened security measures on airplanes are also needed. The airplane cabins need to be secure, so no one can get to the pilots. The door has to be made more stable and solid. There is no reason to open the door. Tell pilots to bring a box lunch. They can communicate, if there is an emergency, and if they identify it as an emergency. But if a terrorist starts taking over the crew, they can hear it. They have communications. They can land the plane and save, hopefully, some of the individuals.

But terrorists ought to know up front that they are not going to turn a domestic flight into a weapon of mass destruction and just run it into a building. That has to stop immediately.

I would like to be able to talk at length about what needs to be done. But that is enough. I think perhaps the last talk should be about better orchestration, coordination, and action quietly. That is really what is needed at this particular time.

I ask colleagues if they have an amendment to please come to the floor immediately. Let's present it, debate it, and have a vote on it. Otherwise, we will make up that list of amendments. I will soon be joined by the Senator from New Hampshire.

Credit should go to the Senator from New Hampshire who set up these hearings. In May, he had everyone in the administration come, as you can tell from this hearing record. It is the most comprehensive look-see the Government has had with respect to terrorism this year.

We think we have to fix some responsibility, and we have to appropriate for it.

There is some \$364 million for the various offices that you might see on page 48 of the Committee report where you have the total activities to combat terrorism: Management and Administration, \$8 million; Center for Domestic Preparedness, Fort McClelland, AL, \$30 million; for consortium members, \$58 million; National Energetic Materials Research and Testing Center in New

Mexico, \$7 million; National Emergency Response and Rescue Training Center at Texas A&M, \$7 million; National Center for Bio-Med Research and Training, Louisiana State University, \$7 million; National Exercise, Test and Training Center at Nevada Test Site, another \$7 million; Domestic Preparedness Equipment Grants, \$175 million; Dartmouth Institute for Security and Technology Studies, \$18 million; Oklahoma City National Memorial Institute for the Prevention of Terrorism, \$18 million; Virtual Medical Campus, \$2 million; Domestic Preparedness Exercise Grants and Exercise Support Funds, \$20 million; TOPFF II, \$4 million; Annual Exercise Program, \$5 million; Improved Response Program, \$3 million; other training, \$35 million; technical assistance, \$8 million; prepositioned equipment, \$8 million; and Web Site Pilot, \$2 million.

It adds up to around \$364 million.

That really was a result of the Oklahoma bombing. We went in every direction possible. But that is our problem. We are still going in every direction. We are not coordinating. The responsibility is not fixed. Someone ought to be at that Cabinet table—the Attorney General with his assistants talking with the President, who, of course, has the prime responsibility.

Let me say, so far so good. The country has responded admirably. I think our Government is up and well and doing good.

There is a wonderful element of bipartisanship.

During the August break, I was on a trip in Australia, and up around Thailand, Cambodia, Vietnam, and China in the Pacific area. Everywhere I went, the Ambassador would get into the budget, and I would tell them how we were running a heck of a deficit. I told them there wasn't any surplus. Now everybody will admit to it. The law in Section 201 of the Social Security Act of 1935 says that if there's a surplus in the Social Security trust fund, then we must invest that in government notes. We take the money, but we don't give it to Social Security.

Under Section 13-301 of the Budget Act, it says thou shall not use that money. Follow section 21 of the Green-span report of 1983, which concurs. It says thou shall not use this money against the deficit, or in the general revenues to account for lowering the deficit. But we do. We have done it since President Johnson's time. Up to President Johnson's time, we never did. But President Johnson didn't do it. He had a surplus in 1968-1969 without the use of Social Security funds.

In any event, I said to each one of these Ambassadors that our problem back in the States is that we need some national purpose. We are just running around with courthouse politics. It is a shameful thing. We can't do anything but argue about who is responsible for the deficit, or who is going to invade the trust fund, or stem cell research. The country is really

asleep. The leadership is in all directions. What we really need is a national purpose. I think at least in the last 48 hours we now have a national purpose. We know who the enemy is. Let's characterize it: People who give up their life for a cause, we will call them the enemy. But they call them heroes.

Let's depict this properly. It is the leadership. And I commend the President for saying we are not only going to hold those responsible, but the countries that harbor them. I think he is right on target.

But that is the whole idea now. We are in this war together. We are working together. I think that has helped this particular bill along. We are going to try to get a finite list of amendments.

Now, with my ranking member here, I yield to Senator GREGG.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I thank the chairman for yielding to me. I appreciate his courtesy in my arriving in the Chamber a little late for the beginning of this work, as a group of us were in a meeting on how we are going to handle this bill and move it along, I hope.

I congratulate the chairman of the committee for this bill, which is a soothsayer bill really. Long before the events of the day before yesterday, which were so horrific and which reflected the threat of terrorism to our Nation, our committee aggressively pursued the issue of how to try to prepare for such an act.

We have held innumerable hearings over the last 4 or 5 years. One of the lines that has flowed through all those hearings has been the fact that our intelligence community—our communities focused on domestic intelligence and our communities focused on international intelligence—had concluded that it was more than likely, it was a probability, that a terrorist event would occur in the United States and that it would be of significant proportions. And it has occurred.

How have we tried to ready for this? Well, a lot of the response you saw in New York—which has been overwhelming and incredibly professional, and heroic beyond description, which has taken the lives of many firefighters and police officers and just citizens who went to help—a lot of that response was coordinated as a result of initiatives that came out of the hearing process, and the question of first responder, and how we get the people who are first there up to speed as to how to handle this type of event. So in that area at least there has been some solace.

But the real issue remains, How do you deal with an enemy who, as the chairman just related, is willing to give their life to make their point and who has, as their source of support, religious fervor, in most instances—and I suspect this is going to be proved true

in this instance—a religious fervor which gives them a community of support and praise which causes them to be willing to proceed in the way that they did, which is to use their life to take other innocent lives?

First, how do you identify those individuals because they function as a fairly small-knit group, and it is mostly familial. It involves families. It involves sects which are very insular and very hard to penetrate.

But equally important, when you are trying to deal with that type of a personality and that type of a culture, which basically seeks martyrdom as its cause, as its purpose for life, and sees martyrdom as part of its process for getting to an afterlife in terms of their religious belief—how do you deal with that culture and group of individuals without creating more problems, without creating more people who are willing to take up the banner of hatred and willing to pursue and use their life in a way to aggravate the situation?

I think we as a committee have concluded that the first thing you have to do is have a huge new commitment to intelligence. And we have made this point. We have dramatically expanded the overseas efforts of the FBI as an outreach of this effort. But it involves more than that.

We have to set aside our natural inclination as a democracy to limit the type of people we deal with in the area of human intelligence. Unfortunately, the CIA in the 1990s was essentially limited and defanged, for all intents and purposes, in the area of human intelligence gathering because the directives and the policies did not allow us, as a nation, to direct our key intelligence community to basically go out and employ and use people who were individuals who could give us the information we needed. Because of our reticence as a democracy to use people who themselves may be violent and criminal, we found ourselves basically sightless when it came to individual intelligence.

So we have to recognize that in a period of war, which is what I think everyone characterizes this as, and which it truly is, we are, as a nation, going to have to be willing to be more aggressive in the use of human intelligence, and we are going to have to allow our agencies in the international community to be more aggressive.

Equally important, we, as a nation, because of our natural inclination and our very legitimate rules relative to search and seizure and invasion of privacy, have been very reticent to give our intelligence communities the technical capability necessary to address specifically encoding mechanisms.

The sophistication of encoding mechanisms has become overwhelming. I asked Director Freeh at one hearing when he was Director of the FBI—and I remember this rather vividly because I didn't expect this response at all—what was the most significant problem the FBI faced as they went forward. He

pretty much said it was the encryption capability of the people who have an intention to hurt America, whether it happened to be the drug lords or whether it happened to be terrorist activity.

It used to be that we had the capability to break most codes because of our sophistication. This has always been something in which we, as a nation, specialized. We have a number of agencies that are dedicated to it. But the quantum leap that has occurred in the past to encrypt information—just from telephone conversation to telephone conversation, to say nothing of data—has gotten to a point where even our most sophisticated capability runs into very serious limitations.

So we need to have cooperation. This is what is key. We need to have the cooperation of the manufacturing community and the inventive community in the Western World and in Asia in the area of electronics. These are folks who have as much risk as we have as a nation, and they should understand, as a matter of citizenship, they have an obligation to allow us to have, under the scrutiny of the search and seizure clauses, which still require that you have an adequate probable cause and that you have court oversight—under that scrutiny, to have our people have the technical capability to get the keys to the basic encryption activity.

This has not happened. This simply has not happened. The manufacturing sector in this area has refused to do this. And it has been for a myriad of reasons, most of them competitive. But the fact is, this is something on which we need international cooperation and on which we need to have movement in order to get the information that allows us to anticipate an event similar to what occurred in New York and Washington.

The only way you can stop that type of a terrorist event is to have the information beforehand as to who is committing the act and their targets. And there are two key ways you do that. One is through people on the ground, on which we need to substantially increase the effort—and this bill attempts to do that in many ways through the FBI—and the other way is through having the technical capability to intercept the communications activities and to track the various funding activities of the organizations. That requires the cooperation of the commercial world and the people who are active in the commercial world. That call must go forth, in my opinion.

Another thing this bill does, which is extremely positive and which, again, regrettably anticipated the event, is to say that within our own Federal Government we are not doing a very good job of coordinating our exercise.

There are 42 different agencies that are responsible for intelligence activity and for counterterrorism activity. They overlap in responsibility. In many instances, they compete in responsibility.

Turf is the most significant inhibitor of effective Federal action between agencies. Although there is a sincere effort to avoid turf, and in my opinion, in working with a lot of these agencies, I have been incredibly impressed by a willingness of the various leaders of these agencies, both under the Clinton administration and under the Bush administration, to set aside this endemic problem of protection of one's prerogatives and allow parties to communicate across agency lines and to put aside the stovepipes. Even though there is that commitment, the systems do not allow it to occur in many instances.

This bill, under the leadership of the chairman, includes language which has attempted to bring more focus and structure into the cross-agency activities. One of the specific proposals in the bill, which may not be the last approach taken and probably won't be but is an attempt to move the issue down the field, is to set up a Deputy Attorney General whose purpose is to oversee counterterrorism activity and coordinate it across agencies and who is the repository of the authority to do that. There is no such person today in the Federal Government. Of these 42 agencies, everybody reports to their own agency head. Nobody reports across agency lines. There is virtually no one who can stand up and say, other than the President, "get this done."

The purpose of the Deputy Attorney General is to accomplish that, at least within the law enforcement area and within much of the consequence manager's area, especially the crime area, although it is understood that this individual will work in concert with the head of FEMA, the purpose of which is to actually manage the disaster relief efforts that occur as a result of an event such as New York or where you have these huge efforts committed.

That type of coordination is so critical. Would it have abated the New York and Washington situation? No, it wouldn't have. But can it, in anticipation of the next event, because this is not an isolated event. Regrettably, whether we like it or not, we are in a continuum of confrontation here.

As I mentioned earlier, there is not one or two people but rather a culture that sees this as an expression of the way they deliver their message for life, or after life for that matter. Regrettably, we have to be ready for the potential of another event.

I do believe this type of centralizing of decision, centralizing authority, centralizing the budget responsibility is absolutely critical to getting the Federal Government into an orderly set of activities or orderly set of approaches.

Just take a single example. If you happen to be a police officer in Epping, NH, and you have a sense that you notice something that isn't right, you know it isn't necessarily criminal but you think there is something wrong, something that might just, because of your intuition as an officer or your

knowledge as an officer, might need to be reported, you can call your State police or you can call the FBI or you can call the U.S. attorney, but there really is no central clearinghouse for knowledge. There is no one-stop shopping. If you as a fire chief want to get ready in Epping, NH, for an event, you don't have a place to go for that one-stop shopping where you can find out how you train your people, where they go for training, what your support capabilities are going to be, who is going to support you. This should exist within the Federal Government. It does not. This is an attempt to try to get some of that into a form that will be effective and responsive to people.

Of course, when you get to the end of the line—we have talked about all the technical things we can do as a government and all the important things we can do to try to restructure ourselves and commit the resources in order to improve our capacity to address this, but in the end it comes down to a commitment of our people, understanding that we are confronting a fundamental evil, an evil of proportions equal to any that we have confronted as a nation, and that we as a nation cannot allow those who are behind this evil to undermine our way of life and our commitment to democracy.

We must make every effort, leave no stone unturned—regrettably, these people live under stones to a large degree—to find these people who are responsible and to bring them to justice. But we also must make every effort to recognize that in doing that, we cannot allow them to win by losing our basic rights and the commitment to openness as a society and a democracy. Then they would be successful, if we were to do that.

So as we rededicate ourselves, as we all continue to see the image of those buildings collapsing and the horror that followed—and we all obviously want retribution and we are all angered by it—we have to react in the context of a democracy. We have to pursue this in the context of what has made us great, which is that we are a people who unite when we confront such a threat. We unite and we focus our energies on defeating that threat. But we don't allow that threat to win by undermining our basic rights and our openness as a society.

In summary, I appreciate all the efforts of the chairman of the committee to bring forward a bill which, regrettably, understood that this type of event could occur and attempted to address it even before it did. Now I think it is important we pass this legislation. It does empower key agencies within the Government who have a responsibility to address the issue of counterterrorism not only with the dollars but with the policies they need in order to be more successful in their efforts.

There is still a great deal to do. There is still a lot of changes we need to make, a lot of changes in the law we

should make in order to empower these agencies to be even more effective. Certainly there is going to be a great deal more funds that have to be committed than what are in this bill in order to give these agencies—the FBI and the State Department—the resources they need to be strong and be successful in pursuing the people who committed this horrific act and in protecting Americans around the world and especially protecting our freedoms and liberties here in the United States.

This bill is clearly a step in the right direction. I congratulate the chairman for bringing it forward.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Madam President, I thank the distinguished Senator.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

(The remarks of Mr. CONRAD are printed in today's RECORD under Morning Business.)

Mr. CONRAD. I thank the Chair and yield the floor.

Mr. HOLLINGS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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. REID. Madam President, we have two of the finest managers in the Senate working this bill—the Senator from South Carolina and the Senator from New Hampshire. We need to move this bill along. We need help from the membership of this Senate. Staff has worked hard to work down the amendments, and they have a fairly finite list now. But there is talk now that there are some issues still unresolved by Members of the Senate.

We are going to have a recess, by virtue of a previous order, at 12:30. I am going to recommend to Senator DASCHLE and Senator HOLLINGS when we come back at 2:15—or whatever time it is—that we move beyond this point of people having disagreements with certain parts of this bill. If people are going to be in disagreement, let them come out here and tell us what is wrong with the bill.

We need to move forward. This is a very important piece of legislation. It is our sixth appropriations bill. When we finish, we still have seven to go. We haven't had conferences on the ones we passed. This country is in a state of emergency. We need to do the work of the Congress, and the work of the Congress at this stage, nearing the end of

the appropriations season, is to finish these bills by the end of the fiscal year. That is looking very dubious at this time. So we have to move forward.

I repeat, the two managers are the best we have, or as good as we have; that is for certain. We have to move this bill along.

Mr. HOLLINGS. Madam President, the distinguished Senator—other than his reference to me—is on target. We have a bill that was passed not only unanimously out of subcommittee but the full committee. It has been before the Senate last week and this week. Everyone knows the provisions within the bill. I was just told by a colleague who had served previously in the House—he said the reading clerk reads each section as they go through each section, and you have to be there and propose your amendment. After that, the amendment is passed or defeated and they go to the next section. You cannot offer an amendment to one that has already been read and passed upon.

We have to devise some other way. We are sitting around here in charge of the business of the Senate pleading. We should not be pleading. I do not want to be like Al Haig—"I'm in charge"—but I can make a motion for third reading and they can defeat the motion or we can have a live quorum and get everybody here and disrupt them. We are going to have to take disruptive action, or something, to get some kind of response. The leader is exactly right. The country is in a state of serious purpose now, and they do not want any dallying around and "I have to have this amendment," "I have to have that," and they want me to put it in. Let them propose it. I heard one amendment has \$70 million all of a sudden. We do not have any moneys like that. We have our 302(b) allocation.

Mr. REID. Will the Senator yield?

Mr. HOLLINGS. Yes.

Mr. REID. I want to say this also. This bill was brought from the subcommittee and the full committee to the floor prior to this situation that took place in New York. If there were ever a vision two men had, it is this bill. This bill deals with terrorism. That is what is in this bill. If there were ever an appropriate time to pass this legislation, it is now. There is a provision in this legislation that sets up within the Justice Department somebody who will work on counterterrorism. This is very fine legislation, and it is very appropriate for the day and time in the history of this country. We have to move this bill forward.

The Senator is absolutely right. The Senator from Louisiana, who was just here, and I served in the House, as the Senator from New Hampshire served in the House. When you have a section in a bill in the House and you are not there to offer your amendment, you are out of luck; it is tough luck. Here we wait around begging people to come to the floor and do the business of the Senate. That is not the way it should be.

Mr. HOLLINGS. I thank the distinguished leader.

I immediately give credit to the ranking member, the Senator from New Hampshire, who as chairman had the vision that it was necessary we have some coordination and a full comprehensive review of the problem of terrorism and how to respond to it. It was under his leadership that we have these sections in the bill. Now we are ready to move. We are ready to go to third reading, and we are ready to pass it. The two leaders are here.

I again suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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. REID. Mr. President, I have been meeting with the two managers of the bill. It appears we are very close to working something out. However, it does not appear we can offer a unanimous consent agreement at this time. Those Members who have some problems with this legislation, if we don't work something out between 12:30 and 2:15, they will have to come on the floor at 2:15 and personally object; otherwise, the managers of the bill will move to third reading.

We have cooperated, and we appreciate very much those people who have interest in this bill working with us to this point, but we are down to the nitty-gritty where we need to get the bill done.

This is such good legislation. I repeat what I said a short time ago. This bill has some very important items in it for antiterrorism. It has within the Department of Justice a coordinator for antiterrorism activities that was written long before the New York terror took place. This bill is so important to what took place that we need to finish this bill today.

Mr. GREGG. Mr. President, I appreciate the counsel of the assistant Democratic leader. I would note that there are a number of Senators who have amendments. We expect to protect those amendments. At no later than 2:30, I hope, we will have a complete list, and we will work towards that. My expectation is that we have heard already from everyone who has an amendment. We are pretty close to having a complete list.

Mr. REID. Mr. President, we were scheduled to recess at 12:30. I ask unanimous consent we extend the time for speaking until 12:40, as the Senator from New York has a very important message to deliver to the Senate.

Mr. GREGG. Will that be in morning business?

Mr. REID. Yes.

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

The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have heard the discussions about the bill on the floor, the Commerce-Justice-State appropriations bill. As the chairman and ranking member know, I have offered two amendments, one of which is fairly controversial. My proposition would be that I withdraw that amendment. I will chat about it for 1 minute. I understand from discussions we have had that the chairman and ranking member would approve my second amendment by a voice vote, and I propose I be allowed to withdraw the amendment dealing with eliminating funding for TV Marti and using that money instead to enhance enforcement and compliance in international trade.

I will ask consent to do that in a moment. Things have changed very substantially and now is not the time for this discussion. That doesn't mean I don't believe during this appropriations process this year, either in conference or in some other device, we ought not do what I propose in my amendment. I believe very strongly in my amendment that identified \$10 to \$11 million of tragic waste of the taxpayers money and identified an area that cries out in a desperate need: our trading partners like compliance of enforcement of our trade laws dealing with China, Japan, Europe, Mexico, and Canada.

Although I ask consent to withdraw the TV Marti amendment if we have reached agreement on the other amendment, I want everyone to understand that this is not necessarily the end of that discussion this year. But I think it is probably better not to continue the discussion at this time.

Mr. HOLLINGS. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. HOLLINGS. I appreciate the Senator's understanding and willingness to withdraw the first amendment. I will see if we have an understanding.

Mr. GREGG. My understanding is we reached agreement with the Senator.

Mr. HOLLINGS. Let's agree to the amendment now.

Mr. GREGG. Have the yeas and nays been requested on either amendment?

Mr. DORGAN. No.

Mr. HOLLINGS. Can we call that amendment up?

AMENDMENT NO. 1543

The PRESIDING OFFICER. The small business amendment is the pending question.

Mr. HOLLINGS. I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 1543) of the Senator from North Dakota.

The amendment (No. 1543) was agreed to.

AMENDMENT NO. 1542, WITHDRAWN

Mr. DORGAN. I ask consent to be allowed to withdraw the amendment I offered dealing with funding for TV Marti and trade compliance.

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

Mr. DORGAN. I thank the Presiding Officer.

Mr. HOLLINGS. I thank the distinguished Senator from North Dakota very much.

Mr. DORGAN. Mr. President, let me just say again that while I have withdrawn that particular amendment, I believe very strongly that we need to revisit this as we go along in this process. I think this is not the time to do that. I have talked to the Senator from South Carolina, who I know has some feelings about this as well. We will revisit this later in this process.

Let me say how much I appreciate the work of the Senators from South Carolina and New Hampshire; they have done so much work on this bill.

Mr. HOLLINGS. I thank the Senator very much.

#### NATIONAL SUPPORT FOR NEW YORK

Mrs. CLINTON. Mr. President, I wanted to take just a few minutes of morning business to report to my colleagues about my visit, along with Senator SCHUMER, to New York yesterday, to convey the appreciation that New Yorkers feel, starting with our Governor and our mayor but going down through the people whom I saw—whether they were a firefighter, or police officer, or emergency medical technician, or someone standing on the street—for the unified and extraordinary support that has been demonstrated by our entire country, starting with our President.

Senator SCHUMER and I flew to New York with Administrator Joe Allbaugh, the director of the Federal Emergency Management Agency, for the purpose of assessing the damage and attending a very long briefing with the Governor and mayor and their respective staff who are on the front lines dealing with this tragedy.

We took a military plane from Andrews and flew to LaGuardia where we got into helicopters. The helicopters flew us to the tip of Manhattan where we circled from the East River toward the Hudson and were close enough in to see the burning debris, to see the wreckage, the crumpled destruction of the buildings that had once stood there—a sight that the only comparable basis I think most living Americans would have, such as our distinguished senior Member, Senator INOUE, is what war was like in World War II, or Korea, or Vietnam.

We took another pass so we could get in a little bit closer. As we did, we saw dozens and dozens of people running away from the site. We later learned that the continuing danger from these structurally damaged and unsafe buildings had driven our rescue workers out.

We landed at the heliport on the East Side and went in to meet with the mayor and the Governor. We had some time to talk with the press, where everyone expressed the solidarity and unity that the people of New York are