more. When the lion would lay down with the lamb and there would be no more tears. Yet today we are beset with hostilities. Nations are embracing terrorism. Hatreds exist without reason.

Peace and truth go together. We must speak of peace with all who embrace peace and speak the truth about those who do not. Evil must be identified for what it is and once exposed to the sunlight of the truth, will waken, whither and fall. Terrorism and anti-Semitism are evil and must be rejected by all civilized people and every nation. Terrorism is practiced on the innocent and anti-Semitism on the vulnerable, and they are tools of dark souls. Those that employ these means must be confronted and renounced by all humanity.

Let us call on Syria and Iran, Sudan and North Korea to embrace the nobility of their heritage and renounce terrorism and anti-Semitism. Immunity from the wrath of hatred is impossible, but inoculation from the spread of this disease to future generations is both possible and necessary.

I yield the floor.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 4567, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

Pending:

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross.

Corzine Amendment No. 3619, to appropriate an additional $100,000,000 to enhance the security of chemical plants.

Mikulski Amendment No. 3624, to increase the amount appropriated for firefighter assistance grants.

Kennedy Amendment No. 3626, to require the President to provide to Congress a copy of the Scowcroft Commission report on improving the capabilities of the United States intelligence community.

Dayton Amendment No. 3629, to ensure the continuation of benefits for certain individuals providing security services for Federal buildings.

Mr. COCHRAN. Mr. President, the Senate has made progress on this bill. We hope to continue to consider amendments during the remainder of the session today. The leader would like us to complete action on this bill tonight. I hope we can achieve that goal. If we can't, we can go into the next day and try to complete action before noon on Wednesday. But we hope we can complete action today. We urge Senators who have amendments, suggestions for changes in the bill, to come to the floor. We will consider those amendments and deal with them in an orderly way. We hope we can reject most of them. There are some we can agree to.

I see my good friend from Connecticut is on the floor and has an amendment. I am happy to yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent to lay the pending amendment aside.

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

AMENDMENT NO. 3630

Mr. DODD. Mr. President, I send an amendment on behalf of myself and Senator SPECTER to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself, Mr. SPECTER, Mr. HARKIN, Mr. LEVIN, Mr. SARBANES, Mr. KENNEDY, Mr. DASCHLE, and Mr. SCHUMER, proposes an amendment numbered 3630.

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

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

The amendment is as follows:

(Purpose: To increase the amount provided for fire department staffing assistance grants; and to provide offsets)

On page 21, between lines 20 and 21, insert the following:

FIRE DEPARTMENT STAFFING ASSISTANCE GRANTS

For necessary expenses for programs authorized by section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a), to remain available until September 30, 2006, $100,000,000: *Provided*, That not to exceed 5 percent of this amount shall be available for program administration: *Provided, further*, That the amount appropriated by title I under the heading ''OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT'' is hereby reduced by $70,000,000, the amount appropriated by title IV under the heading ''INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION MANAGEMENT AND ADMINISTRATION'' is hereby reduced by $20,000,000, and the amount appropriated by title IV under the heading ''SCIENCE AND TECHNOLOGY MANAGEMENT AND ADMINISTRATION'' is hereby reduced by $10,000,000.

Mr. DODD. Mr. President, I am offering this amendment dealing with the SAFER Act. This is the No. 1 priority of the various firefighting organizations of the United States, whether they be paid firefighters, volunteer firefighters, fire chiefs organizations, and others. On behalf of Senators SPECTER, LEVIN, HARKIN, KENNEDY, SARBANES, DASCHLE, SCHUMER, and myself, we offer this important amendment.

I want to take a few minutes, with the full recognition that my friend and colleague from Mississippi wants to move matters along. I will take as little time as I can to explain this amendment and what we are trying to do, why I think it is a worthwhile amendment, how we pay for it, and why I don't feel that the offset we are suggesting here in any way would be detrimental to the Department of Homeland Security.

Our amendment will help the 33,000 fire departments across America—paid departments, volunteer departments, and combination departments. It will help them acquire the necessary personnel they need in order to fight fires and respond to situations all across the country, particularly terrorist incidents and other large-scale emergencies that may emerge.

Just yesterday, I spent a couple of hours with the fire department of Enfield, CT. I went out on one of the calls—a traffic accident. It turned out not to be a serious emergency, but the first vehicles to actually respond to the situation were the fire departments of Enfield. That happens every single day in this country. I think one firehouse in Enfield—one of five—has some 1,200 calls they respond to each year, to give you an idea of the magnitude of emergencies these departments are called upon to respond to every day of the year, all hours of the day and night.

Mr. President, this amendment is the single most important legislative priority of the International Association of Firefighters. It is also strongly supported by the International Association of Fire Chiefs and the National Volunteer Fire Council. If our colleagues support firefighters—and I know many, if not all, do—this is an opportunity to support bipartisan legislation that will make a huge difference in the personnel area of a fire department.

In particular, this amendment provides $100 million for the SAFER Act, which stands for Staffing for Adequate Fire and Emergency Response. It was enacted last year with significant bipartisan support as part of the fiscal year 2004 Department of Defense Authorization Act. In fact, the lead sponsors at that time were Senator WARNER of Virginia, Chairman of the Senate Armed Services Committee, along with Senators SARBANES, DASCHLE, SNOWE, CLINTON, CORZINE, DURBIN, JOHNSON, KERRY, LANDRIEU, MURRAY, REED, and SCHUMER.

The House of Representatives also has championed very similar, if not exact, legislation. It has been supported by the Chairman of the House Science Committee, SHERWOOD BOEHLERT of New York; Republican Congressman CURT WELDON, a tremendous champion of firefighters for many

years; along with House minority whip STENY HOYER, and Representative BILL PASCRELL, a strong advocate of firefighters.

The $100 million our amendment provides is fully offset by reductions in management and administrative expenses in title I and title IV of the underlying bill. Even with these offsets, the accounts that will be affected will still receive an increase over last year's funding levels.

After all, this debate is fundamentally about priorities. Senator SPECTER and I strongly believe the need for additional firefighters on our Nation's streets far outweighs the need for increased resources devoted to administration and management in Washington, DC.

If I can, I will explain how this offset works because I know my good friend from Mississippi will want to address this. I know that my friend from Mississippi has a very difficult job trying to put a bill together that is balanced. I respect him immensely for having to wrestle with these important issues. Certainly, I would have supported a larger 302(b) allocation for homeland security, but that is a debate for another day.

Nevertheless, Senator SPECTER and I have chosen these offsets with a great deal of care. In no instance do they cut programs below last year's levels. They don't affect the intelligence community in any way. If anything, our offsets will respect the increases in the underlying bill but grant smaller increases. In addition, these offsets are from increases to administrative and management accounts. We believe it is more important to place new firefighters on the streets than new managers and administrators in Washington. I will mention specifically what we are doing.

The Office of the Undersecretary for Management in Title I, for example, received a significant increase in this bill over last year's level. Last year, we funded it at $130 million. This year, the Senate bill provides an increase to $245 million for the same office. That is an 88-percent increase over last year! If our amendment is adopted, the Office of the Under Secretary of Management would still receive a 35-percent increase over last year's bill.

It seems to me that if we were gutting the Office for Undersecretary for Management and making it impossible for it to operate, others could argue we don't have a good case. But in order to help put 75,000 new firefighters on the street over the next seven years, I think is a fair tradeoff.

Under title IV of the bill, the $30 million we offset only comes from management and administrative expenses. By the way, with that cut we are talking about, we still leave the level under title IV higher than what is in the House-passed bill.

We don't believe these offsets we found are in any way damaging to the underlying bill. They still allow for substantial increases in management and administrative costs, as well as leaving title IV in the same position it would be funded at in the House-passed legislation.

You don't have to take our word on the importance of the legislation and the need for increasing the number of people we have in our fire departments. The U.S. Fire Administration—not the firefighters, not the fire chiefs, but U.S. Fire Administration—and National Fire Protection Association found that fire departments throughout the Nation, rural America and urban America, lack sufficient personnel to adequately protect the public.

These concerns were echoed last year in the Council on Foreign Relations report, authored by our former colleague Warren Rudman. The report was entitled ''Emergency Responders: Drastically Underfunded, Drastically Underprepared.'' It noted that ''only 10 percent of fire departments in the United States have the personnel . . . to respond to a building collapse.'' It also found that ''two-thirds of our fire departments do not meet the consensus fire standard from minimum safe staffing levels,'' which is at least four firefighters per truck at the scene of an emergency.

If our colleagues are not concerned about these findings, they ought to be concerned about the Rudman report's conclusion. It said:

> If the Nation does not take immediate steps to better identify and address the needs of emergency first responders, the next terrorist incident could have an even more devastating impact than the September 11 attacks.

On Saturday our Nation commemorated the third anniversary of that tragic day three years ago. No American citizen will ever forget—no citizen in the world, for that matter, could ever forget—the heroism of the firefighters who were among the first on the scene that day and who charged the stairs, while everybody else was running out of these buildings.

Those 343 members of the New York Fire Department made the ultimate sacrifice that day in their efforts to save thousands of lives trapped in the World Trade Center.

After September 11, of course, we realized that firefighters face new and profound challenges. No longer do they just fight fires, promote safety, and inspect fire code violations. Firefighters still have those traditional responsibilities, but they are now called upon to do far more. They are now asked to respond to the threat of biological, chemical, and even nuclear terrorism. In other words, they are asked to confront what once seemed unthinkable on American soil. It is, therefore, not an exaggeration to say that the Nation's firefighters are now literally on the front lines of the war on terror, protecting our Nation from the very clear and present danger of future terrorist attacks.

In the past, the Congress has come to the aid of America's firefighters. We have provided substantial funds for the FIRE Act Grant Program, which I also authored with my good friend Senator DEWINE of Ohio. FIRE Act grants have enabled fire departments, large and small, paid and volunteer, to purchase the necessary equipment and train firefighters. That assistance allows them to do a better job. In Enfield, CT, yesterday, I saw exactly the kind of equipment that can be purchased with a fire grant proposal. It has made a huge difference to that one department in a relatively small community in my home State of Connecticut.

While training and equipment are extremely important, they are meaningless, obviously, without the personnel needed to take advantage of it. After all, what good is a new breathing apparatus if there is no firefighter to use it? What good is new protective clothing if there is no firefighter to wear it? What good are new firetrucks if there are no firefighters to drive them? What good are new portable radios if there are no firefighters to communicate with each other?

We cannot lose sight of the human side of this important issue. It takes significant manpower to rush into burning houses and buildings, to save the life of a child, deliver emergency medical services and respond to an incident involving a chemical or biological agent. It is, therefore, this shortfall in firefighter staffing that this bipartisan, fully offset amendment that I am offering with Senator SPECTER and others addresses.

The manpower situation was not always this dire. Yet over the past two decades the number of firefighters as a percentage of the U.S. workforce has declined considerably. I am going to put up a chart that lays out exactly what has happened. This chart will give us a clear understanding of the problems that exist.

Only 11 percent of fire departments can handle, with local personnel, a building collapse with 50 occupants or more in it. That means 89 percent of our departments cannot respond to that. Only 13 percent of fire departments can handle a hazardous material incident with chemical or biological agents and 10 injuries. Again, 87 percent cannot respond to this in an adequate way. Forty percent of fire department personnel involved in hazardous material response lack formal training in these duties, and 60 to 75 percent of fire departments do not have enough fire stations to achieve widely used response time guidelines. That gives some idea just in a brief synopsis of how serious the problems are across our country as far as the lack of personnel.

In 1983, for example, there was 1 firefighter for every 212 of our citizens. In the year 2000, there was only 1 firefighter for every 260 Americans. To put it another way, the number of firefighters has declined by almost 20 percent, nearly one-fifth, over the last two

decades. In fact, we have fewer firefighters per capita than nurses and police officers.

The amendment I am offering with our colleagues, if it is approved today, will hopefully begin to reverse this disquieting trend. In fact, the fire chief at Enfield, CT, told me that when he joined the department, there was a waiting list in order to get on the fire department. Today they are out every single day seeking to find people who will make this a career choice. In fact, they are understaffed at that particular station house.

As to our volunteer departments across the country, particularly in rural America, the days when people would be able to serve in a volunteer fire department and work in the town they lived in is diminishing. More and more people are choosing to live in rural environments and work someplace else, and they are unable to be volunteer firefighters in the home communities. Thus, the number of hired personnel becomes more important. In rural and urban America, the problem is the same.

These numbers I have just cited have recently been exacerbated by the fact that many firefighters have been called to active duty in the National Guard or Army Reserves. According to a recent survey, the smallest fire departments are disproportionately affected by the call-up of military personnel, and I note the presence of the Presiding Officer who comes from the State of Wyoming, where again a lot of small rural communities have been disproportionately affected by the call-ups and are feeling it in a very significant way. We are told that these departments are the least able to absorb the loss of trained staff and will stand to benefit from assistance made available under this amendment.

Finally, making matters worse for the fire services are the budget crises that State and local governments are enduring. This amendment is not suggesting that this ought to be a permanent program where we assume the responsibility of paying for the personnel at local fire departments across America; it is saying that the U.S. Government ought to be a better partner. Just as we have been doing with the COPS program, we can be so doing with our fire departments—not at the same level, not even close to the same level—but being a better partner to help get this on the right track again. Then hopefully, as our economy improves, our State and local governments will take over the responsibility.

Over the next 5 or 6 years, stretching this out, not trying to do it in 1 year, we can make a real difference in putting some people on the ground who can make a difference and save lives in this country.

Across our Nation today, firefighter staffing is being cut, and fire stations are being closed because of State and local budget shortfalls. These events are occurring at the same time that threats to our Nation by terrorism are placing unprecedented demands on the Nation's fire services.

I need not remind our colleagues this morning that we are currently spending billions of America's tax dollars to reconstruct Iraq. Some of those very funds are being spent to hire and train Iraqi firefighters and build fire stations in that nation. If we can find the resources to hire firefighters and renovate fire stations in Iraq, I do not think it is outrageous at all to suggest that we might find some resources to make a difference in hiring some people to protect our own communities in this great Nation of ours.

Again, I want to emphasize that our amendment is fully paid for, with reductions in management and administrative expenditures, by allowing for an increase of 35 percent in those areas, reducing the increase from 88 to 35 percent, and still by allowing under title 4 the amount for administrative and management expenditures at levels above those included in the House-passed bill.

It also has the endorsement of every major firefighter organization in this country. This is their No. 1 bill. This is their No. 1 priority. If we are going to go back home and talk about the importance of homeland security and doing a better job, standing up for these men and women who put their lives on the line every single day for our country, then it seems to me the very least we can do is see to it that they have the necessary personnel to do the job, and that is what we are asking for with this amendment.

America's firefighters are always the first ones in and the last ones out. They risk their own lives to save the lives of others. They stare danger in the face every single day because they know they have a duty to fulfill. On the third anniversary of the September 11 attacks, where 343 firefighters lost their lives doing just that, first ones in and last out, I believe there is no better way for us to commemorate September 11 and recognize the contribution of those individuals than to respond to the very organizations who represented them, who have asked us to do a bit better under this bill to see to it that our firefighters have the necessary personnel they need in order to do their job.

I thought I had already done this, but if not, I ask unanimous consent that Senator CLINTON of New York be added as a cosponsor of this amendment.

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

Mr. DODD. At the conclusion of these remarks, I ask unanimous consent that the letter of full endorsement of the Dodd-Specter amendment by Harold Schaitberger, general president of the International Association of Fire Fighters, be printed in the RECORD. I have mentioned already where the fire chiefs are on this issue. I also ask unanimous consent that the letter from Chief Robert DiPoli, who is the president of the International Association of Fire Chiefs, of full endorsement of this legislation as well be printed in the RECORD at the conclusion of my remarks.

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

(See exhibits 1 and 2.)

This is their priority. This is their opportunity. I need not waste a lot more time talking about this. I am sure my colleagues understand its importance. I hope on one of these amendments, a bipartisan amendment, our colleagues would see fit to be supportive of this amendment.

I yield the floor.

EXHIBIT 1

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS,
Washington, DC, September 9, 2004.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of our nation's more than 265,000 professional fire fighters, I am writing to urge your support for the Dodd-Specter amendment to the Homeland Security Appropriation (HR 4567) to provide $100 million for a fire fighter staffing initiative. The amendment is fully offset, and enjoys bipartisan support.

As you know, Congress last year enacted the SAFER Fire Fighters Act to address the critical staffing shortage in both career and volunteer fire departments nationwide. While other federal programs, such as the FIRE Act, have provided funding for fire fighter training and equipment, no federal assistance is currently being provided to ensure that fire departments have adequate personnel to take advantage of these resources.

Studies conducted by FEMA, the Council on Foreign Relations, and other organizations have consistently found that fire departments throughout the nation lack sufficient personnel to adequately protect the public. The SAFER Fire Fighters Act addresses this need by providing temporary matching funds to enable fire departments to hire additional fire fighters, and providing grants for the recruitment and retention of volunteer fire fighters.

Thank you for your consideration, and your continued support of America's fire fighters. If you have any questions about this issue, please feel free to contact Barry Kasinitz, IAFF Director of Governmental Affairs, at 202–824–1581.

Sincerely,

HAROLD A. SCHAITBERGER,
General President.

EXHIBIT 2

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS,
Fairfax, VA, September 13, 2004.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of the nation's fire chiefs, I urge you to vote for the Dodd-Specter Amendment to the homeland security appropriations bill. This amendment would fund the Staffing for Adequate Fire and Emergency Response Firefighters Act of 2004 (the ''SAFER Act'') at $100 million in Fiscal Year 2004 (FY05).

Established in 1873, the International Association of Fire Chiefs (IAFC) is a powerful network of more than 12,000 chief fire and emergency officers. Our members lead fire departments in responding to structural and wildland fires, hazardous materials incidents (including chemical, biological, radiological, and nuclear events), technical rescues (including swiftwater rescues, confined-space

rescues, and auto extrication, among others), and emergency medical situations.

The SAFER Act would go along way toward ensuring the safety of the public—and firefighters—during each of these emergency events. Large numbers of fire departments respond with an inadequate number of personnel. National Fire Protection Association (NFPA) Standard 1710 requires that, at a minimum, four members of a fire or emergency medical services company respond to an event. Often, however, more personnel are needed. In initiating a complete attack on a structural fire, for example, four firefighters are needed to meet OSHA's ''Two In/Two Out'' rule of having two firefighters inside the building and two outside, in case those inside need to be rescued. An incident commander is also required, along with a firefighter operating the water pump and one person ventilating the building.

Congress authorized the SAFER Act to grant federal funds to local communities to hire more firefighters. Grants would be awarded on the basis of need through a competitive, peer-reviewed process modeled after the highly successful Assistance to Firefighters Grant Program, which assists fire departments in funding much-needed equipment and training. The grants would be for a four-year period and must not exceed a total of $100,000 per firefighter. They require communities to match the grant (at 10, 20, 50 and 70 percent in years one through four of the grant, respectively, to phase down local government dependence on the federal government). Recipients would be required to retain new hires for at least one year following the conclusion of federal funding.

Because volunteer firefighters are such an important part of America's fire service, SAFER contains a specific provision to make sure that 10 percent of the appropriated funds are used for departments with majority volunteer or all volunteer personnel. In addition, at least 10 percent of the total appropriated funds must be used to recruit and retain volunteer firefighters.

Please vote for the Dodd-Specter Amendment to fund SAFER in FY05.

Sincerely,

Chief, ROBERT A. DIPOLI,
President.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we appreciate very much the offering of the amendment by the Senator from Connecticut. We oppose the amendment, and I have some very persuasive comments I am going to make on that subject. But before I proceed to do so, the Senator from New York has indicated an interest in offering an amendment and describing it to the Senate. I am happy to withhold my discussion of the Dodd amendment.

I ask unanimous consent, if the Senator has no objection, to set aside his amendment temporarily so the Senator from New York can offer her amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from New York.

Mrs. CLINTON. Mr. President, I appreciate very much the courtesy of my friend and colleague. I know, though, that the Senator from Connecticut is still on the floor. Perhaps he would want to hear the immediate response from the chairman of the Homeland Security Appropriations Subcommittee. So given that, if it is appropriate, I ask unanimous consent I be permitted to follow Senator COCHRAN, upon the conclusion of his response to Senator DODD.

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

Mr. COCHRAN. Mr. President, the bill we presented to the committee—and the committee approved it and referred it to the Senate for its consideration—has been very carefully crafted, analyzing the needs of the Department. We conducted a lot of hearings. We have been in consultation with the administration, the officials at the Department who are administering these programs, trying to make sure that, across the board, we are utilizing the funds that are available to us to get the maximum amount of benefit, in the most efficient way possible, to identify the critical and emergency needs we have, and to try to address those in a way that helps guarantee the safety and security of our homeland.

This is an important and very challenging task for the Senate. We appreciate the fact there are going to be differences of opinion and there are going to be suggestions made to increase this account or that account, reducing the funding for another, and that is what the Senator has proposed: that we add money for firefighter grants; that we take away money from other accounts in the bill, administration accounts. It is an easy vote to add money for a popular program. That is the easiest thing that we can do as a Representative or a Senator.

I am not suggesting the amendment is offered just because it calls for an easy vote, because this amendment suggests not only adding money for a popular program, but it also offsets by cutting funds for some that may not be as popular or as well known or understood as well as the firefighter program.

We all know firefighters. We know what they do. We know how heroically they performed on 9/11, and how much we depend on them every day. So we want to be sure they are well funded, that they have the training they need and the equipment they need, so we want to be generous.

That is why I point out at the outset that Senator FRIST and Senator BYRD, the former chairman of the full committee, the ranking Democrat on this subcommittee, and I joined in offering an amendment early in the consideration of this bill to increase firefighter assistance to $750 million. The bill now contains the level of funding that was included in last year's appropriations act for these purposes.

If you look at the history of funding of these programs, the firefighter assistance grants alone have received over $2.1 billion in funding since fiscal year 2002.

This does not reflect the resources that have been made available for fire departments through the basic State grant program or from State and local government support. They have, after all, the initial responsibility for these activities.

The amendment suggests offsets that we cannot afford to take. We are going to put at risk the Department of Homeland Security's initiatives in many areas if these offsets are approved in this amendment. For example, the suggestion of the Senator from Connecticut would reduce the Under Secretary for Management by $70 million, the Information Analysis and Infrastructure Protection Directorate's account by $20 million, and the Science and Technology Directorate's account by $10 million.

Buffer zone protection plans for critical infrastructure cannot be completed if the offset, cutting funds for the Infrastructure Protection Directorate, is approved. If the amendment is adopted, funding the Homeland Security Operations Center, which serves as the nerve center for sharing information across all levels of Government and the private sector, will be decimated.

In addition, the Homeland Security Information Network will not be able to provide threat information to State and local government entities as they are expected to do without the funds that are cut out of the bill by the Dodd amendment.

The management administration account, which is in the Science and Technology Directorate, provides the front line workers of the Directorate the funds for grants to university-based research facilities where many of the new technologies are being developed and designed, to more fully protect the safety and security of our homeland.

An immediate freeze is called for in all Federal hiring. The cut would decrease management administration accounts below last year's level, significantly and adversely affecting the number of employees in the Science and Technology Directorate.

The cut in funding could require a layoff of workers due to the reconfiguration and prioritization that is called for at that Directorate.

I am hopeful the Senate will carefully review the effect of this amendment, the damage that it would do to programs that are already underway that have to do with threat vulnerability programs that we cannot afford to abandon at this point. We want to work with the firefighter programs and make sure the grant programs are continued. They are generously funded in this bill, as I have pointed out, and they have been. We will continue to defend them, and we will work in conference to try to accommodate some of the concerns the Senator has mentioned in his excellent remarks.

For these and other reasons which I may state before we actually get to a vote on this amendment, I urge the Senate to vote against and reject the amendment proposed by Senator DODD.

Mr. DODD. If I may briefly respond, let me thank my colleague again. As I

said at the outset, he has a difficult job. Everyone has different ideas. I understand he has to balance all these.

If I may respectfully challenge what he said on the offsets, because this is a critical question and obviously we have to pay for these initiatives. We took money from two different titles in this bill, Title I and Title IV.

In Title I, which is where the bulk of the money would come from for the amendment, it would still leave an increase in the account of 35-percent over last year. The offset reduces it from an 88 percent increase that is in the underlying legislation.

I should mention at the outset, and I don't want to confuse our colleagues, that there are two separate proposals. One is the FIRE Act grant initiative, which the committee has been very supportive of, and I appreciate that. The bill has funding for $700 million for the FIRE Act grant program, which provides assistance for training and equipment. This amendment, however, is about personnel, which is a different issue. Our argument is that you can get a grant for new equipment, but it is meaningless if you don't have the personnel to do the job. That is why the SAFER bill is a top priority for the fire organizations.

Second, when it comes to the Title IV offsets, you still leave the administrative and management dollars at a level higher than what is in the House-passed bill.

So it is not bare-bones budgeting at all in this area. In those three categories, we are leaving more money than was in last year's budget, and at least as much as in the House-passed bill in either case.

We did it very carefully with the full knowledge that you don't want to be robbing Peter to pay Paul, as the expression goes, or cut into other critical areas. So by reducing across the board in these management areas, bringing them down to levels that still are above what they were previously, we think we have come up with a very balanced approach that deals with a very serious problem, and that is the 20-percent decline in the number of personnel that is affecting paid and volunteer departments across the country. It is a glaring problem that even the U.S. Fire Administration, aside from what firefighters and fire chiefs are saying, believes is absolutely critical.

Again, I thank my colleague from Mississippi for allowing me to bring up the amendment by having a unanimous consent to set aside pending amendments. If need be, Senator SPECTER may also want to share some comments before we finally vote on the matter. Would that be permissible?

I understand that at a later time another Senator wants to talk on this before we actually vote. Would that be permissible?

Mr. COCHRAN. Mr. President, if the Senator will yield, I think we have an opportunity for Senators to discuss these amendments out of order, if they would like. I don't think there would be any objection made to that.

Mr. DODD. I thank the Senator.

I yield the floor.

Mr. COCHRAN. Mr. President, knowing that the Senator from New York wishes to offer an amendment, I am not going to talk long. But I want to make one observation. We ought not to be getting into the business in the Senate of deciding for States and localities how they spend this grant money or how they spend the SAFER Act money. We need to have the flexibility to make those decisions with State and local governments. If we start telling a fire department they have to buy equipment with this amount of money, that they have to train people with this other amount of money, they have to equip trucks and vehicles with this amount, this amount is for that or the other, we are making a big mistake.

We are not the managers of these departments. We are not in the position to make the best decisions about how to efficiently use funds from Washington that will help our communities be safer and improve the quality of service provided by firefighters, law enforcement personnel, emergency management workers, or the rest. That is why the grant programs are broad and general. The States develop the plans for using the funds available to them from the Department of Homeland Security in many of these areas. It is the States and localities we ought to depend on to make the best decisions.

If we did what the Senator from Connecticut is suggesting we do, we would get into the business of making these departments allocate funds for one category or one specific activity or the other, and that is a big mistake. Adopting this amendment flies right in the face of the administrative policies that this Department is trying to develop and implement, and it is working to make our communities safer because we are leaving the decisions to those who are in the best position to know what is needed in their communities.

Do the firefighters need training in a certain area or another? I don't know the answer to that, if it applies to a fire department in my State. But the chief may know. He ought to know. He is in a better position to make the recommendations to the State officials as to what their needs are.

These people are applying for these funds. They are having to set out how they propose to use them. At other levels of administration, the decision is made to assign priorities and which ones have a higher priority than another.

That ought not to be made on the floor of the U.S. Senate. It is a mistake to get into the details as suggested by this amendment and take money away from activities that are ongoing, that are planned for this year, and then cut the funding for it. That is just going to make it more and more difficult to have a coherent, balanced approach to homeland security.

We hope the Senate will reject the amendment of the Senator from Connecticut.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. CLINTON. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mrs. CLINTON. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

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

AMENDMENT NO. 3631

Mrs. CLINTON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New York [Mrs. CLINTON] proposes an amendment numbered 3631.

Mrs. CLINTON. 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 require the Secretary of Homeland Security to allocate formula-based grants to State and local governments based on an assessment of threats and vulnerabilities and other factors that the Secretary considers appropriate, in accordance with the recommendation of the 9/11 Commission)

On page 19, line 21, insert '', which shall be allocated based on factors such as threat, vulnerability, population, population density, the presence of critical infrastructure, and other factors that the Secretary considers appropriate,'' after ''grants''.

Mrs. CLINTON. Mr. President, I again appreciate the courtesy of our chairman and colleague, the Senator from Mississippi. I also applaud him for taking on a heavy responsibility with respect to Homeland Security appropriations. I am going to be offering two amendments that I believe are necessary.

This first amendment is intended to do what every expert who has looked at homeland security has recommended and advised us to do.

Most recently, the 9/11 Commission reached the very same conclusion; that is, the Secretary of the Department of Homeland Security should allocate formula-based State and local homeland security grants on the basis of threats and vulnerabilities and other factors that the Secretary deems appropriate.

There are two major categories of grant money going from Washington out to the States and localities with respect to homeland security. One is called the State Homeland Security Grant Program. The other is the Law Enforcement Terrorism Prevention Grant Program.

As the Commission stated:

We understand the contention that every State and city needs to have some minimum

infrastructure for emergency response. But Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement State and local resources based on the risks or vulnerability that merit additional support. Congress should not use this money as a pork barrel.

The Commission, as we know, made a number of recommendations, some of which are being considered in other bills. We will have reports from some of the committees working on intelligence reform and the like. But this is a recommendation that we can and should act on now while we are debating and considering Homeland Security funding.

Specifically, my amendment does not affect the State minimum in the bill. I would underscore that, because I know there are legitimate concerns on the part of my colleagues which I share.

I represent a very diverse State. We have a lot of rural areas. We have a lot of open space up in particularly the northern part of the State and the western part of the State. I know very well that every State has legitimate needs. My bill does not affect the State minimum. It states that the grant funds above the State minimum should be allocated based on factors such as threat, vulnerability, population, population density, the presence of critical infrastructure, and other factors that the Secretary considers appropriate.

In crafting this amendment, only the factors mentioned by the 9/11 Commission were included, no more and no less.

As my colleagues know, the 9/11 Commission recommended that an advisory committee be established to advise the Secretary on any additional factors that the Secretary of Homeland Security should consider, such as benchmarks for evaluating community homeland security needs. As the Commission stated in its report, ''the benchmarks will be imperfect and subjective, and they will continually evolve. But hard choices must be made. Those who would allocate money on a different basis should then defend their view of the national interest.

Not only did the 9/11 Commission recommend that such changes be made in how Federal homeland security funds are allocated, but so did the other commissions that we quote in the Senate all the time, commissions such as the Homeland Security Independent Task Force of the Council on Foreign Relations, chaired by former Senator Warren Rudman. In fact, every homeland security expert I have talked to has said that the way the administration has chosen to allocate funding beyond the PATRIOT Act minimum—in other words, the State minimum that everybody will get—to allocate the additional funding beyond the minimum, on a per capita basis, simply makes no sense other than—I grant this—political sense. In this area of homeland security, we must, as the 9/11 Commission urged us to do, leave our politics at the door.

This should be a debate about what is in the best interests of our entire country, every region, and particularly on the basis of those threats and vulnerabilities that place certain parts of our country at greater risk than others.

I am concerned because in the Senate report accompanying the bill that is now before the Senate, there is language that says Secretary Ridge must allocate funds beyond the all-State so-called PATRIOT minimum on a per capita basis. In other words, we are not even leaving it to chance. We are not even leaving it to the discretion of the Secretary. In the report language of this bill, we are directing, or certainly strongly urging, the Secretary to allocate that funding on a per capita basis. That is literally the antithesis of the September 11 report, the Rudman task force. It is also the antithesis of what we have heard time and time again from Secretary Ridge and even from President Bush and homeland security experts.

The Rudman task force unequivocally made clear that for the sake of homeland defense we must employ a better formula. Certainly, they reached the same conclusion as the 9/11 Commission. I am a little concerned we have report language in our Senate bill that goes so contrary to what everyone has said needs to be done.

We have talked many times about the need for a better formula, and we should continue to talk about it until we actually do something. But it is discouraging to talk and not act and, in fact, to continue to go in a different direction.

It is important when we make the decisions about this that we recognize—I am not just talking about New York or Washington, although they were specifically mentioned in the 9/11 Commission—there are other parts of our country that have critical infrastructure. For example, in southern Louisiana, we have a major port. We have offshore petroleum platforms. We have part of the Strategic Petroleum Reserve, river road crossing, facilities pumping natural gas.

Considering that complex critical infrastructure, I imagine the Secretary of Homeland Security might very well determine the State of Louisiana should get some extra threat-based funding in order to deal with what is a very real danger.

We have communities such as Lancaster County, PA. We think of that as the home of the Amish and beautiful rolling countryside, but it also has two nuclear powerplants within the borders of that county. There are only five counties in the entire country that are in that position. Again, I argue that should be taken into account.

None of this could be taken into account, however, if we follow the House bill or we follow the report language of the Senate bill and see where the Secretary is being directed to continue to distribute this money on a per capita basis.

In closing, with respect to this amendment, it is simply long past time that we conclude that we must do something on a threat basis, and in order to do that, we need to give direction to the Secretary. He and I have had many conversations about this. He has expressed to me on many occasions his desire to provide threat-based funding, but his belief is that his hands are tied, because we continue to send the message to him and to the entire country we are going to distribute this money on a per capita basis.

I ask that the pending amendment be laid aside.

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

AMENDMENT NO. 3632

Mrs. CLINTON. I send this 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 New York [Mrs. CLINTON], for herself and Mr. SCHUMER, proposes an amendment numbered 3632.

Mrs. CLINTON. 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 appropriate an additional $625,000,000 for discretionary grants for high-threat, high-density urban areas)

On page 39, between lines 5 and 6, insert the following:

SEC. 515. (a) It is the sense of the Senate that in allocating Urban Area Security Initiative funds to high-threat, high-density urban areas, the Secretary of Homeland Security should ensure that urban areas that face the greatest threat receive Urban Area Security Initiative resources commensurate with that threat.

(b) The amount appropriated to the Office of State and Local Government Coordination and Preparedness for the fiscal year ending September 30, 2005, for discretionary grants for use in high-threat, high-density urban areas under title III of this Act is increased by $625,000,000.

Mrs. CLINTON. In addition to my first amendment, which would provide the Secretary with the discretion to distribute money above the State minimum, above the so-called PATRIOT Act minimum on the basis of threat, Senator SCHUMER and I offer this amendment to provide an additional $625 million for high-threat urban areas. This is a separate category of funding in homeland security in addition to the other two I mentioned.

In this category, we know that the Secretary does have discretion, but what we have found is that over the last several years the discretion that he has felt obligated to exercise has meant less money going to more places as opposed to concentrating money on a threat analysis so we could really take care of the needs of particular areas and then move on down to take care of the needs of others.

Last week, when Secretary Ridge spoke at the National Press Club, he said:

I would tell you that we assess the level of terrorist threat outside of Washington and New York, which will always be at the top of the list. I mean, that's just a fact of life. . . . I'm not telling you anything [new]. It's not news.

New York City, for obvious reasons—the impact on the economy and al-Qaida has always talked about the disruption or the undermining of our national economy. It's not just the iconic nature of New York City. A lot of the stock exchanges, the financial services community drives not only our national economy but the international economy.

And Washington, D.C., the nation's capital, will always be targets.

The 9/11 Commission and all the commissions before it, President Bush, and Secretary Ridge have all acknowledged the acute homeland security needs of high-threat urban areas, especially New York and Washington.

I was delighted the recent Republican convention in New York went so well. Everyone seemed to have a great time in the greatest city in the world. The amount of work, the extraordinary expense of making it run so smoothly, was defrayed to some extent by Federal assistance, but to a large measure it reflected the ongoing investment that the people of the city of New York and the State of New York made in ensuring that we are always on high alert because, in fact, in New York City we are always on high alert.

Yet despite that, last year, the Department of Homeland Security allocated only $47 million to the New York City area under the high-threat program. They admit that was insufficient. Everyone who looked at it knows it is insufficient.

Our mayor has come forth with a very scrubbed list of immediate needs that is in the area of about $600 million just for New York City. That is why I am offering this amendment along with my colleague. I recognize Secretary Ridge has the authority to allocate high-threat resources in the way he deems appropriate. But, unfortunately, there is not enough money in the pot for him to do the job he knows needs to be done. So my amendment expresses the sense of the Senate that in allocating resources under the Urban Area Security Initiative, the Secretary should allocate commensurate with the threat these areas face.

Now, $47 million, which was the allocation last year to New York City, is a lot of money. But it pales in comparison to the $200 million the New York City Police Department alone spends on counterterrorism activities and the $1 billion in New York City's specific homeland security needs.

My guess is many of our guests at the Republican Convention enjoyed the city in part because the police presence was so pervasive and the reputation of our firefighters so well deserved for courage and bravery that it was not a matter you needed to think much about. You could get out and enjoy the city and go back and forth to hotels and go out for meals and maybe even go to the theater. I was thrilled by that. I am always very happy when people come to New York City.

But the very bottom line is, we are not getting adequate funding to be as prepared as we need to be. And other high-threat areas are also in the same position. I hope we are able to recognize these two amendments are real, commonsense amendments. They are aimed at making sure the money gets where it is most needed and at increasing the money that is specifically addressing high-threat urban areas. Because, unfortunately, we are playing a little bit of a shell game here. We are cutting money for first responders, which is why I strongly support the amendment from my colleague, the Senator from Connecticut.

We are expecting those firefighters and police officers and emergency responders and emergency room doctors and nurses and others to be ready when we need them. Hopefully, we will not need them, but they better be ready if we do need them. Yet we are cutting money for first responders. The omnibus Byrd amendment that we failed to pass in the Senate last week tried to address that. It is unfortunate we are taking money away with one hand while we are giving it back with the other. But what we are giving back does not make up for either what was lost or what is needed.

I hope we can address the continuing emergency needs when it comes to our first responders. There is nothing more important—I am told this all the time—than funding specifically for interoperable communications systems. Unfortunately, there is no money in this bill to help our first responders do that. This is something we have talked about now for 3 years. Our police and firefighters could not talk to each other in New York. This is a problem that happens all over the country. Yet we do not seem to address it.

Again, the 9/11 Commission came forward with a good recommendation:

[H]igh-risk urban areas such as New York City and Washington, D.C., should establish single corps units to ensure communications connectivity between and among civilian authorities, local first responders, and the National Guard. Federal funding of such units should be given high priority by Congress.

I hope we will do that before we finish this bill. I hope we can recognize that in most parts of our country that face these risks—whether it is a tourist attraction such as Las Vegas or a large melting-pot city as Los Angeles or, of course, other cities of similar size and population density—having interoperable communications among and between first responders is essential to being able to deal with both threat and reality.

We are on the lookout for potential terrorist activities and we need to be able to hope that all of our various law enforcement and firefighting responders and others are preventers as well as responders and are well equipped to do that. We can do the right thing by increasing the amount in the high-threat urban areas. If we put in the $625 million Senator SCHUMER and I are recommending in this amendment, we would bring the total appropriated amount to $1.5 billion. This is the amount I have been arguing for and fighting for in legislation I introduced back in January of this year. It is also in line with President Bush, according to his proposed fiscal year 2005 budget. In that budget, he called for $1,446,000,000 specifically for high-threat urban areas.

So again, everybody seems to be in sync except our Congress. I do not understand that. I find it bewildering that we have the administration proposing this amount of money, we have every expert proposing this amount of money, but when it comes to action on the floor of the Senate and the House, somehow we do not do it. I hope my colleagues will support both of my amendments. I hope they will go along with the 9/11 Commission report which has won broad bipartisan support. It is, apparently, the fastest selling paperback in the country. A lot of Americans are reading it, digesting it. It is not only a debate among experts and policy wonks and security gurus.

There is now a debate that is happening out in America. And it is a life-or-death debate. It goes to the heart of whether we are serious about homeland security, whether we are going to put our dollars where our words have been, whether we are going to get the results we need so we can feel confident we have done everything we know to do.

So I ask my colleagues for support of the two amendments I have offered today and, in keeping with the recommendations of the 9/11 Commission, to do so in a broad bipartisan way that sends a signal to not only our Nation but to any who wish us ill anywhere in the world that we are vigilant, we are prepared, we are doing all we humanly know to do to prevent and deter attacks and respond effectively should one occur.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 3631

Mr. COCHRAN. Mr. President, I am sure Senators are aware that the Governmental Affairs Committee of the Senate has jurisdiction over the legislative authority, the law, creating the Department of Homeland Security. In that, legislation grant programs are described, allocation formulas are contained, that give guidance to the distribution of Federal funds to States and localities for various programs.

The Senator from New York is suggesting, by her first amendment, that the appropriations bill that is before the Senate should be amended to change the way the grants are being given to States and localities. The Senate Governmental Affairs Committee has already addressed this issue. Hearings have been held. A review and consideration of various changes in the allocation process have all been reviewed. And the committee has acted.

They have reported out of the Senate Governmental Affairs Committee S. 1245. That is a Senate bill called the Homeland Security Grant Enhancement Act. The act, as reported by the committee, will modify the formula for distributing domestic preparedness grants.

If the Senate wants to take action as suggested by the Senator from New York, it can adopt that bill or amend it as may be suggested by the Senator from New York. That is the appropriate vehicle for revising first responder grant funding, not this appropriations bill. We are bound by the law. We are funding the programs authorized by the law. We are giving funds according to the priorities of that law. Every time we have an annual appropriations bill, we cannot change the way those formulas are written. That would be bad policy, bad practice, and it should not be followed in this instance on this issue.

Every State in the Nation is entitled to a base level of Federal support for homeland security needs. A State's size or population does not necessarily reflect the level of danger to a State's population or to a city's population. Each State has the responsibility to make decisions that are designed to protect the property and the lives of its citizens, and they must allocate State resources—and local resources may be allocated as well—to train, equip, and maintain qualified first responders for those purposes.

I believe the committee has done a very good job of analyzing and recognizing the needs of our larger and most threatened cities. In the fiscal year 2003 appropriations and the wartime supplemental, $850 million was set aside for high-threat urban discretionary grants. In fiscal year 2004, in the appropriations bill, a further $725 million was set aside for these high-threat urban areas. The bill now before the Senate contains $875 million dedicated to high-threat urban discretionary grants. Taken together, this is over $2.4 billion just for the urban areas of our country. This is on top of the basic grant each State receives.

The Department of Homeland Security has developed a model using classified information to allocate resources to major urban areas based on a combination of current threat estimates, critical assets within the urban area, as well as population density. The formula uses a combination of these factors to produce proportional resource allocations. Of the high-threat urban grant funding for fiscal year 2004, over $79 million has gone to communities in New York State. Since the inception of the Urban Area Security Initiative, over $316 million has been made available to cities in New York. These funds are in addition to the dollars that were received by the State of New York through the basic State grants.

In fiscal year 2004, more than $141 million in discretionary high-threat funding has been allocated to communities in California. Since the inception of the Urban Area Security Initiative, more than $247 million has been made available to the State of California. So the needs of our urban areas and the States with high population centers are already being addressed. But so, too, are those in other States of our great Nation.

We should not come in on this bill today with this amendment and change the formula for the basic State grant program. That debate should occur when the Senate considers the Governmental Affairs Committee bill, S. 1245, which is now on the calendar of the Senate.

I urge my colleagues to oppose the first amendment of the Senator from New York.

The second amendment the Senator has offered deals with Urban Area Security Initiative funding and suggests to the Senate that the amount available in the bill should be increased. In this bill, as in last year's appropriation, we have continued to provide funds specifically for the largest metropolitan areas that face the most risk. The Urban Area Security Initiative grant fund is distributed at the discretion of the Secretary of Homeland Security. I have mentioned that. It is based on current threat information and other factors. With the resources available, the bill makes the best use of these limited resources.

Let me make that point again. These are limited resources. This committee has been allocated a certain amount of money, around $32 billion, to provide funding for this next fiscal year for activities under the jurisdiction of the Department of Homeland Security and other agencies that are funded in this bill. With those limitations, choices have to be made. It would be good to be able to increase funding for all of the programs in this bill. They are all worthwhile programs or they would not be in the bill. They are all important activities. But at some point the committee has to make a decision. It has to say: This is the amount that is allocated for this next fiscal year for this particular account or program.

This bill includes $875 million for the Urban Area Security Initiative. Since fiscal year 2003, including the amount provided here, over $2.4 billion will have been made available for the Urban Area Security Initiative. The Senator's amendment would add an additional $625 million, almost doubling the Urban Area Security Initiative, to this grant program.

Because of the reasons I have cited, at the appropriate time, I will suggest that a point of order should lie against this amendment.

Next let me read another provision of the committee report which I think will explain why it is important for us to reject this amendment:

> The Committee is concerned with the administration of the funds available to assist the communities most in danger in the United States. The continued expansion of the cities eligible for this funding has the impact of diluting the resources that have been made available, shortchanging those communities with the most serious quantifiable threat. The Committee believes the Department achieved a more optimal use of the funds in fiscal year 2003. Further, the Committee believes the Department's practice over the past two fiscal years, to allocate the full amount appropriated for the program at one time near the beginning of the year, leaves the Department with little ability to respond to new or updated intelligence or recent terrorist threats. Consequently, the Committee recommends that at least 10 percent of the funds appropriated for the program be reserved to meet any needs over the course of the fiscal year warranted by more current threat information and intelligence. Any reserve funds remaining at the beginning of the last quarter of the fiscal year shall be released to fiscal year 2005 grant recipients as determined by the Secretary.

It is my hope that the Senate will reject both of the amendments offered by the Senator from New York.

The PRESIDING OFFICER. The senior Senator from New York.

AMENDMENT NO. 3632

Mr. SCHUMER. Mr. President, I rise in support of this amendment introduced by my colleague and friend, Senator CLINTON, and me. It doesn't take money away from anybody else. It simply increases the amount of money to the high-needs areas. There are lots of ways to skin this cat. It is clear that the areas most under threat, cities such as New York City, the No. 1 target, as we know, of the terrorists, need far more help than we get. I think there has been a general outcry by the 9/11 Commission and many others that it is so unfair to give, say, the State of Wyoming more on a per-capita basis than New York City gets in terms of terror. I don't doubt the need Wyoming has for dollars. But if Wyoming has the need for dollars, certainly New York has a greater need for dollars.

What we have done with this amendment, which is one way to do it, is to simply increase the high-needs area. It does not touch the general formula but, rather, goes to high needs.

Let me share a little history about this high-needs area. As you may know, when we first were setting up this formula, I spent a lot of time negotiating with the White House as to how we would allocate money. Then the point person for the White House was the Secretary of OMB, Mitch Daniels. We came to the conclusion that obviously every State needed some money. And knowing how the House and Senate work, we weren't going to get a formula which would send money to the 5 or 10 largest cities or the 5 or 10 largest focal points. So we negotiated the formula in two parts.

The first was the general formula, and there was a specific need for every State and taking care of those States. Now, the remainder of that formula, which we are not discussing now, was supposed to be allocated by discretion by the administration. They basically punted the ball and did that on a per capita basis.

I ask unanimous consent that I be given an additional 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. I will not object. I have a unanimous consent request to make.

Mr. SCHUMER. I yield to the Senator for that purpose.

Mr. COCHRAN. Mr. President, I ask unanimous consent that at 2:20 today, the Senate proceed to a vote in relation to the Mikulski amendment No. 3624, with no amendments in order to the amendment prior to the vote; provided further that there be 2 minutes equally divided for debate prior to the vote.

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

Mr. REID. Mr. President, Senator SCHUMER has asked for 5 minutes and I have no objection to that. The other Senator from New York may wish additional time.

Mr. SCHUMER. Mr. President, I ask unanimous consent for 10 minutes.

Mr. COCHRAN. Mr. President, I have no objection.

Mr. REID. The Senator from New York wishes 5 minutes.

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

Mr. SCHUMER. Mr. President, we had the high-needs formula, which really didn't do justice to the areas that had the highest needs. We came up with this high-needs formula.

Frankly, the first year it worked quite well and quite fairly. The bottom line is that, of the high-needs allocation the first year, which I believe was $700 million, New York City, the city that has been the focus of both terrorist attacks, received $225 million. While still on a per capita basis, we were not getting what we thought was a fair share, it certainly came a lot closer.

But what has happened is two things. First, on the high-needs formula, other localities came in and asked for money. They said they are a high-needs area. The number of cities last year that were under the high-needs rubric expanded. The first year it was a handful, the next year it was 30, and last year it was 50. So now lots of localities are competing for this high-needs money. That is fine. I am not one to begrudge that. I think we are not doing enough on homeland security, and this is one place we should be spending more dollars.

We are not trying to take away money from the high-needs area. I remind my colleagues that the amendment we are offering will apply to a larger number of cities than first proposed. But the bottom line is very simple; that is, once the high-needs funding was spread among many cities, the cities of the greatest need, such as New York and Washington, did not get the dollars they needed. Over the last 3 years, the amount of money that New York City has received has shrunk and shrunk and shrunk. The bottom line is very simple: We are not getting what we need.

Let me talk about some of the needs in New York City. I live in Brooklyn, a proud Brooklynite. We have the Brooklyn Bridge, which crosses from Brooklyn to Manhattan. Every time I cross that bridge—usually by car and once in a while on a bicycle—there are two police officers at each end of the bridge. That bridge is guarded 24 hours a day, 7 days a week, as it must be. We picked up somebody in Ohio a few years ago who was intent on trying to destroy that bridge. Well, that is 20 police officers, because it is five shifts of four people. Multiply that by the number of bridges and tunnels comparable to the Brooklyn Bridge in New York and that shows you the magnitude of what we are doing.

It is the same thing with our firefighters and our emergency responders and our hospitals. All of them have had to do so much more because our city is at the epicenter more, quite frankly, than a hospital, police department, or a firefighting department in a middle-sized city in the middle of America, which doesn't have to do quite what we do. My guess is that bridges in Omaha, or Wichita, or Albuquerque are not guarded by two police officers at either end for 24 hours a day, 7 days a week; nor should they be. But they have to be in New York.

We will do everything we can to prevent another 9/11. Yet as we have gone further along, the amount of money New York City has been given has decreased. I know there are other cities that have needs. I worked hard to see that Buffalo was included in this formula, with $10 million. A few other cities in upstate New York have problems.

So there are only two ways to go about solving this problem. One is to rob Peter to pay Paul, to reallocate the funds that are there. That is not this amendment. We don't touch that. The other is to increase the high-needs funding, so the cities that are under the greatest threat and the greatest danger can at least be reimbursed in greater part. Certainly, we won't be made whole for the homeland security efforts that we must undertake.

We heard a few months ago, when we picked up the new intelligence, what the areas were they were focusing on: Washington, DC, and the New York City metropolitan area; five buildings, two in DC, two in Manhattan, and one in northern New Jersey. Again, we can bring home the need to focus that should be here. Yet we are not doing it.

Let me tell you, if you think we don't have the money, we are going to spend $416 billion on defense this year. We are only spending $33 billion on homeland security in toto. We are spending less than $2 billion on helping our first responders, on helping our localities that have worked so hard and so well to defend us from terrorism. It would seem to me that any fair allocation of dollars would be giving New York City more money, giving some of the other cities more money.

Let me go over the numbers. Last year, New York's share of high-needs areas dropped to 9 percent. We didn't receive 9 percent of the attacks. Thus far—and I hope there are no more anywhere in America—we received 100 percent of the two terrorist attacks that have occurred.

Our city, as I say, is struggling. We have needs like everybody else. We have a great police department, a great fire department, a great EMT department, and great hospitals. But they cannot do it alone. So it is my hope that our colleagues will rise to the occasion.

This money, as I say, will not just benefit New York but other cities of high needs throughout the country. Let's stop underfunding this very needed program. Let's stop saying let the other guy do it. In a time of terrorism, we need leadership. This amendment represents leadership, and I hope we can get the sufficient number of our colleagues on both sides of the aisle to support it.

I yield the floor.

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

Mrs. CLINTON. Mr. President, I rise to respond to some of the points made by the chairman of the subcommittee. I start by saying that as I understand the underlying legislation from the House, there is no language, either legislative or report, that addresses how the Secretary of the Department of Homeland Security should distribute the funding above the small State minimum.

The language that my amendment is addressing specifically appears in the report to the Senate bill. So I want everyone to understand that I agree every State should receive a minimum level of funding. I think that is not only politically necessary, it is appropriate and fair.

Based on the calculation of that funding, about 38 percent of all of the homeland security funding in the two biggest grant categories for the State homeland security grants and the terrorism prevention grants will go across the board on a per capita basis to all the States. So everybody will get a per capita basis that they can then use to meet their homeland security needs.

Now, the remaining 62 percent of the money is what my formula amendment is addressing. At the very least, the Senate should not be, in report language, recommending that the Department of Homeland Security also distribute the funding on a per capita basis. That runs absolutely counter to the recommendations of the 9/11 Commission. The 9/11 Commission said do away with small State minimums, do away with any kind of per capita funding, begin to distribute this money on the basis of risk and threat. Yet we get a committee recommendation from our Senate committee which basically recommends that the funds that are used consistent with each State's homeland security strategy are to be allocated on a per capita basis.

So it is not only that we are failing to change the formula to comply with the 9/11 Commission, we are directing the Department of Homeland Security not to comply with the 9/11 Commission.

I am not saying take the money away from all the States and direct it where it is most needed. I am not going the full place that the 9/11 Commission has set out for us. I am recognizing the political reality and the fairness of allocating money to every State. At the very least, let us not direct the Department of Homeland Security to distribute the money above the small State minimum on a per capita basis. So I hope we could remove that language, and my formula amendment would do that.

Secondly, we cannot wait for the Governmental Affairs Committee to come forward with their authorization. I stood on this floor months ago and said we needed to change the risk and threat analysis in order to distribute the money more effectively. The very effective chairwoman of that committee came down to the floor and said: We are working on a change of formula. Work with us. Let us get the authorization changed.

We have been waiting for that bill ever since. There is no authorization. The only opportunity we have to begin to try to focus our efforts on homeland security to address the kind of threats that we face is in this appropriations. In fact, the door has been opened because in this appropriations bill coming from the House, they talk about a PATRIOT Act minimum, and then the Senate committee goes one step forward and says above that minimum do not direct it any other way except per capita.

So I understand very well that everybody has to look out for his or her own State, but on this matter we have to put the money where the threat is, and the threat is in places such as New York and Washington. Every committee, every commission that has looked at this has come to the same conclusion.

So I look forward to working with the chairman to make it possible to distribute the money on a threat-based analysis as opposed to directing the Department to distribute the money above the small State minimum, 62 percent of the money, also on a per capita basis.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from Mississippi.

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

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

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005—Continued

AMENDMENT NO. 3624

The PRESIDING OFFICER. There is 2 minutes evenly divided before proceeding to the vote on the amendment.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, at the appropriate time it will be my intention to make the point of order against the amendment, in that it violates the Budget Act because it provides for the appropriation of additional funds above the allocation of the amount available to this subcommittee and there is no offset provided in the amendment. So for the information of Senators, that is the intention of the managers of the bill.

Under the previous order, as I understand it, a vote is scheduled to occur at 2:20. Is that the order?

The PRESIDING OFFICER. The Senator is correct.

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

Ms. MIKULSKI. Mr. President, what is the pending business before the Senate? Is it my amendment increasing firefighters funds?

The PRESIDING OFFICER. Pending before the Senate is the Senator's amendment.

Ms. MIKULSKI. As I understand it, I have 1 minute and then there will be a subsequent comment by the chairman of the subcommittee; is that correct?

The PRESIDING OFFICER. That is correct. The Senator from Maryland.

Ms. MIKULSKI. My amendment which is pending adds $150 million to the Fire Grant Program, bringing it to the authorized level of $900 million. This Fire Grant Program is peer-reviewed and merit based with no pork in it. It provides grants to local fire departments. The President requested $500 million, the chairman added another $200 million, then Senator FRIST added another $50 million on Friday, but I want to bring it up to the full $900 million. Why? This Fire Grant Program is the only program that really helps our firefighters have the equipment they need to protect themselves, as well as modern equipment.

Last year, the Fire Grant Program received $2.5 billion for its requests—20,000 worthy applications. I know we can't fund it at $2.5 billion, but we can fund it at the authorized level. Therefore, I urge adoption of my amendment. Let us protect the first responders so they can protect us.

I ask unanimous consent that letters of support from the National Volunteers Fire Council and the Congressional Fire Services Institute be printed in the RECORD.

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

NATIONAL VOLUNTEER FIRE COUNCIL,
Washington, DC, September 8, 2004.

Hon. BARBARA A. MIKULSKI,
Hart Senate Office Building, Washington, DC

DEAR SENATOR MIKULSKI: The National Volunteer Fire Council (NVFC) is a non-profit membership association representing the interests of the more than 800,000 members of America's volunteer fire, EMS, and rescue services. On behalf of our membership, I am writing to lend our full support for your amendment to the FY 2005 Homeland Security Appropriations Bill to fully fund the Assistance to Firefighters Grant program at the $900 million level.

As you know, the Assistance to Firefighters Grant program provides critical funding to our nation's 1.1 million firefighters, 75% of which are volunteers. The purpose of the program is to bring every fire department up to a base-line level of readiness—and keep them there. The program has proven to be the most effective program to date in directly providing local volunteer and career fire departments not only with the tools they need to perform their day-to-day duties, but it has also enhanced their ability to respond to large disasters as well. As we move to prepare for terrorist incidents at home, we must first ensure that local fire departments have the basic tools they need to do their jobs on a daily basis.

The program benefits our entire nation by providing local fire departments with much-needed training and equipment to respond to 21 million calls annually. These calls include structural fire suppression, emergency medical response, hazardous materials incidents, technical rescues, wildland fire protection, natural disasters and events of terrorism.

Once again, we strongly support your amendment to the FY 2005 Homeland Security Appropriations Bill and we thank you for your continued leadership and support of America's fire service. If you or your staff have any questions please feel free to contact Craig Sharman, NVFC Director of Government Relations.

Sincerely,

PHILIP C. STITTLEBURG,
Chairman.

CONGRESSIONAL FIRE SERVICES INSTITUTE,
Washington, DC, September 7, 2004.

Hon. BARBARA MIKULSKI,
Hart Senate Office Building, Washington, DC.

DEAR SENATOR MIKULSKI: On behalf of the Congressional Fire Services Institute's National Advisory Committee comprised of 42 national fire and emergency organizations, I am writing to thank you for all your efforts, past and present, to preserve the Assistance to Firefighters Grant Program (AFGP), also known as the FIRE Act. As you know, the FIRE Act has been a critical program in our efforts to prepare America's firefighters to effectively respond to all emergencies. It is for this reason that I would like to commend you on your efforts to increase the funding allocation for the AFGP in the FY05 Homeland Security Appropriations Act to $900 million, the full amount authorized by Congress.

The purpose of the FIRE Act is to bring every fire department up to a base-line level of readiness—and keep them there. Too many fire departments in this country lack