Columbus Northern Team and their families. Columbus, the city that produced Major Leaguers Frank Thomas and Tim Hudson, now has a few more heroes to celebrate. I am extremely proud of them and their accomplishments and wish them great success in the future. I urge my colleagues to support this resolution.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I am pleased to join my colleague, Senator CHAMBLISS, in support of the resolution honoring the Columbus Northern Little League, the Little League World Series champions for the year 2006.

I am particularly honored to pay tribute to them because this is deja vu all over again for me; in 1983 another Georgia team, the East Marietta team, where I live, was the first Georgia team to win the Little League World Series. So now, in just 60 years, 2 of the 60 champions have come from our great State.

SAXBY and I had the chance to meet these fine young men with the President of the United States just last week on Thursday on the tarmac at Dobbins Air Force Base. They were poised, they were excited, and they were proud.

I also pay tribute to the parents of these young men. If you watched the championship game against the State of New Hampshire when they won the American title, before they went on to play Japan, you saw the parents of these young men, right before the game, sharing their baskets of Georgia peaches with the parents of the New Hampshire team, just as they did with the Japanese team 2 days later. The parents showed the sportsmanship and good will and the care and the compassion that makes Little League Baseball so special.

These are special young men: Matthew Hollis, second baseman and center fielder; Ryan Lang, right fielder; Mason Meyers, right field and third base; Matthew Kuhlenberg, left field; Patrick Stallings, third base; Josh Lester, second base and shortstop; Brady Hamilton, first base, outfield, and pitcher; Cody Walker, catcher; Kyle Carter, pitcher; J. T. Phillips, shortstop and pitcher; and Kyle Rovig, left field and pitcher. And there was the management and leadership brought by manager Randy Morris and coach Richard Carter.

These fine young men played wonderful baseball all the way through the tournament. But in those final two games against New Hampshire and Japan, they soared and played like true professionals—young men who had been taught well, who were respectful, and who knew how to pay the price for victory.

Columbus Northern is our State's second team to win the Little League World Series. Kyle Carter, the pitcher, made history by striking out 11 batters and became the first pitcher in history to win 4 times in the Little League World Series.

We cannot forget Cody Walker's hitting—with the pitch and where it was pitched—and knocking a two-out pitch over the fence in right field for the two runs that won the game over Japan, nor can we forget the great second baseman workmanship of Josh Lester nor any of these fine young men who brought great pride to their State, great pride to their parents, and great pride to the great city of Columbus, GA.

I am pleased to rise today on the floor of the Senate and join Senator CHAMBLISS in acknowledging the great achievement of these young men and encourage the Senate to unanimously adopt this resolution of recognition and appreciation for the Columbus Northern Little League team.

Mr. President, I yield back.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT—Continued

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, I yield to the Senator from Colorado.

AMENDMENT NO. 4935

Mr. SALAZAR. Mr. President, I ask unanimous consent that the pending amendment be set aside so I can call up amendment No. 4935.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], for himself, Mr. CHAMBLISS, Mr. ISAKSON, Mr. PRYOR, and Ms. CANTWELL, proposes an amendment numbered 4935.

Mr. SALAZAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To create a Rural Policing Institute as part of the Federal Law Enforcement Training Center)

At the appropriate place, insert the following:

SEC. _____. RURAL POLICING INSTITUTE.

(a) IN GENERAL.—There is established a Rural Policing Institute, which shall be administered by the Office of State and Local Training of the Federal Law Enforcement Training Center (based in Glynco, Georgia), to—

(1) evaluate the needs of law enforcement agencies of units of local government and tribal governments located in rural areas;

(2) develop expert training programs designed to address the needs of rural law enforcement agencies regarding combating methamphetamine addiction and distribution, domestic violence, law enforcement response related to school shootings, and other topics identified in the evaluation conducted under paragraph (1);

(3) provide the training programs described in paragraph (2) to law enforcement agencies of units of local government and tribal governments located in rural areas; and

(4) conduct outreach efforts to ensure that training programs under the Rural Policing Institute reach law enforcement officers of units of local government and tribal governments located in rural areas.

(b) CURRICULA.—The training at the Rural Policing Institute established under subsection (a) shall be configured in a manner so as to not duplicate or displace any law enforcement program of the Federal Law Enforcement Training Center in existence on the date of enactment of this Act.

(c) DEFINITION.—In this section, the term ''rural'' means area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section (including for contracts, staff, and equipment)—

(1) $10,000,000 for fiscal year 2007; and

(2) $5,000,000 for each of fiscal years 2008 through 2012.

Mr. SALAZAR. Mr. President, I ask unanimous consent that Senator CANTWELL be added as a cosponsor to this amendment.

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

Mr. SALAZAR. Mr. President, I rise this afternoon to discuss my amendment to create a rural policing institute within the Federal Law Enforcement Training Center. I thank Senator CHAMBLISS, Senator ISAKSON, and Senator PRYOR for cosponsoring this very important legislation. Law enforcement matters should be nonpartisan, so I am particularly pleased to see my friends from both Arkansas and Georgia on this amendment.

I want to acknowledge the tremendous work done by the 800,000 State and local law enforcement officials and first responders throughout our Nation. They are at the forefront today of our efforts to make sure our homeland is more secure. In Colorado alone, there are 14,000 of these law enforcement officers. Too often, these heroes are on their own when it comes to help from the Federal Government. This is especially true when it comes to rural America. This is wrong because our law enforcement officials and first responders are at the forefront of the effort to not only protect our communities but to ensure our homeland is secure.

Mr. President, along with some of my colleagues on the Senate floor, I have often referred to these rural communities as ''the forgotten America.'' Indeed, rural America is the backbone of our country, but it is too often neglected by Washington and political figures who have lost touch with the people in the heartland. Nowhere is this neglect felt more acutely than in the small-town law enforcement agencies of my State and of every State in the country. These are small communities that have been confronted with decreased funding, with increased

homeland security responsibilities, and with the great toll of the meth epidemic that is devastating rural America.

Many people don't realize that most American law enforcement agencies serve rural communities or small towns in very large proportions. Indeed, of the nearly 17,000 police agencies in the United States, 90 percent of them serve a population of under 25,000 people. And of those, most of them operate with fewer than 50 sworn officers and, in many cases, with 3, 4, or 5 officers.

I am well aware of the difficulties these small-town law enforcement agencies face day to day. As attorney general in Colorado, I had the honor of working with 14,000 of some of America's finest law enforcement officers. Many of them are from rural Colorado—sheriffs such as Jerry Martin, from Dolores County, and the other sheriffs in my State. These people are always asked to do a lot more with a lot less. Their pressure is great. The growing demands on rural law enforcement and shrinking budgets have hit training programs particularly hard. Many rural law enforcement agencies simply don't have the budget to provide officers with adequate training. Furthermore, even those agencies that can come up with the money cannot afford to take police officers off the street to get additional training.

As attorney general and chairman of the Colorado Peace Officers Standards and Training Board a few years ago, one of my proudest accomplishment was working on a bipartisan basis to help establish a $1 million annual training fund for Colorado's 14,000 peace officers, with the focus on the smaller law enforcement agencies in Colorado.

That is where our amendment on the floor today comes in. FLETC does a fantastic job in training Federal, State, and local law enforcement in our Nation. But FLETC doesn't have enough resources dedicated specifically toward training rural law enforcement officers. The rural policing institute would do the following:

First, evaluate the needs of rural and tribal law enforcement agencies throughout our Nation, so that we know exactly what the challenges are that we are facing in those rural communities.

Secondly, it would develop training programs designed to address the needs of rural law enforcement agencies, with a focus on combating meth, domestic violence, and school violence.

Third, it would export those training programs to rural and tribal law enforcement agencies.

Fourth, it would conduct outreach to ensure that the training programs reach rural law enforcement agencies.

As attorney general, I learned that a small investment in law enforcement can pay great dividends.

Mr. President, when we look at 9/11 today and the fact that we are all united in this effort to try to make America safer, and we look at who it is within our country who ultimately will be out there to stop the next attack on America, I would submit there is a very good chance it is going to be the deputy sheriff in a small county somewhere in America or a member of the police force in some small community making sure that a water tank is not contaminated with some kind of biological contamination or it is going to be somebody else who understands that some kind of a network has come together to try to take the fertilizer that our farmers use in rural America and make a bomb out of it. It is going to be rural law enforcement that is going to make sure they are going to help us prevent those kinds of attacks on America. When we think about the 800,000 men and women in law enforcement across America, they are on the frontlines, in terms of making sure we have a more secure homeland.

I cannot think of a more important amendment than to establish a rural police training institute under the auspices of FLETC, to ensure that these 800,000 men and women have the right kind of training so that through their eyes they can help us in our march and our efforts to make America more secure. We have a long way to go. I hope our colleagues will support this bipartisan amendment to establish a rural police training institute.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

AMENDMENT NO. 4940

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk, and I ask unanimous consent that the pending amendment be laid aside.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 4940.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that the limitation on the number of Transportation Security Administration employees shall not apply after the date of enactment of this Act, and for other purposes)

At the appropriate place, insert the following:

SEC. ——. CERTAIN TSA PERSONNEL LIMITATIONS NOT TO APPLY.

(a) IN GENERAL.—Notwithstanding any provision of law to the contrary, any statutory limitation on the number of employees in the Transportation Security Administration, before or after its transfer to the Department of Homeland Security from the Department of Transportation, does not apply after the date of enactment of this Act.

(b) AVIATION SECURITY.—Nothwithstanding any provision of law imposing a limitation on the recruiting or hiring of personnel into the Transportation Security Administration to a maximum number of permanent positions, the Secretary of Homeland Security shall recruit and hire such personnel into the Administration as may be necessary—

(1) to provide appropriate levels of aviation security; and

(2) to accomplish that goal in such a manner that the average aviation security-related delay experienced by airline passengers is reduced to a level of less than 10 minutes.

Mr. LAUTENBERG. Mr. President, I wish to talk about the current hiring limit on TSA screeners at our Nation's airports. That is what this amendment deals with—to eliminate the current hiring. One can ask: Why can't we just add more funding to TSA's budget and let them hire the personnel they need?

Unfortunately, it is not that simple. Each year, in the Homeland Security appropriations bill, the House Republican leaders tie the hands of TSA officials by setting an arbitrary limit on the number of screeners they can hire.

This cap has no basis in security. It is not what the security experts at TSA want. This cap only undermines our security, while forcing Americans to wait in longer security lines at airports.

This arbitrary cap currently restricts the TSA screener population to 45,000. Now, 45,000 is a large number, until you consider that 2 million people fly within the United States every day. In our discussions with TSA officials, it is clear that we need more than 45,000 screeners.

Mr. President, we are at a point in time, I am told by the managers of airports, particularly at Newark Liberty Airport, that we are likely to be exceeding the gross travel numbers in aviation that were achieved in the year 2000. So here we are with more people traveling, more concern about terrorist invasions of our country and particularly in aviation.

So why do we have this cap? Well, it is not for security, it is not for efficiency. Believe it or not, it is based on ideology.

Conservatives in the House want this cap to limit the growth of a so-called big Government workforce. But do you know what? The American people want this workforce, and they want it fully staffed, as I do; we should all want it fully staffed.

The result of this ill-advised cap is the shortage of screeners. We witnessed this last month when British and U.S. authorities foiled a plot to attack airliners headed to our shores using liquid explosives.

In the days following the British threat, DHS raised the security alert level and overworked screeners at American airports. They had to doublecheck bags, conduct random searches at gates, and help calm anxious crowd fears. At Newark Liberty Airport in New Jersey, screeners worked 12-hour shifts and 60-hour weeks for several weeks after the London incident. There were reports of exhausted screeners falling asleep at x-ray machines. One screener said that his colleagues ''can't maintain these

12-hour days.'' Remember, this work is on your feet. You are mandated to look at every little detail in front of you. It is exhausting work. Overstretching this workforce puts the American people at risk, and that is unacceptable.

Now, with my amendment, TSA will be able to hire enough well-trained, alert screeners to give us the safety and efficiency we deserve. Since 9/11, long lines have been the rule rather than the exception at our Nation's airports. Each year, 760 million people fly in the United States, and by 2015, we will hit 1 billion passengers a year.

Anyone who has traveled by air in the last few years has seen this congestion at airport security checkpoints. To give an example, this is Orlando Florida International Airport. The lines are waiting to go through security. We see the same thing throughout the country. This is Denver, a very efficient airport, but one cannot get through security in time enough, in many cases, to reach the flights. It is an unacceptable condition. This is the international airport in Nashville, TN—lines and lines. We see it wherever we travel in almost any part of the country.

The Senate accepted an amendment I offered in July to the Homeland Security appropriations bill to eliminate this arbitrary cap, but the Republican majority in the House of Representatives wanted to remove my amendment in the final bill that will be sent to the President. They want to keep the 45,000-worker cap rather than letting TSA decide what its workforce needs are. Security cannot be based on arbitrary numbers. Conservative ideology must not trump commonsense security needs.

Americans stuck in long security lines at airports don't care about ideology. They want to get through, and they want to get through on time. The mission for our system to operate efficiently is to have no longer than 10-minute waits, and we can only accomplish that if we have the people and the equipment to review this baggage as it comes to them.

The American people want to know that they and their families are safe when they fly. This body needs to go on record on this issue so it can scrap this limit once and for all. I hope my colleagues will look carefully at this amendment. Listen, remember, it might be their family who is on an airplane, it might be their friends who are on a particular airplane, it might be anybody who is entitled to feel secure when they are in an airplane. But judge it by one's personal attitude and say this is a responsibility we have as Senators to want enough people to assure security wherever we can get it. One way to do that is to have enough of these screeners working these lines, fully awake, able to handle their jobs, and reduce what we find is significant growth in sick days among the screener population. There are a lot of absences.

Perhaps we will hear: We have a 45,000-person limit, but we only have 43,000 people working. The problem is we will always have some absentees. We will always have some job turnovers. These are not easy jobs. So we are going to have a difference between the number hired and the number at work at a given time. We should raise the limit so we know we are increasing the likelihood that all of the places will be covered, that the flying public will be able to get through their security check within a 10-minute timeframe.

I urge my colleagues to support the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. LAUTENBERG. How many do we need, Mr. President, for the yeas and nays?

Mr. 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. STEVENS. 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. STEVENS. Mr. President, I understand the Lautenberg amendment is the pending amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Mr. President, this would lift the TSA's current screener cap of 45,000 persons. The cap is at 45,000, but currently the resources available to TSA allow for only 43,000 screeners, and currently there are only 41,000. The reason is there is such an enormous turnover in screeners. They work for a small period of time and then move on to other jobs.

We have enhanced screening technology and improved staffing models that have helped maximize the workforce currently available. We have a strong security system with minimal passenger line waits. They have been reduced considerably.

I do believe the Lautenberg amendment is not necessary. The current cap of 45,000 screeners helps us maintain the pressure on the TSA to employ new screening technology. I personally met in a classified briefing with the head of the TSA to discuss this problem last week. It was classified because of some of the technology that is involved and new models being pursued. One of the comments that was made to me was that the cap really helps us maintain the pressure to secure the new screening technology and reduce the redundancy in the workforce. The workforce is only relevant to the extent the technology does not do the job. We believe we should have more and quicker screening, and that is going to be brought about by new technology. That is where we have put our money this year.

Unless my friend wants to make any further comments, I intend to move to table this amendment. I still have the floor. Does my friend wish to have some time on the amendment?

Mr. LAUTENBERG. I wish to ask the Senator from Alaska a question, if I might, in relation to his comments.

Is it not possible that with the increased passenger volume we are seeing—and it is about to break the record held since the year 2000 in terms of volume of people traveling—is the manager, the committee chairman, aware of the fact that TSA has said that in order to have a 10-minute wait or less, they need more screeners than they have? They need as many as 48,000.

Mr. STEVENS. I say to the Senator, in answer to the question, I personally talked with the head of TSA. He told us they have never been able to reach the cap yet because of unavailability of people to take these jobs under the circumstances that they must be screened and checked themselves before they are employed. The delay in getting the clearances for screeners is one of those things that hold people up. It is not the limited resources or the cap that is the problem; the problem is getting people who will take these jobs who can fit through the screening process they face before they become a screener.

As I said, the current cap is 45,000. There are 41,000 right now with full-time employment and people trying to find more screeners. The answer isn't to raise the cap; the answer is to keep the pressure on the system so we use more technology, not more screeners. More screeners is more delay. The technology processes these inspections faster than individual screeners can.

Mr. LAUTENBERG. Mr. President, if I may ask the Senator from Alaska another question, and that is, if we had a higher cap and were able to persuade the management of TSA to search for a larger pool of people, might we have more people available presently to serve? My experience from my corporate life tells me that you never quite reach the level you have. We see that in our staffing here.

I urge the Senator from Alaska to respond to whether the Senator thinks we can improve our population of screeners who are readily available if we search a little bit harder, train a little bit better, reduce the fatigue factor which now occurs and causes so many sick days, so many absences, and so much turnover because the job, at 60 hours a week, as many of our people are working, is a strain on them and they just can't take it.

Mr. STEVENS. Mr. President, I say to my friend again that the workforce right now is approximately 41,000 in number. The turnover rate is enormous because they don't want to stay in these jobs. They are not exactly the kind of full-time jobs some people want to pursue. It is not a career.

The real problem is we already are capped at 45,000. There is room for 4,000 more right now. They are looking for

them. But as we speak, there are more people leaving than we can add to the force. The reason is the problems associated with this type of activity. It is the screening, as we all know, as we go through these lines and through the detection systems at the airports. The people who have the jobs just don't like to stay on that kind of a job. We have discussed how we get around it. I don't know, but increasing the number will not solve the problem. Increasing the cap is what the Senator wants to do. The concept of lifting that cap is not a solution. The solution is to try to find some way to make the job more attractive, maybe pay them more, whatever it takes.

The two limitations involved right now are the 45,000 cap and the budget resources that are available now. We tried to increase that, but we have not been able to get additional moneys yet for this purpose in terms of the screeners.

The TSA budget resources currently, as I said, allow for only 43,000. But still that is 2,000 more than are actually on duty right now, and the cap is still 4,000 above that. They can go to a 10-percent increase under the existing circumstance. Lifting the cap is not the answer is what I tell my friend.

Mr. LAUTENBERG. I have so much respect for the Senator from Alaska. He is on top of the issues of security, as well as aviation. But is the Senator aware that many of the screeners are on military duty or medical leave because of exhaustion? Shouldn't we try to improve the pool of people from which we can choose? We have as much as 10 percent of the workforce out at a time. If it is 10 percent of 48,000, that is 4,800. That is quite different from having a population that is short on the job. We don't have enough time.

I can simply add that at Newark Airport, we are about 10 percent short of the number we need, something over a thousand. We can't get them. The recruiters can't search for them because they will be bumping up against the cap. I think and I hope the Senator will reconsider. I believe—and I throw this in for the Senator's consideration with my question; that is, aren't we better off taking the limit off and trying to find a way—we are talking about security of the people. The Senator doesn't need any lecture from me. But aren't we better off knowing that everybody who can make a connection can get through in 10 minutes, thoroughly screened, and having a population that is equal to the growing population of those who want to travel by air?

Mr. STEVENS. Mr. President, I understand the Senator from New Jersey. He is really trying hard, and I am trying hard, to work on this problem. Let me tell the Senator this: 37.5 percent of the screeners at Dulles turned over last year; 37.5 percent left. The reason is they are handling bags; they don't like the hours, as you mentioned; they work hours in accordance with the shifts based on the number of flights, not in terms of—it is not a steady workload is what I am saying. So they might be there 10 hours, but they are working 6 of that 10 hours and very hard in those 6 hours. The turnover rate is enormous.

I do think the difficulty is not in the cap; the difficulty is in the money. We have to impress on our people in the appropriations process to provide more money. We are trying to see if we can find some way to justify higher salaries. In some places, the salaries are enormous for small airports. In others where you deal with the numbers of passengers at Dulles or New York airports or Los Angeles, those airports are totally overworked, and the turnover in those big airports is enormous, almost 40 percent a year. You have to consider the fact that these replacements have to be cleared under the clearance process with regard to security. They have to be cleared people; they cannot be people who just walk in off the street. It takes months to clear one of them. You can lift the cap all you want, but you are not going to get any more than 45,000 in the next year.

Mr. President, let me tell my colleague this: We will just accept the amendment because it won't make any difference in terms of the number of screeners who are available. That is what my staff just told me. Why am I arguing? Because no matter what the ceiling is, we won't have any more screeners.

Mr. LAUTENBERG. Mr. President, is the Senator aware of the fact that this was an amendment which was already there, it was already conferenced and was dropped in conference? The Senator is certainly aware of the process here. If you don't like it, accept it; it will die of its own weight.

For the Senator's information, before the screeners were federalized, the turnover rate was 400 percent and we were ignoring the risks we were putting people under. That was a porous thing. You could walk through there with almost anything.

What we want to do is get a stable workforce of screeners who have passed the vetting, who work normal hours, who have—and by the way, the Senator is absolutely right about the improvement in equipment so the baggage lifting doesn't have to be as strenuous as it is.

So I would ask the Senator whether we can have a vote.

Mr. STEVENS. Have a vote on it?

Mr. LAUTENBERG. And when we meet with the House, let the conferees, when the issue goes to conference, look at the issue and review what it is that is keeping them from——

Mr. STEVENS. I will give you a vote and move to table. I will tell my friend, this isn't a solution to the problem. The solution is in more money and finding a way that we can get people who are cleared to take the job and keep it. You can't put just anybody in there handling those bags. If you get a terrorist in there, they could add something rather than see whether there is something in the bags. So they all have to be cleared. This ceiling is not an issue.

Mr. LAUTENBERG. Mr. President, if I may respond to say I am so pleased that the Senator is asking for more money for screeners, and we will try to convince the appropriators jointly to increase the funding for those workers.

Mr. STEVENS. Will the Senator just let us take it to conference and see what we can work out? I don't see that the number makes any difference. The problem is the process and who is hired and what are the restrictions and how much money is available, not the numbers. You could put the number at 90,000 and we will still have 41,000 people next year.

Mr. LAUTENBERG. Mr. President, we obviously don't agree. I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. Mr. President, there is a series of meetings going on in the Capitol right now pertaining to national defense issues, and I would like to see——

Mr. LAUTENBERG. Mr. President, I note the absence of a quorum.

Mr. STEVENS. I still have the floor.

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. I want to work this out with my friend to have the time for a vote that he wishes to have. Could we have this vote at 5 o'clock? Is that all right? We will ask for the yeas and nays with the understanding that we will vote at 5 o'clock.

Mr. LAUTENBERG. I appreciate that.

Mr. STEVENS. I join him in requesting the yeas and nays and ask unanimous consent that the vote take place at 5 o'clock.

The PRESIDING OFFICER. Is there a sufficient second? There is. Without objection, the unanimous consent request is agreed to.

AMENDMENT NO. 4931

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk, amendment No. 4931, and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The pending amendment is set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 4931.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strengthen national security by adding an additional 275 Customs and Border Protection officers at United States ports)

On page 76, line 1, strike ''725'' and insert ''1000''.

On page 77, strike lines 17 through 21 and insert the following:

''(A) $130,000,000 for fiscal year 2008.

''(B) $239,200,000 for fiscal year 2009.

''(C) $248,800,000 for fiscal year 2010.

''(D) $258,700,000 for fiscal year 2011.

''(E) $269,000,000 for fiscal year 2012.''.

Mrs. HUTCHISON. Mr. President, my amendment would increase the number of U.S. Customs and Border Protection officers by 275. This would bring the total of new U.S. Customs and Border Protection officers in this bill to 1,000.

In my State of Texas, the Customs and Border Protection officers are assigned in the Houston region are responsible for the seaports along the Texas coast from Port Arthur to the Port of Corpus Christi. Some of these officers are also assigned to Houston's George Bush Intercontinental Airport. The CBP officers work at the Port of Houston in the morning and leave the port in the afternoon to go work at the Houston Intercontinental Airport. Sharing these U.S. Customs and Border Protection officers between port duties and airport duties is unacceptable.

With increased security demands being placed on our Nation's ports and the desire to increase the number of containers inspected as they enter the United States, local port officials have long expressed the need for additional personnel in order to carry out the tasks that are so critical to our Nation's economy. With an unprecedented 11 million containers entering the United States annually, cargo doesn't stop when there isn't a Customs agent there to inspect the incoming shipments. What happens, of course, is that the cargo is not inspected. So I hope we can pass my amendment.

I believe the Port Security Improvement Act of 2006 is a very good bill, and I particularly commend the leaders of the respective Senate committees for working together to bring all of the port security bills that have been introduced in Congress into one comprehensive bill so that we can address this issue.

In the last 5 years, we have significantly strengthened our national defense. I think we saw yesterday that so many things have been done to keep our country safe and secure, because yesterday, of course, was the 5-year anniversary of the attack of 9/11. We have engaged the enemy before they have reached America since 9/11 of 2001. We have improved our homeland security. We have passed the PATRIOT Act to give law enforcement officials the tools they need and the resources necessary to protect our Nation. We must remain vigilant in pursuing terrorists who seek to harm our country. An integral aspect of our national defense and our economy is the security of our ports.

Our Nation has more than 360 federally regulated, thriving ports, any one of which could be a target for our enemies. One terrorist incident at a U.S. port could impact an entire coast, and the financial impact of closing one of these ports could be devastating.

Texas is home to 29 ports, including 4 of the 10 busiest in the Nation. The Port of Houston is one of the most important ports in the world. It ranks first in the United States in foreign waterborne tonnage, second in total tonnage, and is the sixth largest in the world. It is also home to one of the biggest petrochemical complexes in the world. It is also part of our Nation's U.S. Strategic Petroleum Reserve, the world's largest oil stockpile. Due to the volume of hazardous materials, a terrorist attack in the Port of Houston would be an enormous disaster. An attack in the Port of Houston could also disrupt our Nation's energy supply, delivering a blow to our economy at a time when we cannot afford such a disruption.

For years, I have worked with my colleagues on both sides of the aisle for more stringent port security. In the 107th Congress, my colleagues, Senators FEINSTEIN, KYL, SNOWE, and I introduced the Comprehensive Seaport and Container Security Act of 2002. This bill called for container seals and tracking numbers for goods being shipped to the United States. It also called for a plan to increase inspection of merchandise at foreign facilities as well as for a shipment profiling plan to track containers and shipments of merchandise imported into the United States that could be a threat to security.

In the 107th Congress, we passed the Maritime Transportation Security Act. This bipartisan bill was landmark legislation that closed a large hole in our national security. I was an original cosponsor of this bill as well. However, when it passed the Senate, I made the point of saying the legislation only laid the foundation for port security and more needed to be done.

The following year, I introduced the Intermodal Shipping Container Security Act in both the 108th and 109th Congresses. This was comprehensive legislation, and I am pleased that many of the key provisions in that bill, such as the random inspection of containers, the establishment of minimum standards and procedures for securing containers in transit to the United States, and the implementation of an improved container targeting system, have been incorporated into the legislation before us today. I thank Chairman STEVENS and Cochairman INOUYE for working with me in the Commerce Committee on these provisions.

In addition, Senator COLLINS and Senator LIEBERMAN have added so much to make this bill even more powerful and more helpful in our overall goal of securing the ports in our country.

This legislation calls for the Department of Homeland Security to develop and implement a plan for random inspection of containers in addition to any targeted or preshipment inspection. This significant provision would require the Secretary of Homeland Security to develop and implement a plan to conduct random searches of containers in addition to any targeted or preshipment inspection of the containers as required by law. This would allow the U.S. Customs inspectors to do more at the point of embarkation with the random sampling of different cargo that has been inspected.

Another important provision in this legislation is the establishment of minimum standards for securing containers in transit to the United States. The Secretary of Homeland Security is encouraged to promote and establish those minimum standards for the security of containers moving through the entire international supply chain. This is a key element and I am hopeful the Secretary will take this action. We cannot inspect every piece of cargo, or our international commerce as we know it today would come to a grinding halt. However, if we have better technology, such as a seal which is tamper-proof, we will know when the contents of the cargo have been altered.

My amendment would add to the numbers of Customs and Border Protection officers. A thousand new officers, when you have more than 360 federally regulated ports in this country, is not asking a lot.

We must do more. We must do more at the point of embarkation, the point of origin, at the point where ships come into our U.S. waters, and at the ports themselves. We need more inspectors to be authorized in order to do that.

I am asking that my colleagues support my amendment to raise this number to 1,000. We cannot afford, as we are passing this major legislation, not to do it right, not to authorize everything we need and give the Department of Homeland Security the tools they need to do the job of securing our ports.

We have done a lot. We have passed maritime security laws since 2001, since our country was attacked. But this bill adds to the measures that we know are lacking in the system today. We are taking more steps every week, every month, and every year to secure our country.

I thank Chairman STEVENS and Cochairman INOUYE, Chairman COLLINS and Ranking Member LIEBERMAN, Chairman GRASSLEY and Ranking Member BAUCUS for their leadership in this area. I appreciate that they have come together. It is very difficult in this Congress, when more than one committee has jurisdiction over a major part of the Government of this country. In homeland security we find that the Commerce Committee and the Homeland Security Committee do have overlapping jurisdiction.

This bill could have been brought down with in-fighting among the committees, but it has not been brought down because of the leadership of the committees on a bipartisan basis. I appreciate what we are doing today. I urge my colleagues to support my amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. COLEMAN). Is there a sufficient second?

At this time there is not a sufficient second.

Ms. COLLINS. Mr. President, while we are awaiting representation on the other side of the aisle in order to get the yeas and the nays, let me respond to the Senator from Texas about her amendment.

First, let me acknowledge the work of the Senator from Texas on port security issues over the past few years. Her amendment would increase the minimum hiring of Customs and Border Protection officers in the resource allocation model of the legislation before us from 725 to 1,000. As the Presiding Officer is aware, our bill requires the Department to do a resource allocation model, really take a hard look at how many CBP officers are needed at which port.

One reason we believed that was necessary was the experience of Houston's ports and airports. The Senator from Texas has told me of the problems that Houston has experienced, where CBP agents actually are being transferred from the port to the airport to deal with incoming flights and then are sent back to the port. Clearly that is a situation that cries out for more agents so they do not have to be constantly shifting back and forth from a busy port to a busy airport.

I think the Senator is correct that she has a real problem with understaffing in the Houston seaport and airport and that we do need to have more agents allocated. But I also want to point out to my colleagues that we do specifically require the Department to do this resource allocation plan. There may be some seaports or airports that actually have more staff than they need. Those could be allocated to busier seaports and airports. But clearly the situation in Houston cries out for more agents so we do not have this constant choice of where they should be.

I do support the amendment of the Senator. I will assist her in gaining the yeas and nays when we have representation from the Democratic side. I hope that will be shortly.

I also suggest that we stack the vote on the amendment of the Senator at 5 o'clock, after the vote on the Lautenberg amendment, in order to make it more convenient for our colleagues.

Once we get the yeas and nays, I will be making a unanimous consent request that the vote occur immediately after the vote on the amendment offered by the Senator from New Jersey, with 4 minutes of debate equally divided prior to the vote. But I am withholding that unanimous consent request until we have representation from the minority on the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, while we are waiting, I would like to respond to the Senator from Maine and thank her. She and I have had a conversation about the situation at the Port of Houston. It is particularly dire, in that it is such a busy port and one that has so many unique features. I think the fact that she is supporting the amendment will go a long way toward getting us to the point we need to be.

I think her point is very well taken that giving the Secretary of Homeland Security the capability to reallocate personnel within this mandate that we are giving is also the right thing to do, just as we should be allocating our resources for homeland security based on terror threats, based on needs, not based on politics or anything else. We need to secure our homeland, and we need to do it in a professional way. I think this bill goes a long way in a very bipartisan spirit toward giving our Department of Homeland Security the tools it needs to do the job. I am very hopeful we will be able to agree to my amendment and go forward to conference and send this bill to the President very shortly.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I think we are now ready to order the yeas and nays.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays on my amendment No. 4931.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Ms. COLLINS. We are still not ready for the timing on that, but we have ordered the yeas and nays, and I hope we will be able to stack the vote to occur immediately after the conclusion of the vote on the amendment of the Senator from New Jersey.

Mrs. HUTCHISON. 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.

Mrs. FEINSTEIN. I ask unanimous consent the order for the quorum call be rescinded.

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

The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, before I make my statement, which will be on the Reid amendment, I would like to congratulate Senator COLLINS, Senator INOUYE, Senator MURRAY, and all of the Members who worked in committee on this bill. Although one doesn't often tell tales of what happened in a Democratic caucus, I would like to quote Senator MURRAY in that caucus. She said, ''This bill will make a difference.''

I think that is a very dispositive, definitive, and positive statement. So I would like to offer my congratulations to the chairman of the committee and all who worked on it and thank them very much.

AMENDMENT NO. 4936

Mr. President, I would like to speak about this very long Reid amendment which has been offered to be part of this bill. The amendment, much like the Real Security Act introduced last week, is a comprehensive package of ways to strengthen our national security through improved intelligence, military, diplomatic, and homeland security tools. But in particular I would like, as a member of both the Judiciary Committee and the Intelligence Committee, to address the issue of electronic surveillance to identify and prevent terrorist attacks.

All Democrats support giving the President the tools he needs to find the terrorists before they have a chance to strike us again. This cannot be said too many times in too many ways. It is a fact, and I have never heard anything to the contrary.

We also agree, though, that these intelligence tools, especially electronic surveillance of telephone content—the content of a phone call or wiretapping of a phone call—can and should be done in a way that protects constitutional and privacy rights of all Americans, because whatever is done here will go on for decades and because whatever is done here will likely impact tens of thousands of persons in the United States.

I am pleased that the minority leader has endorsed these concepts, as they are the key pillars of legislation that Senator SPECTER and I have introduced. That is the Foreign Intelligence Surveillance Improvement and Enhancement Act. I thank the minority leader for ''Rule 14'ing'' my bill, which now appears as the Feinstein-Specter bill as hotlined, S. 3877.

Tomorrow in Judiciary we will be marking up FISA bills. This same bill but under a different bill number, namely S. 3001, will be subject to markup along with the other bills. Senator SPECTER's Administration bill, Senator DEWINE's bill, and a bill by Senator SCHUMER will be marked up tomorrow morning and Thursday morning.

My legislation, which is pretty simple and pretty limited, is aimed at providing our intelligence agencies with more authority, more resources, and more flexibility to conduct electronic surveillance. In doing so, the legislation reaffirms that the Foreign Intelligence Surveillance Act of 1978, or FISA, is the exclusive means for conducting electronic surveillance to collect foreign intelligence in the United States. I believe this is very important.

We have had hearings in Judiciary. The Attorney General has testified. The head of the NSA program has testified. It is pretty clear to me that this terrorist surveillance program can be fit into the confines of the Foreign Intelligence Surveillance Act passed in 1978. What has to be done is a streamlining of the process leading up to it and some revised provisions for emergency hot pursuit. So what I have tried to do is take what the Attorney General has said to the committee were obstructions to using FISA and solve those obstructions but keep FISA because it is so important.

The legislation that I have introduced would recognize that further changes are needed in this shadowy world of asymmetric terror. That is why the legislation would give the executive branch the authority to listen in to conversations between terrorists and their conspirators inside and outside the United States.

At the same time, we preserve the cornerstone of FISA, and that is that it is by warrant, that a Federal judge reviews and approves every individual warrant request for content to ensure the Government is not spying on innocent Americans.

I think it is useful to remind ourselves why this body wrote and enacted FISA in the first place. In 1976 a committee headed by Frank Church, which became known as the Church committee, provided a report to the Select Committee to Study Government Operations with Respect to Intelligence Activities.

There are three books just like this, on what went on in our Nation prior to 1976. It is startling. I will get to it in a moment. But it was the genesis for the 1978, very carefully considered Foreign Intelligence Surveillance Act.

This committee reported—and please read it, Members—on a series of excesses and abuses that had taken place in the intelligence community. These included some of the worst civil rights violations our Government has ever committed, such as the secret campaign to smear Dr. Martin Luther King, Jr., and domestic targeting of Americans peacefully advocating civil disobedience in areas such as civil rights and opposition to the Vietnam war.

The Church committee found these abuses stemmed from a lack of oversight and checks on Government power. Watch lists were established on people whose views ranged from Joan Baez on the left to members of the John Birch Society on the right.

The Church committee's report led not only to FISA but also to the establishment of the Permanent Intelligence Committees in both Houses of the Congress. It was a historic report.

So discussions today that the President has the authority to go around FISA and doesn't need court approval should cause Members of this great body serious concern. It was a surprise to almost every Senator to learn last December that the President had authorized the National Security Administration to electronically surveil U.S. persons without following the law.

As a member of the Intelligence Committee, I have received many briefings on the President's program. There are still some unanswered questions, and the administration has a responsibility to provide Congress with answers. But basically the Senate Intelligence Committee has been briefed on the program in the main.

But from what I have learned to date, I am convinced of two things: First, the work that NSA is doing is important to prevent terrorists from attacking us again—and I support it. Second, the surveillance that is done under the ''terrorist surveillance program'' can be done under FISA's framework with some changes. As a member of the Judiciary Committee, I participated in the hearings, and I thank my chairman, Senator SPECTER, for holding these hearings.

The conclusion I draw from them, and from the briefings, is that fairly modest changes can be made to FISA which would remove the barriers standing in the NSA's way while also restoring the FISA Court oversight that is necessary to protect a citizen's constitutional right.

Let me briefly tell you what we have done.

We have expanded hot pursuit. Currently, the law states that during specified ''emergency'' periods surveillance can proceed without a warrant for 72 hours. At the recommendation of former FISA judges, we have extended the time for hot pursuit to 7 days. So if something happens and the NSA wants to immediately wiretap someone, they can, provided they notify the Attorney General within 24 hours that it is happening, and then go to the FISA Court.

Attorney General Gonzales testified to us that he personally has to approve applications before they go to the FISA Court. That was a problem. So we created additional flexibility to handle the increased caseload by allowing the Attorney General to delegate this authority to two Senate-confirmed officials: the Deputy Attorney General, and the Assistant Attorney General for National Security.

Wartime authority: Currently, FISA provides the President with authority to wiretap without a warrant for 15 days after a declaration of war. That is a good thing, I believe.

Our bill would expand Presidential authority by allowing the President to also order wiretaps without a warrant for 15 days following a congressional authorization to use military force and a terrorist attack on the United States.

Additional resources: The staff and court need additional resources, and Members have expressed concern about a backlog of FISA applications. We would authorize additional judges as necessary, additional OIPR assistant United States attorneys as necessary, and additional NSA and FBI staff as necessary, so that this problem would be taken care of.

Then we clarify ''foreign to foreign.'' It has often been said that in the 28 years since FISA was written changes in technology have made the law outdated. Communications that start and end outside of the United States but may switch through the United States—communications that FISA never attempted to cover—are now regularly put before the FISA Court.

General Alexander expressed his frustration that foreign-to-foreign communications impede the FISA process.

This bill—which again has been ''Rule 14'd''—would explicitly exempt these telephone calls and e-mails from FISA while preserving the existing process for the appropriate handling of communications involving a U.S. party that were inadvertently wiretapped.

We believe these provisions will go a long way. We also would mandate that briefings on electronic surveillance conducted for foreign intelligence purposes be given to the full Intelligence Committee of both the House and the Senate, really to prevent what was happening, which was the beginning of a major wiretapping program where only eight Members of Congress knew very early on about the program, and therefore there was virtually no congressional oversight that was meaningful in any way, shape, or form.

In this bill is a two-page sense of the Senate beginning on page 313 of the Reid amendment and going through pages 314 and 315. Essentially, it states up front that the U.S. Government should have the legal authority to engage in electronic surveillance of any telephone conversation in which one party is reasonably believed to be a member or an agent of a terrorist organization.

It goes on to say that absent emergency or other appropriate circumstances, domestic electronic surveillance should be subject to judicial review in order to protect the privacy of law-abiding citizens or Americans with no ties to terrorism.

I strongly support the Reid amendment. I support the Sense of the Senate. And I look forward to being able to debate the bill which Senator REID has agreed to cosponsor, as well as Senator SPECTER—it is a bipartisan bill—at the appropriate time when bills to change the Foreign Intelligence Surveillance Act are before the body.

I thank the Chair. I yield the floor. Once again, I indicate my very strong support for the bill before the U.S. Senate today.

Thank you, Mr. President.

Ms. COLLINS. Mr. President, I ask unanimous consent that a vote in relation to the Hutchison amendment No. 4931 occur following the vote on the Lautenberg amendment, No. 4940, with no second degrees in order to either amendment prior to the votes, and 2 minutes of debate equally divided between the managers or their designees before each vote, and that this occur at 5 o'clock.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Ms. COLLINS. Thank you, Mr. 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.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to set aside the pending amendment and call up the Murray amendment No. 4929.

The PRESIDING OFFICER. That is the pending amendment.

Mrs. MURRAY. Mr. President, is my amendment now pending?

The PRESIDING OFFICER. The amendment is already pending.

AMENDMENT NO. 4929

Mrs. MURRAY. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 4929), as modified, is as follows:

At the appropriate place, insert the following:

SEC. _____. COBRA FEES.

(a) EXTENSION OF FEES.—Subparagraphs (A) and (B)(i) of section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A) and (B)(i)) are amended by striking ''2014'' each place it appears and inserting ''2015''.

Mrs. MURRAY. Mr. President, this is an agreed-upon modification to the amendment I spoke to this morning regarding the funding for port security.

As I said this morning, it makes sure that we have adequate resources to implement the port security bill, and that is essential to its success. We have worked out an agreement with Finance, and that amendment is pending. I hope we can move quickly and agree to it.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I rise in support of Senator MURRAY's amendment. I commend her for offering it. Each year, U.S. Customs and Border Protection collects more than $24 billion in Customs duties and fees.

The amendment would extend the merchandise processing fee and passenger conveyance fee for an additional year, and our hope is that that money will then be targeted to pay for this bill. This makes sense. In many ways, it is a user fee. It makes a great deal of sense. It will help ensure that there is a dedicated funding source for the security measures.

I point out again that the amendment has been cleared with the Finance Committee. Senator MURRAY has worked hard with Senators GRASSLEY and BAUCUS to find the source of funding. I commend her for her efforts. I fully support the amendment and I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 4929), as modified, was agreed to.

Ms. COLLINS. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENT NO. 4936

Mr. REED. Mr. President, I rise today to discuss Senator HARRY REID's amendment, the Real Security Act. This is a comprehensive plan for making our Nation safer and making true progress in the war on terror.

I would argue that despite continued upbeat assessments by the President, there is growing evidence that we need to change course—not cut and run, but change course, regroup, and reassess our progress in Iraq, in the global war on terror, and in the area of homeland security. I believe an evaluation would lead to the realization that changes need to be made and that a step in the right direction would be to implement measures that are included in Senator REID's amendment.

I would like to focus on just a couple of aspects of Senator HARRY REID's proposal, which is entitled the ''Real Security Act,'' those dealing particularly with Afghanistan and Iraq.

Reports indicate that we may be losing ground in Afghanistan, the initial proper focus of the war on terror. Afghanistan was the locale of the Taliban. They were aiding and abetting al-Qaida and bin Laden, and we, by unanimous approval of this Congress and the Senate, gave the President the authority to launch offensive operations there. Those operations were successful. But then, before the entire success was secured, the focus of this administration turned away to a pre-9/11 project: regime change in Iraq.

In the intervening years, we have lost ground in Afghanistan. The Taliban has regrouped and rearmed, and this spring they mounted the toughest resistance since 2001. Suicide attacks, which once were unknown in Afghanistan, have more than doubled this year.

Almost 5 years after the U.S. invasion, only half the money pledged by the international community to rebuild Afghanistan has been delivered and effectively spent. As Afghanistan's Ambassador to the United States has said:

> We will not be able to stabilize the country if we don't build up the domestic security forces and have development in the countryside. Had we invested more in development, we would have less security problems today.

I have traveled to Afghanistan on a number of occasions. One of the problems we have is moving outside of Kabul, the capital, and creating a governmental presence, an Afghani governmental presence, in the countryside. We are trying vigorously to disrupt the production of poppies and opium, but that is hard in a society in which that cash crop is easy to move around, and it is quite lucrative. It is harder to move around other agricultural staples because there are no roads and irrigation is difficult.

If we had, as the Ambassador suggested, focused more resources and attention more promptly on development, we might have a much more benign climate in which to deal with a resurgent Taliban.

Without viable alternatives, there are scores of problems in Afghanistan. Sixty percent of the country is still without electricity, 80 percent is without potable water, and the unemployment rate is 40 percent. These are features which tend to support angry, disappointed young men, particularly, who are easy targets for those fanatics who would try to sway them into attacking security forces of both the Afghani Government and the United States. Without viable alternatives in terms of jobs and economic progress, it is easy to see how some turn to growing poppies, to providing support for this underground economy. According to the United Nations, Afghanistan just produced a record poppy crop, enough for 6,100 tons of opium—one-third more than the world's demand for heroin. These harvests fund the Taliban fighters who fuel the fighting in Afghanistan and terrorists around the world.

Section 301 of Senator HARRY REID's amendment calls for a long-term commitment to Afghanistan, focusing on economic and developmental assistance, along with security assistance. That is the right plan.

I have had the occasion to visit with our commanders in the field, and we asked them about additional forces, and we asked them about additional military hardware. They will say: We could use that, but I can tell you something we know we need right now; that is, economic development to give the people of Afghanistan confidence in their Government and hope for the future. Confidence and hope is one of the best anecdotes to the kind of regime the Taliban is trying to impose again in Afghanistan.

Last night, as he addressed the Nation, President Bush stated:

> The safety of America depends on the outcome of the battle in the streets of Baghdad.

Two weeks ago in Salt Lake City, the President said:

> America has a clear strategy to help the Iraqi people protect their new freedom and build a democracy that can govern itself and sustain itself and defend itself. . . . We will stay the course.

Yesterday, the Government Accounting Office, in testimony before the House Committee on Government Reform, provided a grim assessment of the Iraq security situation. GAO found, in their words:

> Since June 2003, the overall security conditions in Iraq have deteriorated and grown more complex, as evidenced by increased numbers of attacks and Sunni/Shia sectarian strife which has grown since the February 2006 bombing in Samarra. Attacks against

the coalition and its Iraqi partners reached an all-time high during July 2006. The deteriorating conditions threaten the progress of U.S. and international efforts to assist Iraq in the political and economic areas.

A New York Times story yesterday entitled ''Deal on a Constitution for Iraq is Teetering'' details how Shia and Sunnis failed once again over the weekend to reach an agreement on changes to the Constitution which would allow for a truly inclusive government.

Also yesterday, the Washington Post reported that on August 16, COL Pete Devlin, the Marine Corps chief of intelligence in Iraq, filed a classified report about Iraq's Al Anbar Province, which includes the cities of Fallujah and Ramadi. This province borders Saudi Arabia and Syria.

Colonel Devlin has been stationed in Iraq for 7 months and is considered by his fellow officers to be one of the best who is ''careful and straightforward.'' An army officer in Iraq familiar with the report says he considers it accurate. ''It is best characterized as 'realistic,'' he said.

This report, while one of the first negative reports filed by a military officer, echoes several years of pessimistic CIA assessments of the province. The report is classified, so there are no direct quotes; however, those who are familiar with the report state that the assessment is dire. As the Washington Post summarized:

> One Marine officer called it ''very pessimistic.'' Another person familiar with the report said it describes Anbar as beyond repair; a third said it includes that the United States has lost in Anbar.

The document reportedly states that there are no functioning Iraqi Government institutions in Anbar, leaving a vacuum that has been filled by the insurgent group al-Qaida in Iraq, which has become the province's most significant political force.

One Army officer summarized the situation in Anbar province with the following:

> We haven't been defeated militarily, but we have been defeated politically—and that's where wars are won and lost.

I visited Fallujah in March 2005 with General Abizaid. At that time, there was one State Department official there and no representatives from other agencies. That State Department official was tired and overworked. He was doing a remarkable job, both in terms of exposing himself to dangers and working tirelessly to try to give a political mentoring to the Iraqi authorities. He was desperate for assistance. At that time, he said he didn't think there was another big fight in Iraq unless the politics broke down and that it was a big year for politics. Clearly, more civilian assistance was key. My first visit was in 2005. I revisited the province this July. That same State Department official was still there, still doing a remarkable job, and still weathering the dangers and putting in the long hours to try to make a difference. Sixteen months since my last visit, and he was still the only civilian representative in Fallujah. He was even more tired. He said he believes the Marines have accomplished all they can reasonably be expected to accomplish. They are quickly running out of a mission. He felt it was time to see if the Iraqi forces could perform without the Marines, if the Iraqi Government could support their troops in the field and whether sectarian divisions were so acute that they would prevent the Iraqis from forging even minimal political cohesion. In his view, the United States was currently in a holding pattern, delaying the inevitable day when the Iraqis must step forward and, in the meantime, our forces are suffering additional casualties.

These are the views of those on the ground in Fallujah, and they are representative of a larger problem this administration has had since the beginning of the war in Iraq. There was simply no postwar planning. While this administration has been focused exclusively on our military forces in Iraq, the reconstruction of the Iraqi infrastructure and economy has been virtually ignored. Iraqi reconstruction funds have been depleted with only a fraction of needed projects completed. The ability of the United States to aid in ministerial capacity building is hobbled by the lack of U.S. civilian experts in Iraq. In fact, because of the shortage of appropriate civilian advisers, the military is providing personnel on a case-by-case basis to help mentor civilian ministries.

Clearly, the lack of emphasis on reconstruction is having a dire effect on progress in Iraq. Tired of 3 years without adequate security or services, Iraqi professionals are leaving the country. Those who remain do not trust or feel invested in the new Government. Frustration with services and lack of employment opportunities means angry young men join militias instead of supporting their Government. Lieutenant General Chiarelli, Commanding General of the Multi-National Corps of Iraq, told me in July that unless we devote renewed attention and additional resources to the economic reconstruction of Iraq and the development of governmental capacity, the emergence of capable Iraqi forces will not be decisive. We can train an Army, but unless we have the ministries to support that Army, unless we have a police system and a judicial system that can give individual Iraqis a sense of both security and the hope of justice, simply having an Iraqi Army in the field will not be decisive to the ultimate challenge of stabilizing Iraq.

I, and many of my colleagues, have made it clear to the administration that several steps can and should be taken immediately to address this situation.

The administration should secure fulfillment of international pledges to provide economic support to Iraq. We are spending billions and billions of dollars a month. The American people cannot indefinitely spend this kind of effort without support from our international partners. We cannot meet all of the demands for reconstruction. In fact, we should insist, and this Government should be effective, in securing the already pledged funds, so that at least we have another chance—and maybe we can do it right this time—to rebuild the infrastructure of Iraq to a point at least that individual Iraqis feel they will have a minimal amount of electricity, hopefully, more than that; that they will feel secure in terms of access to health care and to those things that give them the sense that their Government can succeed, and they should risk, in some cases, their lives to make that Government succeed. That is not the situation today in Iraq.

The administration should work with Iraqis to create a master list of necessary reconstruction projects with estimated funding and timelines. Funding for such projects should be a priority in the President's budget. We invested a lot of money, and we made a lot of contractors rich by building huge projects. General Chiarelli has been quoted several times talking about a huge water project in Sadr City was a model of engineering. There was only one problem: There was no distribution system, so it became the largest and most expensive water fountain in the world. He took his own resources, as a division commander, took some PVC piping and at least got some water out into the neighborhoods. That is the type of project that will make progress in Iraq.

Time is running out. We have to refocus ourselves on these types of efforts. We should assign these projects to the military, the Army Corps of Engineers, USAID, and private contractors, but we have to make sure that these private contractors are willing to go out and do the work, not simply to bill for the work. We have examples where scores of health clinics were supposedly built, and it has been discovered that those health clinics have not been built, and those that have, the few, are inadequate. In fact, I have seen films, videos of raw sewage in the operating rooms of the supposedly new and improved health clinics.

The administration should work with the Iraqis to establish target efforts to increase employment in order to provide young men an alternative to joining the militia. One of the things that is being done now on a neighborhood-by-neighborhood basis under the leadership of General Chiarelli is, after securing the neighborhood, now we are moving in, searching, taking out the weapons, trying to disrupt the cells of terrorists and others but then putting people to work with simple tasks, such as picking up trash and giving them some money, giving them a sense of hope, and improving the environment in these communities. We have to do more of that: putting people to work.

The administration should provide increased incentives and funding to attract large numbers of volunteers from the Department of State, Agriculture, Justice, and Commerce to serve in Iraq. The President is fond of reminding the American people that we are a country at war. But this is not an administration at war; it is a Department of Defense at war. We are seeing soldiers and marines sent back to Iraq for the third time and some for the fourth time. But where is the mobilization of all of our power, our State Department experts, our agriculture experts, our Justice Department experts? That is the great fight we are facing today in Iraq. The military, through the loss of lives and through the wounded of so many Americans, are buying this Government the time to work with the Iraqi Government to build capacity, to build infrastructure. But we are not using that time because, once again, despite the President's claim that this is a Nation at war, this is not an administration at war. And until we mobilize all of our resources, we are not going to be able, I think successfully, to meet the challenges of stabilizing Iraq.

Last year, the Secretary of State talked about provincial reconstruction teams which would be spread throughout Iraq. So far, we have not fully deployed sufficient numbers of these teams to do the job. It made for a good speech line last fall. It hasn't happened yet, and it is overdue.

Section E of Senator REID's amendment calls for a new direction for Iraq and expresses the sense of Congress that Iraq should work for an inclusive government and disarm the militias, diffusing the sectarian violence. These militias are becoming a critical and dangerous aspect of the situation in Iraq, and unless the Iraqi Government is able to deal with these militias successfully, the Iraqi Government will be compromised and incapable of effectively governing their country.

Today, and for the last 2 days, we have been looking at a situation where the Iraqi Assembly is debating whether they want to regionalize the country—break it up. Shia representatives, led by Hakim and the Badr organization, are pushing for a legislative approach that will essentially provide the southern part of Iraq and the northern part of Iraq with their autonomy, leaving the center autonomous but desperately poor. It is raising the fears of the Sunni community. But the battle is between not just Sunnis and Shias but within the Shias because, on the other side, Moqtada al-Sadr and his militia are urging that the regionalization plan be dropped. This is what is going on in Iraq. It is not international terrorists plotting to attack us from there; it is the sectarian struggle for power of who will run that country, and we are caught in the middle of it.

That is why Senator HARRY REID's proposal is so sensible. It talks about redeploying our forces, reinvesting again and is perhaps the last chance we will get to provide the Government of Iraq with the tools and the mentoring so that they can provide their people with basic services and basic security.

I hope we can rally around and support this amendment because it represents not only a strong policy for America but a smart policy for America. I hope that when Senator REID's proposal comes up for a vote, it is supported. It is one thing to go around the country and make speeches about staying the course, and it is something else to provide the resources, to provide the support, to provide the relief for our military that will give them a chance to succeed and give the Iraqis a chance to succeed. So I urge passage, when it is called for a vote, of the Harry Reid amendment.

Mr. President, I yield the floor.

Mr. BYRD. Mr. President, the Senate is now considering a long overdue—a long overdue—authorization bill to address the security of our ports—yes, our ports. I applaud the efforts of Senators LIEBERMAN, STEVENS, INOUYE, MURRAY, COLLINS, and many others for their steadfast commitment to address this vulnerability.

The administration has let the issue of port security languish for far too long—far too long. Oh, yes, the President has made a series of speeches in recent days about the threat to the homeland and the great desire and capabilities that al-Qaida possesses to attack us—yes, to attack us, the United States. Yet when one reviews the President's homeland security budget, gaping holes can be found in funding to address known vulnerabilities. After 9/11, we learned that our first responders could not communicate with one another. How about that. We learned that our first responders could not communicate with one another. How awful that was. The cost was lives, human lives.

It now appears that we have a similar problem in the White House, where the administration's speech writers and its budget writers don't communicate. They operate in alternate worlds—worlds far apart.

In his speech last Friday at Georgetown University, Homeland Security Secretary Chertoff urged Congress to pass this port security legislation. He said that passing the bill:

> Would be not only a fitting tribute to the fifth anniversary of 9/11, but would also be an important set of tools that we can use in achieving the goal that we have set for ourselves over the next couple of years.

Now, this is the very same rhetoric and, if I may say, it is the very same hot air that we have been listening to and we have been hearing for 5 years—5 years. Yes, we have been listening to it for 5 years, the same rhetoric, the same hot air that is used for lifting balloons, lifting balloons into the heavens.

The administration, time and time again, uses tough talk when it comes to homeland security, but, sadly, that tough talk rarely is followed up with real money, cash on the barrelhead.

This month the majority leadership is once again playing a clever rhetorical game with homeland security. The port security bill that is before the Senate authorizes $400 million for port security grants. These grants would provide essential resources to our most vulnerable ports for building fences, deploying cameras and sensors, training security personnel, and for verifying the identity of the thousands of port workers who access our ports every day.

The House-passed bill which authorized the same $400 million level was adopted by a vote of 421 to 2. But, I ask my colleagues, where, oh where is the $400 million? Where is it? Right now, the Senate and House are conferencing the Homeland Security appropriations bill for fiscal year 2007. The Senate-passed version of the bill includes an amendment that I offered with the support of my illustrious, inimitable chairman, JUDD GREGG, which provides an additional $648 million for port security. The amendment would appropriate the full $400 million authorization for port security grants along with critical funds for cargo container inspection equipment, for Coast Guard ships and planes, and for increased cargo inspections at foreign and domestic ports. That is real port security, but—oh, there is that conjunction here—but, regrettably, the House majority has refused to make the $648 million available to the conference. What a sad state of affairs.

Our citizens watching the Senate today are being led to believe that this bill will secure our ports. Here it is:

> H.R. 4954, an Act to Improve Maritime and Cargo Security Through Enhanced Layered Defenses, and for other purposes.

They believe this bill will secure our ports. Here is the bill. It doesn't weigh very much, but it means security for our ports. However, it will be a charade if the port security funds are not appropriated. How about that? Money. What does the Bible say about money? The love of money, what does it say about it?

Did the White House step to the plate? How about it? ''Hey, Mr. President—hello there, down at the White House.'' Did the White House step up to the plate to address security risks at our ports? No. No. One of the hardest words in the English language to say: No.

If the administration were really serious about port security, it would have voiced support for the $400 million in the Senate bill for security grants. Yet there was not one mention of port security in the administration's letter—not one mention. It has been more than 3½ years since the Coast Guard estimated that the security cost at our ports would be $5.4 billion.

Senator COLLINS, bless your heart, to date not a cent of that amount has been funded despite the fact that U.S. seaports handled over 95 percent of U.S. overseas trade.

Last year, the Department of Homeland Security was able to fund only 24 percent of the critical projects requested by the port authorities. These funds are critical, absolutely critical for ports to improve communications, access control systems, and provide waterside security. Where, oh where has the administration been? ''Where, oh where has my little dog gone?'' Where has the administration been?

Of the $816 million the Congress appropriated since 9/11 for port security, only $46 million was requested by the President. Did you get that? Let me say it again. Of the $816 million the Congress appropriated since 9/11 for port security, only $46 million was requested by the President. There is an odd disconnect at the White House when it comes to port security funding.

While I applaud the efforts of my colleagues today for moving this authorization legislation forward, and hopefully to the President's desk, authorizations of funding are not worth a hill of beans unless we provide real money, real dollars to fund them. That funding is in jeopardy. Why? That funding is in jeopardy due to an irresponsible indifference from the White House and objections from the House majority.

I challenge the White House—yes, come on now—I challenge the White House and the majority, not only to talk the talk on port security but also to walk the walk by supporting the funding that will actually make us safer. Our ports are seriously vulnerable to a terrorist attack. Potentially, thousands of American lives are at stake. Think about it. If we are truly determined to tighten security at our ports, we should send the Homeland Security appropriations bill to the President with the $648 million to fund port security.

My amendment includes the funding to address many of the provisions in this bill that are being debated today. In addition to port security grant funding, my amendment includes $40 million to hire 354 additional Customs and Border Protection officers to conduct cargo container inspections at our seaports and $211 million to purchase additional nonintrusive inspecting equipment for U.S. seaport and rail border crossings.

There you have it. Currently, only 5 percent of the 11 million containers entering the United States are physically inspected by opening—take a look at it by opening the containers. Only 5 percent of the 11 million containers entering the United States are physically inspected by opening the containers.

The Coast Guard has only 34 inspectors to review security plans at foreign ports. Of the 144 countries that conduct maritime trade with the United States, the Coast Guard has assessed security at only 59.

I have to say that again. I have a duty to say that again. Of the 144 countries that conduct maritime trade with the United States, the Coast Guard has assessed security at only 59—59 out of 144. At the current rate of inspections, U.S. inspectors will visit countries that trade with the United States only once every 4 years. Does that make you feel safer? Think about that tonight when you are laying your head on the pillow. Think about that.

My amendment includes $23 million to double the presence of inspectors at foreign ports and increase security compliance checks at domestic ports.

Finally, my amendment includes $184 million for Coast Guard deepwater assets that are critical to securing our ports and surrounding waterways. These funds will allow the Coast Guard to address an immediate shortfall in boats and planes needed to patrol our ports and adjacent waterways. The President and Members of Congress may applaud each other and congratulate themselves for protecting lives with this port security authorization bill, but the truth of the matter is that this bill will do little to secure our ports if the President and those same Members of Congress do not provide the money—there you go again—the money to actually scan for dirty bombs, inspect containers, and implement the security systems that are so desperately needed. What on Earth is wrong?

Can we please stop playing these dangerous political games with homeland security and actually come together to protect the precious lives of people?

Unless we provide the funding authorized in this bill, we will be playing fast and loose with the security of our people.

Hear me. Hear me now. I say it again.

Unless we provide the funding authorized in this bill, we will be playing fast and loose with the security of our people.

I yield the floor.

Ms. COLLINS. Mr. 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

AMENDMENT NO. 4937

Mr. DORGAN. Mr. President, I previously offered an amendment to the pending bill. My understanding is it will likely be accepted. I did not have a chance to speak at any length on the amendment. I want to do so now. I recognize we have a vote in about 10 minutes. I will be mindful of that.

The amendment which I offered says that our U.S. trade officials will be prohibited from agreeing to any future trade agreement that would preclude the Congress from blocking the takeover of a U.S. port operation by a foreign company. I offered this amendment in the shadow of this morning's announcement that our monthly trade deficit—get this—was the highest in U.S. history. It was announced this morning—$68 billion in 1 month.

If anyone needs additional information about the failure of our trade strategy and the failure of this so-called ''free trade'' nonsense we have been hearing around here, take a look at this morning's announcement—$68 billion trade deficit in 1 month.

Mr. BYRD. Shame.

Mr. DORGAN. This is not money we owe to ourselves. That is money we owe largely to Japan, and China, and other countries and will be repaid someday with a lower standard of living in this country.

I offer this amendment dealing with trade as a backdrop to this morning's announcement of the highest trade deficit in history, a trade strategy fraught with error—and this is injuring this country.

Let me describe the need for this amendment.

You might recall that earlier this year it was announced that Dubai Ports World was going to begin to manage a number of ports in this country. Dubai Ports World, in February of this year, indicated that they were going to manage ports in America in New York, New Jersey, Baltimore, Philadelphia, New Orleans, Miami, and some others. Dubai Ports World is a company that is operated by the United Arab Emirates.

In February of this year, the Bush administration gave the green light to Dubai Ports World, a company owned by the United Arab Emirates, to manage these American ports. The President said that he felt it was fine for our ports to be managed by a company owned by the United Arab Emirates.

In fact, when a firestorm erupted over this issue, here is what the President said, brushing aside objections from Republicans and Democrats alike. President Bush endorsed the takeover of shipping operations in six major U.S. seaports by a state-owned business in the United Arab Emirates. The President pledged to veto any bill Congress might approve to block the agreement.

Even more than that, the head of Homeland Security, Mr. Michael Chertoff, strangely enough said this: Homeland Security Secretary Michael Chertoff reported yesterday that the proposed takeover of terminal operations at five U.S. ports by Dubai Ports World would give U.S. law enforcement a better handle on security at U.S. terminal operations.

Here is a member of the Cabinet in this country saying that if we turn our port management over to a foreign company, it will actually improve security.

I don't know what he might have had for breakfast that morning, but I am telling you it didn't agree with his thinking process. It is going to improve security to turn the management of American ports over to a company that is owned by the United Arab Emirates? I don't think so.

There was a firestorm of protest. The President said he would veto any legislation that we would provide that

stopped this takeover of management of these American seaports. Despite that, at some point, it was quite clear the Congress was going to say to the President—Republicans and Democrats—we are sorry. It doesn't matter what you threaten with respect to a veto, we will pass legislation that prohibits this.

We believe the security of our seaports is best maintained by not turning the management of our seaports over to a company owned by the United Arab Emirates. Dubai Ports World, at some point, announced that they were going to find another way to do this and sell their interests. My understanding is that has not yet been done. But in any event, the administration backed away.

However, the trade agreements that we are negotiating now include it. Past agreements have included it. I don't intend to interrupt that with this amendment. If I could, I would. But I don't have the votes to do that.

But the trade agreements say this, including the Oman agreement, which I am told will be brought to the floor of the Senate on Thursday of this week. I intend to speak at some length on that agreement. I am opposed to it. But it includes this provision, and other trade agreements have included the same provision. U.S. port operations that we couldn't block Oman from acquiring under the FTA, under our Free Trade Agreement with Oman, we would be prohibited from blocking an agreement that included landside aspects of foreign activities, including operations and maintenance of docks, loading and unloading of vessels, directly to or from land, marine cargo handling, ship cleaning, et cetera. In point of fact, we are negotiating trade agreements that include provisions which say we are not able to block a foreign company owned by a foreign country from coming in and managing our seaports.

That is what we are doing in trade agreements. Most of our trade negotiators have been fundamentally incompetent from the start.

It was Will Rogers who said many decades ago that the United States of America has never lost a war and never won a conference. He surely must have been talking about our trade negotiators. They don't wear uniforms so they do not remember whom they represent. I have often threatened to buy them jerseys so they can look down and see whom they represent—the good old U.S.A.—just like Olympic athletes represent the U.S.A.

We negotiate trade agreements that we are told will strengthen this country, and month after month and year after year we sink deeper into this abyss of red ink, with now a $68 billion trade deficit in the last month alone.

Is it surprising then that the same incompetence that has led to the largest trade deficit in history—the same incompetence that lead to that—led them to do this, to undermine the very debate we had in February of this year about the management of American ports by a United Arab Emirates-controlled company, Dubai Ports World?

Just as an aside, let me describe the incompetence. Let me describe one example. I could give a hundred. Next year, according to a report, we will be getting imports of Chinese cars into this country because the country of China is now beginning a substantial automobile export industry. They have announced they will begin exporting cars from China to the United States next year. So we will be able to see Chinese cars driving up and down the streets of America. Guess what. Our trade negotiators agreed that when Chinese cars come into our country, we will impose a 2.5-percent tariff on Chinese cars that come into the United States.

We also agreed that any U.S. cars we could sell in China, they could impose a 25-percent tariff.

A country with which we had a $200 billion trade deficit, we agreed they could impose a tariff on automobiles 10 times higher than the tariff we would impose.

Is that brain dead? It is where I come from. Is that incompetence? It is incompetence in my hometown.

That doesn't represent our country's interests.

We come back to the point. I could give you a hundred examples similar to that, where soft-headed foreign policy is masquerading as trade policy.

We come back to the newest trade agreements, including Oman, which we will have on the floor of the Senate next Thursday which includes this provision. It is identical to provisions that are included in previous agreements as well.

I say we ought to block this from ever occurring in any future free trade agreement. This provision undermines the entire position that we have taken with respect to deciding that it is not in our country's security interests to have the United Arab Emirates engaged in the management of our seaports.

For that reason, I believe we ought to pass the amendment I am proposing, prohibiting this from happening in the future. I would like to go back, frankly, and undo that which was done in previous trade agreements.

There is a little thing that people outside of this congressional system don't recognize very easily. It is called fast track. Fast track sounds so innocuous—just fast track.

Fast track means Congress has decided to give up its opportunity, which exists in the Constitution, to be engaged in trade activities so that when a trade agreement comes to the Congress, this Congress has no opportunity to review it with the understanding of wanting to amend it.

Fast track means we have put ourselves in the straight jacket and no amendments.

That is why, when a trade agreement comes to the floor of the Senate such as Oman—and there will be others. We are now negotiating nine additional trade agreements with nine additional countries right now. The House of Representatives announced they will take up two additional trade agreements in November. When those agreements come to the floor of the Senate, because the Congress, in its lack of wisdom, decided to put itself in a straight jacket, no one can offer an amendment to strip out this kind of provision of a trade agreement. It surely escapes my line of reasoning why the Congress would want to decide to limit its capability to improve a trade agreement, but it has.

Some will say, notwithstanding what trade agreements say, notwithstanding all the other issues, the President can, for national security reasons, decide to back an agreement such as this. Yes, that is true.

It was this President who said: I agree that we ought to allow the United Arab Emirates and Dubai Ports World to come in and manage seaports. I agree that we should do that. We have already evaluated it. It makes sense.

He is wrong about that, of course. His Secretary of Homeland Security says not only does it make sense, but it will make America safer if we have the management of America's seaports being done by a foreign company through a foreign country.

That is the most absurd thing I ever heard. Yet in this country, in this town, it passed with thoughtful debate. Again, it doesn't meet the test of thoughtful debate in my hometown cafe.

I am offering this amendment. My understanding is it will likely be accepted, for which I am very appreciative. I will speak more about the general subject when we have the opportunity to talk about the free trade agreement with the country of Oman. My understanding is it may be this Thursday.

I yield the floor.

Ms. COLLINS. Mr. President, the amendment offered by Senator DORGAN is a restriction on the U.S. Special Trade Representative's authority in negotiations. As such, it is under the jurisdiction of the Senate Finance Committee. However, it is my understanding that the chairman and the ranking member of the Finance Committee have no objection to acceptance of the amendment.

I urge acceptance of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 4957) was agreed to.

Mr. DORGAN. Mr. 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.

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

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

AMENDMENT NO. 4940

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided on the Lautenberg amendment.

Who yields time?

The Senator from Maine.

Ms. COLLINS. Mr. President, based on the debate that occurred earlier, I believe the distinguished chairman of the Commerce Committee has decided to accept this amendment and was willing to do it without a rollcall vote. However, the distinguished Senator from New Jersey wants a rollcall vote, so we are going to have a rollcall vote.

I do not know whether the Senator from New Jersey is on his way. I see that he is in the Chamber, so I yield the floor to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President as we are now prepared to consider the amendment, in the minute I have—which I assume is the time—I would like to tell everybody that the purpose of this amendment is to ask that we take the cap off the number of TSA screeners we can hire. The cap is 45,000. We have had it in legislation before, but the House insisted on the cap being continued. It is silly, when passenger volume on airlines, as of this point in the year is almost at the alltime high, and it is expected this year we will see the largest number of airline passengers in the history of the country.

We have these constant reviews to protect ourselves from terrorist attack from those who want to sabotage an airplane. So it is simple. Just remove that cap. Remove it and let the TSA figure out what to do with it.

The PRESIDING OFFICER. The Senator's time has expired.

All time has expired.

The question is on agreeing to the Lautenberg amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Rhode Island (Mr. CHAFEE).

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

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

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 241 Leg.]

YEAS—85

Alexander	Bond	Chambliss
Allard	Boxer	Clinton
Allen	Brownback	Cochran
Baucus	Bunning	Coleman
Bayh	Burns	Collins
Bennett	Byrd	Conrad
Biden	Cantwell	Cornyn
Bingaman	Carper	Dayton
DeMint	Kennedy	Reed
DeWine	Kerry	Reid
Dodd	Kohl	Roberts
Dole	Kyl	Rockefeller
Domenici	Landrieu	Salazar
Dorgan	Lautenberg	Santorum
Durbin	Leahy	Sarbanes
Feingold	Levin	Schumer
Feinstein	Lieberman	Sessions
Frist	Lincoln	Shelby
Graham	Lugar	Smith
Grassley	Martinez	Snowe
Hagel	McCain	Specter
Harkin	McConnell	Stabenow
Hatch	Menendez	Stevens
Hutchison	Murkowski	Talent
Inhofe	Murray	Vitter
Inouye	Nelson (FL)	Warner
Isakson	Nelson (NE)	Wyden
Jeffords	Obama	
Johnson	Pryor	

NAYS—12

Burr	Ensign	Sununu
Coburn	Enzi	Thomas
Craig	Gregg	Thune
Crapo	Lott	Voinovich

NOT VOTING—3

Akaka	Chafee	Mikulski

The amendment (No. 4940) was agreed to.

Mr. LAUTENBERG. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4931

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided on Hutchison amendment No. 4931.

Who yields time? The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to add Senators KYL and DEWINE as cosponsors of the amendment.

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

Mrs. HUTCHISON. Mr. President, I urge my colleagues to support this amendment. It increases the number of Customs and Border Protection officers by 275 for a total of 1,000.

In my home State of Texas, where the Port of Houston is the sixth largest port in the world, we have officers who have to leave the port at noon and go out to the airport. Because of this, we don't have enough officers to cover our ports.

This amendment will add just 275 officers for a total of 1,000 new officers.

I think this is an amendment that is very important to add for the overall security of our ports. I urge everyone to vote for it.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mrs. MURRAY. Mr. President, I yield back the time on the Democratic side.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Rhode Island (Mr. CHAFEE).

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—97

Alexander	Dorgan	McConnell
Allard	Durbin	Menendez
Allen	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Biden	Frist	Obama
Bingaman	Graham	Pryor
Bond	Grassley	Reed
Boxer	Gregg	Reid
Brownback	Hagel	Roberts
Bunning	Harkin	Rockefeller
Burns	Hatch	Salazar
Burr	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Cantwell	Inouye	Schumer
Carper	Isakson	Sessions
Chambliss	Jeffords	Shelby
Clinton	Johnson	Smith
Coburn	Kennedy	Snowe
Cochran	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Stevens
Conrad	Landrieu	Sununu
Cornyn	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wyden
Dole	Martinez	
Domenici	McCain	

NOT VOTING—3

Akaka	Chafee	Mikulski

The amendment (No. 4931) was agreed to.

Ms. COLLINS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate resumes action on the bill on Wednesday, the time until 12:15 be equally divided in the usual form and that at 12:15 the Senate proceed to a vote in relation to the Reid amendment No. 4936, with no second degrees in order prior to the vote.

Before the Chair rules, we anticipate a budget point of order against this amendment, and therefore this vote is likely to be on the motion to waive.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Ms. COLLINS. Therefore, Mr. President, although we are going to consider two more amendments tonight, there will be no more rollcall votes tonight.

AMENDMENT NO. 4935

Mr. CHAMBLISS. Mr. President, I rise today to urge my colleagues to support the amendment proposed by the Senator from Colorado, Mr. SALAZAR. My colleague from Georgia, Senator ISAKSON, and I are cosponsors and strong supporters of this measure which I believe fulfills a great need in rural America.

The amendment creates a policing institute that would be administered by the Office of the Federal Enforcement Training Center in Glynco, GA.

The creation of this office provides training for those who may not currently have access to it because it sends folks who are going to train our local law enforcement personnel directly into our rural areas. Our local communities have fewer resources and fewer folks on the payroll, so they really can't afford to do without men and women who may be called away for an extended period of time to undergo training.

There is no question—and I hear this whenever I travel around the State—that our local law enforcement in rural areas are called upon day in and day out in providing the nuts and bolts of criminal investigations and law enforcement. In many areas, increased crime and the scourge of methamphetamine drug trafficking have placed severe pressures on rural law enforcement capabilities. If we're going to call upon folks to do more, then we have to provide them with the resources they need to carry out their duties—and as a strong supporter of the criminal justice system this includes giving them access to the vital training they need.

In addition, these dedicated and hard-working professionals are also asked to prepare for different types of threats in our changing security environment. This amendment will greatly assist in their efforts.

I urge my colleagues to support this common sense, bipartisan amendment.

I yield the floor.

Mr. ISAKSON. Mr. President, I rise today as a cosponsor of the Salazar amendment—and I thank Senator COLLINS and Senator MURRAY for agreeing to accept the Salazar amendment—which authorizes a new Rural Policing Institute within the Office of State and Local Training at the Federal Law Enforcement Training Center in Glynco, GA. I am joined on my side by Senator CHAMBLISS and others as cosponsors and very much appreciate the acceptance of this important amendment.

Modeled after existing programs within the office, the rural policing institute would evaluate the needs of local law enforcement located in rural areas, and develop expert training programs designed to assist law enforcement in training regarding combating methamphetamine addiction and distribution, domestic violence, law enforcement response related to school shootings, and other topics.

By having a program whereby we can send instructors to these police departments rather then have them come to FLETC itself, we maximize our training capabilities and ensure that these officers are able to receive on the job training without reducing manpower.

This is a win-win for our law enforcement personnel, FLETC, and the American taxpayer. I urge passage of the amendment.

Mr. INOUYE. Mr. President, the managers on this side unanimously approve this measure and seek its support.

The PRESIDING OFFICER. Is there further debate on the amendment?

Ms. COLLINS. Mr. President, I am unclear whether the Salazar amendment No. 4935 is actually pending.

I do support the amendment offered by the Senator from Colorado, and the managers on this side are also pleased to recommend its acceptance.

Mr. President, I urge the adoption of the Salazar amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is agreeing to the amendment.

The amendment (No. 4935) was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4956

Mr. SHELBY. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY], for himself and Mr. SARBANES, proposes an amendment numbered 4956.

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

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. SHELBY. Mr. President, I rise today to offer the amendment that has just been referenced on behalf of myself and Senator SARBANES to the Port Security Improvement Act of 2006. This amendment is virtually identical to the Public Transportation Terrorism Prevention Act that the Banking Committee unanimously reported in November of 2005. In fact, the Senate passed an almost identical bill in the 108th Congress. I am hopeful that as we consider port security today, we can include this critically important legislation designed to help address the security vulnerabilities of our Nation's public transportation system.

The national dialog has appropriately been focused on aviation post-9/11, and this week port security is at the top of this agenda here in the Senate. In addition to these key areas, I believe it is imperative that we make transit security a priority, too. We know full well from the occurrences in Great Britain, India, and Spain that our buses, our subways, and rail systems across the country are attractive targets for terrorist attacks. The Public Transportation Terrorism Act before us now is an appropriate first step to address widespread needs, and it paves the way toward making transit safer for the traveling public.

The language in this amendment was carefully crafted and is a result of several hearings on this topic, review of two comprehensive studies by the American Public Transportation Association and the Government Accountability Office, and negotiations with key industry leaders. This amendment authorizes $3.5 billion in capital investment grants, operation security assistance, and research. While this is short of the $6 billion worth of needs identified by the industry, it is an important and necessary first step.

I thank those who have worked hard over the course of several years to produce a sound piece of legislation that will result in safer public transportation systems, particularly my colleague on the Banking Committee and former chairman, Senator SARBANES, as well as the chairman and ranking member of the Subcommittee on Housing and Transportation, Senators ALLARD and JACK REED. I also thank Chairman STEVENS and Senator INOUYE with the Commerce Committee for their steadfast support in this effort. In addition, I thank Chairman COLLINS and Senator LIEBERMAN with the Homeland Security Committee.

I ask unanimous consent that Senators ALLARD, BENNETT, SCHUMER, and BOXER be added as cosponsors of this amendment.

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

Mr. SHELBY. Mr. President, at the proper time I will urge adoption of the amendment, but I think Senator SARBANES wishes to speak.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I rise in very strong support of the amendment offered by the able chairman of the Senate Banking, Housing, and Urban Affairs Committee. While the need for improved security at our Nation's ports is clearly evident, we must not forget the other areas of our Nation's multimodal transportation network. The amendment Chairman SHELBY has offered would provide grants to our Nation's public transportation systems to help protect the millions of riders who use subway trains, commuter rail, and buses every single day.

This amendment is based on legislation that passed the Senate unanimously in the 108th Congress and legislation that has been reported out again by the Banking Committee in the 109th Congress. We must not wait any longer to pass this needed legislation.

If there is any question as to whether transit is at risk, one need only look at recent events. Less than 2 months ago, 7 coordinated bomb blasts devastated commuter trains in Mumbai, India, leaving over 200 dead and 700 injured. Last year, the London subway system was the target of a tragic attack that left 50 people dead, and in 2004, almost 200 people were killed when bombs exploded on commuter trains in Madrid.

Here, this past May, the Department of Homeland Security issued a specific warning to transit systems to remain alert against possible terrorist attacks. The warning said that four people had been arrested in separate incidents involving videotaping of European subway stations and trains or similar activity, which the Department noted

provides ''indications of continued terrorist interest in mass transit systems as targets.''

The threat is clear. In response, both the Federal Transit Administration and the Department of Homeland Security have worked with transit systems to identify steps that can be taken to help prevent and mitigate attacks. In fact, the greatest challenge to securing our Nation's transit systems is not a lack of knowledge of what to do, but rather, a lack of resources with which to do it. In the words of the Government Accountability Office, ''Obtaining sufficient funding is the most significant challenge in making transit systems as safe and secure as possible.''

In an editorial published shortly after the London subway bombings, the Baltimore Sun stated that, ''Since September 11, 2001, the Federal Government has spent $18 billion on aviation security. Transit systems, which carry 16 times more passengers daily, have received about $250 million. That is a ridiculous imbalance.''

I commend Chairman SHELBY and Senator REED of Rhode Island and Senator ALLARD of Colorado. We have all worked together on the Public Transportation Terrorism Prevention Act. As I mentioned, this legislation has now twice come out of the Banking Committee. It authorizes, as the chairman mentioned, $3.5 billion over 3 years in security grants for our Nation's public transportation systems. The money will be available for projects designed to resist and deter terrorist attacks, including surveillance technologies, tunnel protection, chemical, biological, radiological and explosive detection systems, perimeter protection, employee training, and other security improvements.

Let me give one example of a critical need right here with respect to Washington's Metro. Their greatest need is a backup operations control center. This need was identified by the Federal Transit Administration in its initial security assessment and then identified again by the Department of Homeland Security in a subsequent security assessment. This amendment would authorize the funding to make this and other urgently needed security upgrades to transit systems around the country.

We know transit systems are potential targets for terrorist attacks. We know the vital role these systems play in our Nation's economic and security infrastructure. I urge my colleagues to support this amendment, which is designed to address the critical security needs of America's transit systems.

I thank Chairman COLLINS and Senator LIEBERMAN for their acceptance of this amendment, and Senator STEVENS and Senator INOUYE. This is a major step forward.

Mr. President, I would like to add as cosponsors on our side—I didn't pick up all the names Chairman SHELBY read, but I have Senator REED of Rhode Island, Senator MENENDEZ of New Jersey, Senator CLINTON of New York, Senator LIEBERMAN, Senator BOXER, and Senator SCHUMER.

Ms. STABENOW. If the Senator will yield, I ask to add my name as a member of the committee.

Mr. SARBANES. And Senator STABENOW of Michigan.

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

Mr. SHELBY. I urge adoption of the amendment if there is no further debate.

The PRESIDING OFFICER. Is there further debate?

Ms. COLLINS. I commend the Senators for their initiative. The horrific terrorist attacks in London and Madrid demonstrate that terrorists are willing and able to attack transit systems. Our systems in the United States remain vulnerable.

Just today, the Homeland Security Committee held a hearing looking at the next 5 years and what challenges face us. The witness, the deputy commissioner for counterterrorism from New York City, specifically pointed out the vulnerabilities of our transit systems and also the inequities in funding. I believe the statistics he gave us were that there was a ratio of 9:1 in the amount of money that had been spent on aviation security versus other forms of transportation security. So I think there is an imbalance. I believe this is a vulnerability and that this amendment would allow for the authorization of significant transportation security improvements. I am pleased to join my colleagues in support of the amendment.

The PRESIDING OFFICER (Mr. CHAMBLISS). Is there further debate? The Senator from Hawaii.

Mr. INOUYE. Mr. President, the managers on this side are very pleased to support this bipartisan amendment and urge its immediate adoption.

Mr. SHELBY. I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment. The amendment (No. 4956) was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I commend my chairman and the ranking member of the Banking Committee for all their hard work. This has been a wonderful bipartisan effort, and I am pleased it is included in the underlying bill. I commend the leadership of Senators COLLINS and MURRAY on the underlying bill.

I wish to speak about a piece of security that is so critical for us that I will be offering tomorrow, an amendment to provide our first responders with the interoperable communications equipment they need to effectively respond to emergencies. Whether it is port security, rail security, whether it is our local police and firefighters, we know that having radios that can actually talk to each other, actually work to be able to actually communicate with the Department of Homeland Security or the Department of Defense or be able to speak to our armed services is absolutely critical.

We also know, in fact, right now that the system is not what it should be.

I also want to thank Senators LIEBERMAN, LEVIN, SCHUMER, DURBIN and BOXER for cosponsoring the amendment that will be offered tomorrow.

My amendment would finally give our first responders the resources they needs to be able to quickly communicate and respond to a terrorist attack or other kind of national emergency.

It would provide a dedicated source of funding for our communities by creating a 5-year $5 billion grant program for interoperable communications.

My amendment is based on the interoperability communications program included in the bipartisan Lieberman-Collins bill, S. 1725, which passed out of the Homeland Security and Governmental Affairs Committee with strong bipartisan support. Unfortunately, this has languished on the Senate floor for almost a year. There has to be a sense of urgency about this issue and getting the resources to our local communities so they, in fact, can respond.

My amendment authorizes, as I said, $5 billion in grants. It is slightly more than the $3.3 billion in the Lieberman-Collins bill but certainly very close in terms of our approach.

I think it is important to provide more funding in the early years so that communications can finally address this issue and be able to do what they need to do as quickly as possible.

Yesterday, we observed the 5-year anniversary of the 9/11 attacks. We took time to remember the victims and their families and to recount the events of that horrible day. Many of these victims were our brave firefighters and police officers who gave their lives to save others.

Every day, first responders all across our country, and certainly in my great State of Michigan, put their lives on the line to make our communities safer, a job they do bravely and with honor. Now is time for us in Congress to do our job and finally make sure they have the resources and the equipment they need in coordinated national efforts so they can respond and can communicate in case of a terrorist attack or other national emergencies.

Almost 2 years after the attacks, the 9/11 Commission Report outlined the numerous communications problems first responders had as they tried to save lives. The report details the problems police officers and firefighters in New York faced because they were on different radio systems. Over 50 different public safety organizations from Maryland, Virginia, and DC reported to

the Pentagon that they couldn't talk to each other.

This makes absolutely no sense. People running into buildings, into the World Trade Center, into the Twin Towers, when they should have been running out because they did not know what was happening. The radios did not work.

The 9/11 Commission concluded that ''the inability to communicate was a critical element at the World Trade Center, the Pentagon, and the Somerset County, Pennsylvania, crash site, where multiple agencies and multiple jurisdictions responded.''

They went on to say, ''The occurrence of this problem at three very different sites is strong evidence that compatible and adequate communications among public safety organizations at the local, State, and Federal level remain an important problem.''

The 9/11 Commission published its final report in July of 2004, 2 years ago, that the men and women in the first responder community knew the communications difficulties even before 9/11, 2001. Unfortunately, the Federal Government has not yet made a substantial commitment to solve this problem. It has been 2 years since the 9/11 Commission gave its report.

In fact, 10 commissioners gave Congress a failing grade, an F, for not yet providing adequate radio spectrum for first responders and not addressing the problem where our local communities are stretched too thin and have too many urgent and competing priorities to effectively and completely solve the problem by themselves.

We addressed the issue of the radio spectrum, in part, in the year 2006 budget reconciliation bill, which set a February 17, 2009, handover date and providing $1 billion in funding for interoperable communications for first responders in advance of the handover.

I support these positive steps. But now we have to build on that to provide a guaranteed stream of funding to resolve this overall crisis about radios not being connected, not being able to talk to each other.

The 9/11 Commission is not alone in the assessment of this critical problem. In June of 2004, a U.S. Conference of Mayors survey found that 94 percent of our cities do not have interoperable capability between the police departments, the fire departments, and emergency medical services—unbelievable, 94 percent. And 60 percent of cities do not have interoperable capability with the State emergency operations systems.

This is unacceptable. There needs to be a sense of urgency about changing that, and we have to be a major part of that solution.

The most startling finding was that 80 percent of our cities don't have interoperable communications with the Department of Homeland Security or the Department of Justice.

Imagine if there were a terrorist attack and 80 percent of our cities did not have the capacity for interoperable communications with Homeland Security.

This vulnerability was again exposed over 1 year ago with the Hurricane Katrina disaster, where we know the New Orleans Police Department and three nearby parishes were on different radio systems. First responders were unable to communicate with each other as they attempted to rescue people trapped in New Orleans.

When I visited the gulf, I was very proud of seeing Michigan people there. I remember sitting for lunch outside the New Orleans Convention Center with a young man from the Michigan Coast Guard on one side and a young man from the Michigan National Guard on the other. I asked them: Do you have radios? They said: Of course. I said: Can you talk to each other on the radios? They said: No. How are you rescuing people? How are you communicating when you are out on the beat? Hand signals, was the response.

We can do better in 2006 than hand signals when we have a national emergency or a terrorist attack. How many more disasters need to happen before we fix this problem?

In May of 2006, Michael Chertoff, Secretary of Homeland Security, said: ''The fact of the matter is we cannot effectively manage an incident if we do not, and if we cannot, talk to one another.''

I couldn't agree more.

He went on to concede that it is still the case that too many emergency responders are not able to talk to their counterparts, to their own organizations or to their companion organizations, let alone communicate with agencies in neighboring cities, counties or States during a crisis.

On the fifth anniversary of the September 11 attacks, I believe it is shameful that we have made so little progress on interoperable communications.

It is unacceptable that there is not a sense of urgency about getting this done now—frankly, about having not done it now. We should have gotten it done 4 years ago, 3 years ago, 2 years ago, 1 year ago.

I believe that our constituents would be stunned to learn that the Federal Government has not yet dedicated funding to specifically address this problem.

How many times do we have to hear this is an issue? How many experts, how many bipartisan reports before we do what we need to do urgently and to the maximum extent that we can?

We know that the lack of interoperable communications for America's first responders puts them and our communities in danger. Too many of our police, fire and emergency medical services and transportation officials cannot communicate with each other, and our local departments are not able to link their communications with State and Federal emergency response agencies—way too many.

Our first responders are making do with less and less each year which makes no sense. And they should not have to choose between communicating with each other and critical training and other means.

I think people would be shocked to know that there are fewer police officers on our streets today than on 9/11/2001. In Michigan alone, over 1,500 fewer police officers are on our streets because of cutbacks in law enforcement funding. This makes no sense.

In the 5 years since the 9/11 attacks, one of the too many requests for support that I receive every year from communities is for interoperability communications equipment. Every time I meet with police officers and firefighters and emergency responders and local mayors, others who are leaders in their communities, the issue comes up about the radios, about the lack of ability to communicate. I have done everything I can to help. I have come to this floor many times urgently requesting that we move forward in an aggressive way to address this issue.

I am pleased to be able to put together specific grants to be able to support individual communities, and that is a step in the right direction. But what we need is a comprehensive national approach. We need to make a commitment that we are not going to accept anymore any community in this country not having the ability to talk to each other, the neighboring communities, the folks at the State and the Federal Government. That is intolerable.

This is the fourth time I have stood on the Senate floor and offered an amendment to provide the dedicated stream of funding to address our first responders' interoperable communication problems.

I am very hopeful that now will be the time that we come together right after this fifth anniversary of 9/11 and agree that we are going to turn that F, given by the 9/11 Commission, into an A, by finally coming together and solving this problem so in case of whatever the emergency is in the future, folks will not walk away and say part of the reason we lost lives, part of the reason we couldn't respond was because the radios didn't work. We have the ability to fix that in relationship to this important bill. I hope we do.

I yield the floor.

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

Mrs. MURRAY. Mr. President, will the Senator withhold his request?

The PRESIDING OFFICER. Does the Senator withdraw his suggestion of the absence of a quorum?

Mr. ISAKSON. I withdraw my suggestion of the absence of a quorum.

Mrs. MURRAY. Mr. President, I ask unanimous consent to add Senator CLINTON as a cosponsor to my amendment No. 4929.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to add Senator

SCHUMER as a cosponsor to the Dorgan amendment No. 4937.

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

Mrs. MURRAY. Thank you, Mr. President.

Mr. President, we are here on the floor of the Senate this evening talking about the maritime cargo security bill. This is an extremely important piece of legislation. I have been working on this issue since September 11, 5 years ago, when I recognized, as did others, that we have an extreme vulnerability in our port cargo container system when it comes to our Nation's security.

We have been working since that time to put together legislation. I commend Senator COLLINS and her staff, Senator INOUYE, Senator STEVENS, the Finance Committee, and numerous Senators who have worked together to get us to this point.

As I said earlier on the floor of the Senate, this measure is extremely important. For the first time, when this bill is passed and it goes to the President's desk, we will assure that every cargo container coming into this country has a much higher level of security. We also will put in place what is called the GreenLane bill, which will allow an even higher point of security for companies that voluntarily opt to make sure that when their cargo containers are loaded overseas, they are secured, that we know what is in them, we know who is handling them, and we know if they have been diverted. They will be tracked across the ocean, and before they ever come into our ports we will know that they are safe.

Those cargo containers with that higher level of scrutiny will then move off of our ports in a much more efficient and quick manner, leaving behind those containers that will still need to have a higher degree of inspection.

Finally, our bill will make sure we have a way to resume cargo handling quickly and efficiently should a terrible incident ever occur at our ports.

This bill balances the need of making sure our ports and our containers and the people who live and work around those containers, as well as the cargo there, are secured. It balances that with the important economic activity that occurs at ports across our country.

When this bill was brought to the floor of the Senate earlier last week, it lacked one critical component, and that was a dedicated funding stream. As I shared with my colleagues, I was deeply concerned that if we did not fund this bill, we would leave an empty shell and an empty promise to the people of America that we were securing our ports.

That is why today I was very happy the Senate agreed to my amendment to have a funding stream and to put that into this bill to make sure, as it moves forward, we will have the personnel we need to make sure the regime we have put in place actually occurs, that we will have the infrastructure that will be needed to make sure we can assure a secure system of cargo containers this country relies on for its economic activity.

That amendment was adopted, and with that I believe this bill is one we can all be proud of. Within a few days, as we work through the rest of the amendments, I, for one, will finally be able to sleep at night knowing we have made a major move forward.

So there are still amendments to be brought forward to the Senate. I know we are going to work our will through them. But I commend all of our colleagues for stepping up to the plate on this important issue.

Mr. President, I ask unanimous consent to have printed in the RECORD four editorials that talk about the need for funding.

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

(From the Everett Herald, Sept. 10, 2006)

FULLY FUND MURRAY'S BILL ON PORT SECURITY

Five years after terrorists seared feelings of vulnerability deep into the American consciousness, much has been done to improve our security. Airport security has been enhanced by more than $20 billion in federal spending. Locally, first responders are more capable of dealing effectively with a disaster, natural or manmade.

But public safety leaders here and elsewhere worry about a potential terrorism target they believe is still neglected: our seaports. Only a tiny percentage of the approximately 10 million containers that enter our ports are inspected, leaving gaping holes that terrorists could exploit with a radioactive bomb or other weapon. And costs for many of the physical upgrades in port security since Sept. 11, 2001, have been borne by local ports rather than the federal government.

On Thursday, Congress sent a signal that it may be ready to give port security the serious attention it needs. Senators announced an agreement on bipartisan legislation that Sen. Patty Murray (D-Wash.) introduced shortly after the 9/11 attacks and has been pushing ever since. It's expected to get a floor vote this week, then go to a conference committee that will iron out differences with a similar bill already passed by the House.

What's still needed, though, is dedicated funding. Murray's bill calls for $835 million annually for a program that will create higher levels of cargo security, allow cargo to be inspected and tracked from the time it leaves the factory floor overseas, and implement a plan to resume trade quickly after an attack to minimize its impact on the economy. " The bill also calls for $400 million in security grants to local ports.

"I've been very clear with everyone that I can't support another NCLB (No Child Left Behind) bill," Murray said Friday, referring to the federal education bill that educators complain was far heavier on mandates than money. "We have to provide the funding or it will never be fully implemented."

The bill originally sought to use money from tariffs on imported goods, but members of the Finance Committee objected, arguing that if tariffs were lowered, funding would dry up. Murray concedes that point, and said she'll offer an amendment this week that would tap existing customs fees that aren't related to duties.

A fully funded bill will mean a more secure Puget Sound, which has major ports in Seattle and Tacoma and a growing container operation at the Port of Everett. Ship activity in Everett has increased roughly tenfold in the past two years, and as, business continues to grow in Seattle and Tacoma, even more figures to come north.

Five years after terrorists proved their desire to hurt us, our ports remain a huge potential target. Congress mustn't wait any longer to act.

IN OUR VIEW—SECURE PORTS

(By Columbian editorial writers)

Five years after 9/11, Senate should take action on Murray's GreenLane bill, because the horror of 9/11 was orchestrated in the air, the logical immediate concern was in air-travel security. But five years after 9/11 it is frightening to see what little the United States has done to enhance port security.

The intransigence and complacency is especially alarming in Washington state, the nation's most trade-dependent state.

There's good news, though. Thanks largely to U.S. Sen. Patty Murray, D-Washington, Congress is finally paying proper attention to port security. Murray's GreenLane bill coauthored with Sen. Susan Collins, R-Maine has been approved by the House and passed by the Senate Homeland Security Committee. Last Thursday, senators announced agreement on port security legislation, and they are expected to vote on the measure this week.

Even if approval is expedited and it should be this congressional footdragging is inexcusable. We're glad Murray has kept forcing Congress to pay attention. The GreenLane offers five desperately needed components:

It would create tough new standards for inspecting and approving all maritime cargo.

It offers the Greenlane option, a faster and even higher level of security for companies that agree to have their cargo tracked and monitored from the time it leaves a factory overseas until it reaches the United States.

The bill offers a plan for quickly resuming maritime trade after any incident, minimizing the economic impact of terrorism.

Port security grants would allow ports to strengthen their perimeter security.

The Department of Homeland Security would be held more accountable for port security, in part by establishing an Office of Cargo Security Policy.

Locally, Port of Vancouver Executive Director Larry Paulson said Friday that he has been frustrated by the congressional footdragging. But he is confident about his port's security. "It's less of an issue here because the emphasis is on containers, and we handle very few containers," Paulson said. "The greater concern for port security in our state is in Seattle and Tacoma."

In a speech Friday, Murray enlisted a RAND Center for Terrorism and Risk Management Policy report that presented this horrifying scenario: Terrorists put a 10-kiloton nuclear bomb inside a cargo container and detonate it at the Port of Long Beach, Calif. According to the report, up to 60,000 people would be killed instantly, 15,000 more would be injured, 6 million people would flee the area and economic losses would be about $1 trillion.

In Seattle and Tacoma, ports are close to downtowns and Interstate 5. Imagine how enticing that is to an evil mind that wants to kill Americans and cripple our economy.

Murray also pointed to the 2002 closure of several ports on the West Coast. It cost the U.S. economy about $1 billion a day. She said one study estimates that if all U.S. ports were closed for nine days, it would cost the national economy about $58 billion. Of course, the greater concern of port security is preventing deaths and injuries. Five years

even five months is far too long. The Senate should expedite passage and implementation of the GreenLane bill for enhancing port security.

[From the Oregonian, Sept. 12, 2006]

TIME TO LAND TIGHTENED PORT SECURITY

A bill that addresses the vulnerability of U.S. shipping fetches up in the Senate, but still needs to be brought to shore

The most impressive thing about the port security legislation that the Senate begins debating today isn't the bill's boldness or its thoroughness. It's the five years it took the bill to get to this point.

Talk about a slow boat from China.

Five years after what was supposed to be a new reality, after constant warnings about the vulnerability of U.S. ports that inspect only about 6 percent of incoming cargo containers, the bill raises some new barriers against a seagoing Sept. 11. Ports ''were extremely vulnerable,'' says Sen. PATTY MURRAY, D-Wash., who has been pushing the bill, ''on the fact that five years after 9/11 they've failed to address homeland security issues.''

This bill may not entirely address those issues, but at least it finally raises them.

It requires the Department of Homeland Security to set minimum container security regulations, sets up an Office of Cargo Security Policy to coordinate federal and local port policy, and makes some federal money available.

Maybe most usefully, it sets up a ''Green Lane'' program to swiftly move cargoes already inspected at their point of departure. Most containers will still remain uninspected, but sending already-checked containers through will, in MURRAY's phrase, ''reduce the size of the haystack where we're trying to find the needle.''.

Even after last week's: carefully negotiated deal among three Senate committees, the bill faces serious hazards to navigation. The Senate has rejected the House's way of financing the programs, without completely agreeing on its own. Sen. JOHN MCCAIN, R-Ariz., wants to attach to it a major rail security program, an excellent idea by itself that could send port security off the tracks.

In a Congress with minimal accomplishments and a swiftly dwindling number of days to manage any, a bill with real prospects can be a magnet to any idea that any legislator wants to slip across, even if the weight of the additions ends up sinking the bill.

Our strong feelings about getting serious about maritime security may be basic strategic thinking, or may be mostly slack-jawed astonishment at how long this process has taken. It might even be the touchy sensitivity coming from living in a city that not only includes a major port, but is named after it.

There are legitimate points to debate about this bill, and the Senate has two days to debate them.

Let's just hope Congress isn't still debating them next year, which would make it six years after action should have happened.

[From the Washington Post, Sept. 12, 2006]

SAFE PORTS

The brief session of Congress that just convened is distinguished in part for what is absent from its agenda—immigration and lobbying reform, for example. A notable exception, though, is a serious bill that has just. emerged from the Senate Commerce, Finance and Homeland Security committees: the Port Security Improvement Act of 2006.

The bill contains several common-sense proposals It requires the Department of Homeland Security to develop a strategy to rapidly resume trade after an incident at one of the nation's ports, in order to limit economic slowdown. It codifies a number of good programs in law, including the Container Security Initiative, which, if it operates properly, will target suspect cargo for inspection in foreign ports before it gets close to the United States. And it establishes deadlines for Homeland Security to complete critical infrastructure projects—including installing radiation portal monitors in the nation's 22 biggest ports by the end of next year.

Two things distinguish this moderate legislation from the irresponsible rhetoric on port security that has marred debates on the subject for years. First, it does not call for 100 percent of containers arriving at U.S. ports to be individually inspected for all dangerous materials. The ''inspect all containers'' mantra is a red herring that exploits Americans'' fears about what might slip through in order to score political points, ignoring the fact that there are much more cost- and time-effective ways of keeping dangerous cargo out of the country.

To her credit, Sen. Susan Collins (R-Maine), one of the bill's key sponsors, recognizes that the tithe and money it would take to inspect all 11 million containers that come into the country every year would be prohibitive with the technology available today, and she has committed to vote against it if such a provision is added. Instead, the bill calls for a pilot program in which the feasibility of individually inspecting all containers leaving three overseas ports will be gauged, which should test promising next-generation technologies without significantly slowing the pace of trade to the United States.

Second, while providing five years of steady funding for port security projects, the bill does not dedicate money for port security in perpetuity. The initial costs of making essential improvements such as buying radiation detectors, putting up fencing around ports and coordinating inspection procedures with ports overseas will require a fair amount of steady start-up cash. But a half-decade of grants for improving port security ought to be enough. After that, port security should have to compete for federal money with other worthy projects.

With those sensible checks in place, the Senate should pass this bill.

Mrs. MURRAY. Again, I thank the Senate for working with us to put a funding stream in this bill and to make this a real Maritime Cargo Security Act.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise to commend the Senator from Washington State for her dogged pursuit of a funding source for this bill. I agree with her that it is so important we have dedicated funding so the promise of this bill can become the reality.

Mr. President, I ask unanimous consent that I be added as a cosponsor to Senator MURRAY's amendment No. 4929.

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

Ms. COLLINS. Again, I thank the Senator for her efforts. It has been a real pleasure to work with her on this important bill.

Mr. 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. FRIST. 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. FRIST. Mr. President, we began consideration of the very important port security bill on Thursday of last week, and earlier in the week we addressed the Department of Defense appropriations bill. We generally agreed as a body that we would address the security issues first and foremost over the course of these 3 to 4 weeks, and this is the second step in that process. We made reasonable progress on the bill, but at this point it is not certain when we will finish the bill, and the fact is, we have really a little over 2½ weeks left. We have a lot to do, and therefore we need to keep business moving along.

We have been talking about a filing deadline and an amendment list, but we have been unable to reach agreement on either of those.

CLOTURE MOTION

Mr. FRIST. Mr. President, I will file a cloture motion tonight to ensure that we do get a vote this week. We will continue to consult with the managers on both sides, and if we can reach a reasonable agreement to bring the bill to a finish on Thursday, then I believe we should vitiate this particular vote. But since it is still uncertain and we do have a lot of business to do, at this time I send a cloture motion to the desk.

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

The 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, do hereby move to bring to a close debate on Calendar No. 432, H.R. 4954, a bill to improve maritime and cargo security through enhanced layered defenses, and for other purposes.

Bill Frist, Susan M. Collins, David Vitter, Jon Kyl, James Inhofe, Tom Coburn, Jim DeMint, Richard Burr, Wayne Allard, Ted Stevens, Craig Thomas, Richard C. Shelby, R.F. Bennett, Mike Crapo, Sam Brownback, Rick Santorum, Larry E. Craig.

Mr. FRIST. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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