

that money got into consumers' hands, they continued to buy what was needed for their families, and they have been the strongest part of the economy during a critical time.

We also had passed—and this is a case where it was bipartisan—tough corporate accountability legislation.

There are some other issues we still could do in the waning hours of this session, but I think to just make speeches and be critical of fiscal policies without offering any alternatives is the height of what we should not be doing in the Senate.

The emperor has no clothes, Mr. President. The leadership has not passed a budget. It has not passed appropriations bills. The Senate has not passed the prescription drug bill. We have not been able to get any traction on homeland security, and we have not even done pension reform. I would like people to know more about what they can count on with regard to putting money in IRAs or maybe taking money out of IRAs for education and what we are going to do in the future in terms of protecting 401(k)s and how stock options are going to be done. But that has not been brought up, and I am not sure it ever will be.

We have the opportunity in the next 3 weeks to do what must be done for our country: We can pass the Defense and military construction appropriations bills to make sure our men and women have what they need to do the job to protect America at home and abroad. We can pass this homeland security bill, create this Department that will bring some focus to our homeland security, and we can help with economic security by controlling spending and by passing such bills out of conference as the energy bill. If we do not deal with the energy needs of this country for the future, if we do not have an energy policy and someday we have a real shortfall, that could have a quick negative effect on our economy.

Those are the issues on which we can work in the next 3 weeks. Of course, we are going to need to stand up to our responsibilities and address the Iraq situation also. I think we will do that. We should focus on those issues we can do, where we can find agreement, and quit being critical without offering any alternatives.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. Morning business.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

HOMELAND SECURITY ACT OF 2002

The PRESIDING OFFICER. Under the previous order, the hour of 1 o'clock having arrived, the Senate will now resume consideration of H.R. 5005, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes.

Pending:
Lieberman amendment No. 4471, in the nature of a substitute.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from West Virginia.

AMENDMENT NO. 4644

Mr. BYRD. Madam President, for the information of my colleagues, I have no intention of speaking at great length. I hope that other Senators will come to the floor and engage me—not necessarily engage me, but Senators will come to the floor and speak on the amendment either for or against.

I would like to see other Senators who, I am sure, are as concerned about the pell-mell rush to ram the homeland security legislation through both Houses and put it on the President's desk before much time is to be had for debate and for a clear elucidation of the pros and cons with respect to my amendment. And there are other amendments by other Senators waiting. I also have some other amendments.

I do invite other Senators on both sides of the aisle to come to the floor and participate with reference, hopefully, to my amendment.

Yesterday, the administration and the congressional Republican leadership again chastised the Senate for not acting quickly enough to pass the President's homeland security measure.

Said the very able Senate minority leader:

I fear the Senate Democrats are fiddling while Rome has the potential to burn.

"It's being talked to death," added White House spokesman, Ari Fleischer.

We are said to have been debating this bill for 3 weeks now, 10 days of debate—3 weeks.

Ten days of debate is not too long, something like 3 weeks. It takes 3 weeks to hatch an egg. I believe the distinguished Senator from Tennessee would agree with me; we are both from the hill country. He is from the hill country of Tennessee, and I am from the hill country of West Virginia. It does not make any difference how much heat you apply to that egg, it still takes at least 3 weeks for that egg to hatch out. If I am wrong in that, I would like my colleague from Tennessee to tell me.

We are talking about something that was hatched by four men, are we not, in the dark subterranean caverns of the White House?

I think a bill of this importance should be debated long enough that the Senate will know and the people will know what we are talking about, what we are about to pass. This is no small piece of legislation. It is not legislation of little moment. It is very important legislation. In my speaking on this measure thus far, I have met with a great deal of apathy. I do not believe much attention is being paid to this bill. I had urged that we not act too fast to have this bill on the President's desk before the August recess or by the time the August recess began, and then there was the idea that we ought to pass it by September 11, the first anniversary of that tragic event which occurred in New York City. And I said, no, we need to take longer. I hoped that Senators would read the bill and that Senators' aides would read the bill and that the people over at the Congressional Reference Service, the legislative people over in the Library of Congress, would have an opportunity to read this bill before we voted on it.

We have been debating this now for a few days. We look ahead to the appropriations bills that must be passed before the end of the fiscal year, the proposed adjournment date of October 6, and the November mid-term elections. It seems to be a long time for deliberation on one bill, but merely having a bill on the floor or on the calendar and actually debating it are two different things. To have the bill before the Senate and to be actually debating it are two different things.

I have my eye further ahead, years ahead, to future Congresses and future generations of Americans. I am trying to look ahead. To my way of thinking, the attention which this bill has received on this floor seems exceedingly brief. We are in the midst of an enormous undertaking. We are talking about enacting a massive reorganization of the Federal bureaucracy, a radical overhaul of our border security and immigration system, and a powerful new intelligence structure that may forever change the way Americans think about their own freedoms. It is a mighty huge responsibility that we are taking on, and we are endeavoring to do it all in one fell swoop: do it now, do it here. We have heard that advertisement on television: Do it now, do it here.

I understand the pressures to move quickly today. We live in an age of instant coffee, instant replays, and instant messages. I suppose the drive for instant legislation is a natural outgrowth. But I prefer the taste of slow brewed coffee. And I like to study the fine print in legislation I am being asked to support.

I would like to know, for instance, just exactly how many Federal workers will be employed at this new Department. I saw a recent article in The