Within the Forest Service, State and private forestry programs authorized by the Cooperative Forestry Assistance Act are intended to conserve and strengthen America's non-Federal forest resources across the landscape. However, the Cooperative Forestry Assistance Act of 1978 does not authorize direct support to tribal governments, and the Forest Service has found that tribal forest land participation is inconsistent and low. The new authorities in title VIII will help rectify these matters by establishing a more appropriate and equitable relationship between tribal government and the Forest Service. In so doing, it will also enable State and private forestry to better meet its mission among all stakeholders across the landscape.

The tribal provisions in title VIII authorize direct tribal governmental participation in a new Community Forest and Open Space Conservation program and in the established forest legacy conservation easement program. The title also authorizes Forest Service support directly to tribal governments for consultation and coordination, for conservation activities, and for technical assistance for tribal forest resources.

Additional tribal provisions in title VIII facilitate the Forest Service's interaction with tribal governments on National Forest System lands. In Oregon, all nine of the tribes in the State have deep historical ties and active current interests in the National Forests around the State. From time immemorial, the tribes have drawn physical and spiritual sustenance from what are today Oregon's national forests, and they continue those activities to this day. Of course, the modern conduct of those activities involves both the tribes and the Forest Service, and the Senate's farm bill provides the Secretary and the Forest Service new authorities that will enable these two stewards of our forests—one ancient and one contemporary—to work in closer cooperation. The bill gives clear authority for the reburial of tribal remains and cultural items on National Forest System land, and it allows free tribal access to forest products from the national forests for cultural and traditional purposes. It also allows the Secretary to temporarily close National Forest System land for the tribal conduct of cultural and traditional activities. Finally, it enables the Secretary to preserve the confidentiality of sensitive tribal information that has come into the possession of the Forest Service in the course of its collaborating with tribes.

The tribal forestry authorities in title VIII of S. 2302 are a historic step forward for the Forest Service and tribal governments. They are supported by Oregon tribes and I am pleased they are in the bill. Once again, I want to express my support, and I urge the support of all my colleagues as well.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

## NUCLEAR TERRORISM

Mr. CASEY. Madam President, the United States today faces a broad set of national security challenges, so many of them, but just to name a few: initiating a responsible redeployment of U.S. combat troops out of Iraq, preventing the Taliban from making a comeback in Afghanistan, addressing the current turmoil in Pakistan, responding to antidemocratic trends in Russia.

Our whole country has a full plate of national security challenges. So today I wish to speak about one of those, but I think it is at the top of the list, and I think it is an issue that has not received nearly enough attention in the Senate or in the other body. It is a longer term threat that has not received the attention it deserves, but I believe this issue is the single greatest peril to this great Nation, and that is the prospect that a terrorist group, possibly with the active support of a nation state, will detonate an improvised nuclear weapon in an American city.

I commend those who have displayed outstanding leadership on this issue, many of these individuals over several years, if not, in some cases, decades. Former Senator Nunn, of course, has been a leader on this issue; Senator LUGAR, a colleague of ours and the ranking member of the Foreign Relations Committee, a committee on which I have the honor to serve; and, of course, the chairman of that committee, Senator JOE BIDEN. All of these individuals and others have worked on this issue for many years.

In the weeks following 9/11, a lot of Americans know our intelligence community picked up a very frightening report from an agent. It was rumored that al-Qaida had acquired a Soviet-era nuclear weapon and had managed to smuggle it into New York City. The response of our Government, although secret at the time, was swift. Teams of experts were deployed across New York City with state-of-the-art detection equipment in an effort to track down this bomb before it exploded.

The threat was ultimately discounted. There was no nuclear weapon inside the United States at that time. The intelligence community's agent had bad information. But what is so frightening about these events is that it is entirely plausible that al-Qaida could have smuggled a nuclear weapon into our Nation.

One can only imagine the retrospective questions that would have followed such a horrific attack. What could our Federal Government have done to prevent such a detonation, we would ask. What policies or programs did we fail to prioritize? And, thirdly, how could we not have appreciated the urgency and the magnitude of the threat of nuclear terrorism?

I hope we never have to ask and answer those questions. But here we are 6 years later and neither the United States nor any other nation has been forced to confront the aftermath of a terrorist attack involving a nuclear weapon. Yet I regret to say we cannot rely upon good luck continuing indefinitely. The threat of nuclear terrorism persists, and the United States and the international community are failing to move quickly enough to neutralize this threat.

Why am I so concerned about nuclear terrorism and the challenges that it poses, not just for the world of today but for the world of our children and the world of our grandchildren? Some may ask that, and in response I just will cite a couple examples as to why I and everyone in this body should be concerned.

No. 1, last year a Russian citizen was arrested in Georgia on charges of seeking to smuggle 100 grams of highly enriched uranium on the local black market in that country, with the promise made that he could deliver another 2 to 3 kilograms of highly enriched uranium at a later time.

This arrest on smuggling charges is only one of hundreds involving fissile material that have emerged since the breakup of the Soviet Union in 1991. The good news is the quantities detected so far have been very small. The bad news is, just as with drug trafficking, those transactions come to our attention only after a fraction of what may actually be occurring.

No. 2, too many facilities across the globe do not yet have the security safeguards we should demand for stockpiles of fissile material. Today, as many as 40 nations—40 nations—possess the key materials and components required to assemble a nuclear weapon. Surprisingly, we don't fully understand the magnitude of this problem. Among other experts, Dr. Matthew Bunn, a leading expert on nuclear terrorism, reports that neither the United States nor the International Atomic Energy Agency—we know from the news as IAEA—has a comprehensive prioritized list assessing which facilities around the world pose the most serious risk of nuclear theft.

Finally, the third example I would cite in terms of why this is such an important issue and important question is, a columnist by the name of David Ignatius, with the Washington Post, reported last month that a senior Energy Department intelligence official had briefed the President and other administration officials that al-Qaida is engaged in a long-term mission—a long-term mission—to acquire a nuclear weapon to use against the United

States. According to this report by a senior Energy Department official, al-Qaida may have held off against further attacks against our Nation since 9/11 to focus on attaining a nuclear weapon.

Madam President, I do have good news in this area. It is a serious topic, but there is some good news to report, although it also presents a challenge to us. The good news is, we know exactly what needs to be done to address the threat of nuclear terrorism. And a terrorist group as sophisticated as al-Qaida cannot build a nuclear weapon from scratch. The production of nuclear weapons and the fissile material that gives these nuclear weapons their deadly explosive power remains a capacity limited to a national government. A terrorist group can acquire a nuclear weapon through several means: It can purchase or steal a completed warhead from a state, or it can acquire the weapons-grade plutonium or enriched uranium at the core of a nuclear warhead to devise an improvised nuclear device.

Thus, if the United States works in concert with other nations to ''lock down'' nuclear warheads and weapons grade materials around the world, we can prevent terrorists from accessing this material in the first place. We are making some progress on this front through programs such as the Nunn-Lugar effort—named after Senators Nunn and Lugar. This effort to dismantle nuclear weapons and secure excess nuclear materials is playing out, but we are not moving fast enough. Additional funding is required but, perhaps even more important, high-level attention at the level of Presidents and Prime Ministers is necessary to break through the bureaucratic obstacles and political inertia blocking more rapid security gains.

After 9/11, the President should have made nuclear terrorism a key international priority, raising it to the very top of the U.S.-Russian agenda, for example. Instead, this administration continued a business-as-usual approach. I believe this was a gross misjudgment. This issue cries out for Presidential leadership.

But as vital as cooperative threat reduction programs are, we must go above and beyond them if we are to be successful in deterring a nuclear attack or nuclear terrorism. Not only should we do everything we can to prevent terrorist groups from acquiring the means to detonate a nuclear weapon, we must also fortify our capability to deter their use. A terrorist group such as al-Qaida is undeterred, but states, and certainly the states from which al-Qaida would acquire or steal a nuclear weapon, are not undeterred. We should make sure we keep pressure on them. We must enhance our ability to threaten overwhelming retribution against any state that by inattention or lax security enables a terrorist group to detonate a nuclear warhead in the United States.

We can do this in a number of ways: First, we must elevate the cost for individuals and businesses that choose to facilitate illicit smuggling of fissile material and related nuclear components. Nuclear smugglers and nuclear smuggling networks rely upon middlemen to transport fissile material and nuclear components, to forge export licenses and Customs slips, and engage in other black market activities. Too often in the past, when such individuals and businesses are caught in the act, so to speak, or with their hands dirty, they receive minimal prison sentences. For example, the Russian citizen arrested in Georgia for nuclear smuggling was sentenced to only 8 years in prison. These lax criminal penalties cannot deter future actions of nuclear smuggling.

Aiding and abetting nuclear smuggling is abhorrent and should be recognized for what it is—a crime against humanity. Just as the international community has banded together in the past to stigmatize the slave trade and genocide as crimes against humanity, so too should it now do the same thing for those who help terrorist groups acquire weapons of mass destruction. The United States should be a leader in this effort.

No. 2, we should be working with the International Atomic Energy Agency to establish a global library, a library of nuclear fissile material. If the IAEA were to have nuclear samples from every weapons production facility in the world, when a nuclear device exploded somewhere in the world, we could, in short order, trace the nuclear material used in that explosion to the originating reactor or production facility. The capability of a library such as this could serve as a powerful deterrent. If a state knew it could be held ultimately responsible for a nuclear detonation, it would have a far greater incentive to secure and protect its nuclear materials. Those states that refuse to cooperate with such a global library would risk condemnation and suspicion in the event of a nuclear attack.

Our colleague, Senator BIDEN, the chairman of the Foreign Relations Committee, has worked with the Armed Services Committee to strengthen U.S. efforts to take the first steps toward such a global library. Today, a group such as al-Qaida can get away with a nuclear attack on the United States because it does not have a fixed address at which we can easily retaliate. The same, however, does not apply to a nation that intentionally or through lax security provides the means for a terrorist group to detonate a nuclear device. The United States must leverage the same type of deterrence against those nations as it did against the Soviet Union during the Cold War.

Finally, we must be doing more in the overall effort to combat nuclear proliferation among states. It is a very simple equation. The more states that acquire a nuclear weapon and fissile material, the more likely it is one of those states or some of those weapons and/or fissile material may be vulnerable to theft or illicit sale to terrorist groups. That is but one reason we must prevent Iran from acquiring nuclear weapons. It is why we must work with our international allies and partners to continue to ensure that North Korea verifiably dismantles its nuclear facilities and weapons under the Six Party Talks. This link between nuclear proliferation and nuclear terrorism demonstrates the importance of reinforcing the Nuclear Nonproliferation Treaty.

It is very difficult to imagine the utter devastation of an American city by an improvised nuclear device. It is perhaps for that reason the spectre of nuclear terrorism remains an abstract threat today. Yet before 9/11, very few of us could appreciate the dangers by commercial jet airliners hijacked by those on a suicide mission.

Madam President, the time for action on the challenge of nuclear terrorism is now. We must move to bolster existing threat reduction programs, strengthen our deterrence capability against those who would perpetrate acts of nuclear terrorism, and, finally, recommit ourselves to the effort to reduce the role and the number of nuclear weapons in our world today. We do not have the luxury of time to wait.

Before I relinquish the floor, I want to thank one of our great staff members for his work on this and so many other areas of our work. Jofi Joseph is one of our great legislative assistants who did a lot of work on this to prepare these remarks, and in so many other areas, and I want to commend him for his work.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

## FHA MODERNIZATION ACT

Mr. REID. Madam President, I am glad I had the opportunity to listen to my friend from Pennsylvania give this very well thought out and very important statement. It is important for our country and for the world. Thank you very much.

Madam President, tomorrow, among other things, we will turn to consideration of the FHA Modernization Act, which has now been reported by the Senate Banking Committee. The bill enjoys wide bipartisan support, and for a good reason. It passed out of the committee by an overwhelming 20-to-1 vote.

The reason we must act now is clear for all to see. Every day new evidence emerges, and the depth and severity of our country's subprime mortgage and foreclosure crisis is painted before our eyes. Hundreds of thousands of mortgages are now delinquent nationwide. This is leading to real pain and hardship for American families. The most alarming fact is, this could be just the beginning.