Government. That is what Hamilton was worrying about in the Federalist Paper No. 25, which I read earlier this afternoon.

But now about this money that I talked about, it has been said here there is $743 million in the President's request. But we are talking about 3 years—3 years; that if it were $743 million a year, that would be something like $2.1 or some such billion. Yet the estimated cost for the third year here, as I am told, as I am hearing here, is $3.1 or $3.2 billion. So it seems to me that is $1 billion short there.

Mr. KYL. If I could respond to the Senator, the $3.2 billion is the estimated total cost over the 3-year period of time. And as Senator BROWNBACK said, the request would not come in three equal tranches. So you would not multiply $743 million times 3. The administration would have to include in its next budget an amount of money to make up the difference.

Now, there is, we are informed, $327 million not yet expended from the $40 billion supplemental, some or all of which might be made available in the first year, which comes close to meeting the $1 billion amount. But the Senator from West Virginia is correct, there will have to be an amount included in the budget in the subsequent year to reach the $3.2 billion. That is correct.

Mr. BYRD. I do not have any assurance that money is going to be included. We do not have any assurance it will be. The President only requested $37 million, I believe it was, in his supplemental, out of $27 billion; $35 million for border security—I mean, for the INS. So there we are.

Mr. KYL. If I could respond to that, to some extent, it is a chicken-and-egg proposition. You have to have an authorization before you can have an appropriation. And the administration merely has the benefit of both. It can put something in the budget which then encourages us to do an authorization or it can respond to an authorization which the Congress passes.

The intent here, since we have been working with the administration, is for the Congress to authorize a program which the administration then is supposed to carry out, and that would include an inclusion in the next budget of an amount of money sufficient to fund the authorization that we provide.

Then the chairman of the Appropriations Committee would have the jurisdiction to determine how much of that to fund in the appropriations request.

But the idea here is to authorize the program, which gives direction to the administration as to what we want it to do. Hopefully, that direction would be then to include that money in the budget. I certainly would be encouraging them to do that.

Mr. BYRD. I am sure the Senator would.

If I may, Mr. President, just take a further minute.

For fiscal year 2003, the President has proposed increasing nondefense programs by only 1 percent. He has threatened to veto appropriations bills that have ''excessive spending.'' For the INS, he has proposed an increase of only $150 million or about a 2-percent increase.

That is not even enough to cover inflation. So if we must do more for the INS, what are we supposed to cut? What are we going to cut if we do more than that for the INS? Veterans programs? Are we going to cut veterans programs? Are we going to cut education programs, highways, programs to promote our energy independence, programs dealing with the environment? What do we cut? If we don't do that, we run afoul of the President's threat to veto appropriations bills.

I thank all Senators for listening. I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Arizona.

Mr. KYL. Mr. President, I inquire of the Senator from West Virginia, is it correct that it was not only defense but homeland security that is above and beyond the 1 percent; and if that is the case, then could not this money be included within the homeland security part of the budget?

I am not certain, but I believe the 1 percent does not include the homeland security requirements.

Mr. BYRD. The Senator is correct, but if we do more for homeland defense, then we are restricted by the President's figures, what he has asked. Then we have to take the money out of something else. So what does it come out of? Veterans programs, education, the environment, energy? That is our dilemma. I thank the Senator.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 5:30 today, the Senate proceed to executive session to consider Executive Calendar No. 579, Terrence L. O'Brien to be a United States Circuit Judge; that the Senate immediately vote to confirm the nomination; that upon confirmation the motion to reconsider be laid upon the table, and the President be immediately notified of the Senate's action; that the Senate return to legislative session, with the above occurring without intervening action or debate.

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

Mr. REID. Mr. President, I ask that it be in order to request the yeas and nays on this nomination.

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

Mr. REID. I do request the yeas and nays on the confirmation of Terrence L. O'Brien.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The yeas and nays were ordered.

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

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

PRO-ISRAEL RALLY

Mr. SPECTER. Mr. President, I have sought recognition to comment briefly about a rally which was held this afternoon on the west side of the Capitol, a pro-Israel rally. Some estimated the gathering at 100,000. I believe the group was substantially larger than 100,000. There were many people of all denominations represented—all colors, creeds, and racial diversity.

The purpose of the rally was to support Israel's right of self-defense. The gathering was attended by many luminaries. I had not seen so many people wait so long to speak so briefly at any time that I could recall.

I stood, as a matter of fact, with Governor Pataki. We waited an hour and a half in the blistering sun to make our presentations.

The spirit of the gathering was very emotional, very strong. The essential issue at hand was Israel's right of self-defense.

In the brief remarks that I made, I emphasized the basic point that the suicide bombers who are plaguing Israel today are identical with the suicide bombers who attacked the United States on September 11. The only difference was that the suicide bombers who attacked the United States were more sophisticated. They hijacked planes and they crashed them into the World Trade Center towers. One of the planes was, I think, headed for this very building, the Capitol, which went down in Somerset County, PA, my home State. It was speculative, to some extent, as to where it was headed, but many indicators say it was headed for the Capitol. The plane which struck the Pentagon, by many indicators, was headed for the White House.

The people of the United States were outraged by that terrorist attack, just as the people of Israel are outraged by the suicide bombers that have attacked civilian populations. The United States responded, as is well-known, by mounting a powerful military offense, which went to Afghanistan and crushed the Taliban and al-Qaida in a matter of a few weeks—an undertaking that the Soviets could not accomplish in 10 years and the Brits could not accomplish many years before. Just as we