

The bill does not recommend the consolidation of funding for emergency management performance grants into the Office for Domestic Preparedness grant programs, as proposed in the budget. An appropriation of \$165 million for this grant program is provided through the Emergency Preparedness and Response Directorate.

The bill recommends \$3.6 billion in total funding for the operations of the Emergency Preparedness and Response Directorate, fully supporting the fiscal year 2004 budget for preparedness, mitigation, response, and recovery activities; public health programs, to include the Strategic National Stockpile; and information technology services and regional operations.

The bill provides \$1.9 billion for disaster relief as proposed in the President's budget. The disaster relief fund through the Department of Homeland Security will continue to operate the programs formerly run by the Federal Emergency Management Agency to assist victims in presidentially-declared major disasters and emergencies.

The bill provides \$200 million for flood map modernization activities to modernize and digitize the Nation's flood maps. These maps are outdated and in some cases not permanently documented, as the digitization process would provide. Fiscal year 2004 funding will ensure that the Department stays on track to provide up-to-date flood maps for the Nation within 5 years.

The bill continues the Emergency Management Performance Grants, "EMPG", at \$165 million, and does not recommend shifting this program to the Office for Domestic Preparedness. EMPG is a State matching grant program designed to assist States and local communities in all-hazards planning and response, and is therefore more appropriately administered through the Emergency Preparedness and Response Directorate. In Mississippi, the number of counties with emergency management programs has increased from 43 to 65 in the last three years because of funds made available through EMPG. The same is true for numerous other States, indicating the importance of this program to provide communities with the capability to develop localized emergency management programs.

The bill recommends \$823.7 million for activities of the Information Analysis and Infrastructure Protection directorate to identify and assess threats to the homeland, map threat information against current vulnerabilities, issue warnings, and take preventive and protective action.

A critical component of this directorate is the ability to provide the resources to secure our Nation's critical infrastructures from catastrophic events. In order to achieve this, \$293.9 million is provided for critical infrastructure and key asset identification, field assessments of critical infrastructures, and key asset protection implementation to help guide development

of protective measures to harden facilities and assets.

For the intelligence and warning functions of the Department of Homeland Security, \$101.7 million is provided to guide collection, assessment, evaluation, and prioritization of all intelligence information.

As part of the effort by IAIP to better secure not only physical assets but also cyber assets, the bill includes \$98.5 million for the integration of physical and cyber infrastructure monitoring and coordination for cyber security.

A total of \$866 million is recommended for the research and development activities of the Department's Science and Technology Directorate.

This directorate is tasked with the centralization of research and development department-wide and is provided \$64 million in support of conventional missions of the Department's agencies and bureaus.

The bill also provides \$55 million for the establishment of a university-based system to enhance and strengthen the efforts of homeland security on our Nation's campuses.

As the Department works to monitor and detect cyber attacks by terrorist organizations within the auspices of the Information Analysis and Infrastructure Protection directorate, Science and Technology is responsible for the research and development of the most appropriate technologies for next generation cyber threat characterization, detection, and origination. For these activities, the bill provides \$18 million.

A total of \$70 million is made available for the technical support working group responsible for the rapid development and prototyping of new technologies in support of homeland security.

For research and development of critical infrastructure security assurance, \$72 million is provided, of which up to \$60 million is made available for research, development, testing, and evaluation of an anti-missile system for commercial aircraft. There also is a great need for the development of standards and protocols for equipment that is used in the field for detecting, mitigating, and recovering from terrorist attacks and funds are available for this purpose.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. 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. BENNETT. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business.

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

A CONSTANT DRUMBEAT

Mr. BENNETT. Mr. President, the constant drumbeat in the press goes on. We find it highlighted in this week's national news magazines: a constant attack on the credibility of George W. Bush; a constant drumbeat calling him a liar, at the very least an exaggerator who did it deliberately to mislead the American people and to take us to war.

Those in the media who get involved need to be reminded just a little bit of their responsibility. It is their responsibility to react not just to the flavor of the moment, in terms of political issues, but to give us a little bit of institutional memory. Since they seem to lack that memory, I will do my best to supply it here this afternoon.

I remember as a Member of this body some intelligence lapses that occurred and decisions that were made on the basis of those lapses. Let me give you some.

I remember when the United States bombed a pharmaceutical plant in Sudan because the intelligence said it was a place where biological weapons were being created. This was not a trivial matter. I went to the room here in the Capitol that is reserved for secret briefings. I refer to it as the secret room where secret people tell us secret things, and I had no less than the Secretary of Defense absolutely insist that the intelligence was rock solid that biological weapons were being produced at this plant in Sudan.

We now know the intelligence was wrong. The plant was not involved in the production of biological or chemical weapons. The intelligence information that led us to believe it had been was flawed, it was old, and the casualties that occurred on that occasion were civilians who needlessly lost their lives because the American intelligence was bad.

The question is: Would we have been better off if we had not destroyed that plant in the Sudan? And the answer is clearly yes. Intelligence let us down. We made the wrong decision. We killed some civilians. We would have been better off if we had not proceeded.

The second lapse of intelligence occurred during the bombing in Bosnia. I was involved in this one to a greater degree than the other. This is where the Americans bombed what they thought was a legitimate target and it turned out to be the Chinese Embassy. Furthermore, it was more than just the Chinese Embassy. It was the center of Chinese intelligence activity that covered most of that part of Europe.

I was in China on a congressional delegation not long after that occurred. One after another Chinese official kept berating me and the other members of the delegation as to why we had deliberately targeted and destroyed a key intelligence center for the Chinese.

Our answer was that this was an intelligence failure on our part; that the CIA was using an old address book, and we had not realized we were, in fact,

destroying a very sensitive Chinese installation.

I remember the response from a Chinese official as we made that explanation. He said: You Americans have the best intelligence in the world. You have been following what we have been doing in that part of the world for years. You destroyed a major intelligence asset of ours, and you claim it was a mistake? You claim your intelligence assets were so bad you did not realize we had been at that location for years?

It was very clear from the questions and the tone of voice with which those questions were asked that the Chinese officials did not believe us. They did not believe we were capable of such a stupid mistake.

The only defense that could be offered, and it was offered by another member of the delegation, was it had to be a mistake because, in fact, it was so stupid. No one would have done that deliberately and damaged the relationship between the United States and the Chinese so seriously.

It was in response to that the U.S. Embassy in Beijing was stoned. I saw the windows that were broken. I saw the bullet holes that pocked the walls as people fired on the Embassy. It was a major incident.

Again, the fundamental question: Would we have been better off if we had not done it? And the answer is an unequivocal and overwhelming, yes; we would have been better off if we had not done it.

I could go on, but let me take those two examples of failed intelligence and those two questions—would we have been better off if we had not done it in the Sudan, and would we have been better off if we had not done it in Belgrade—and put them in the context of today's debate.

Let's assume for a moment—and I underscore that I do not—that the intelligence that led up to the decision to go ahead in Iraq was as faulty as the administration's critics are now claiming it was, and then ask the same fundamental question: Would the world be better off if we had not gone into Iraq? And the answer is clearly, no. The answer is clearly as Tony Blair laid it out before the joint session of Congress. He made it clear if we made a mistake, history will forgive the mistake because the consequences of it were that we freed the Iraqi people. We brought a degree of credibility and stability into that region that has not been there. We have new leverage to deal with the Israeli/Palestinian question beyond that which any American President has had.

If, in fact, we blundered into Iraq—and, once again, I underscore the fact I do not believe we did—we did a good thing. Unlike the failed intelligence that caused us to blow up a civilian production facility in the Sudan, which was a bad thing, unlike the failed intelligence that caused us to destroy the Chinese Embassy in Belgrade, which

was a bad thing, if there was flawed intelligence here that caused us to go into Iraq, it was still a good thing.

Let me give an example of flawed intelligence with respect to Iraq. We did not know, going into Iraq, the degree to which Saddam Hussein had committed genocide against his own people. With all of the intelligence assets we had on the ground in Iraq, we were unaware of the number and extent of the mass graves that we are still uncovering while we are there. If we are going to complain, as those in the media are doing, that the intelligence going into Iraq was flawed, they should complain just as much about the failure of intelligence to tell us the degree of his brutality. But they are not talking about that. We do not get any media reports with each new discovery of a major new mass grave. Those are dismissed in what is called the mainstream media because that might lend support to the idea that going into Iraq was the right thing to have done.

No, instead we are quibbling over words that appeared in the State of the Union that somehow triggered massive misunderstanding on the part of the American people. I would challenge anyone to go to anyone in America and ask them how many of them remember the 16 words that are being challenged. Well, maybe the American people do not remember those words but certainly the Congress does.

There is a slight problem with that because the State of the Union Message was given after the Congress had approved the President's intervention in Iraq. The vote was taken on this floor prior to the time the President made those statements. So how can anyone in this body claim that he or she was misled by the President's statement in the State of the Union when the vote was taken prior to the time that statement was made?

Once again, that is a fact that is conveniently left out of all of the media analysis. They do not tell us that Congress went to the briefings and came to its conclusion as to the rightness of the decision in Iraq before the President made that comment in the State of the Union.

I went to the briefings. There was a briefing at the Pentagon that I remember very carefully. We went over for breakfast with the Secretary of Defense and he gave us a complete briefing on the entire issue of weapons of mass destruction and where things were in Iraq. I must say I did not see any of the current critics of the President's plan present at that briefing. I remember fairly clearly who was there. I could not name all of the Senators who were there, but I could name all of the Democratic Senators who were there, and none of them is currently engaged in criticizing the President.

I remember a briefing at the White House in the Roosevelt Room with representatives of the CIA and Condoleezza Rice, where we went through the whole issue of weapons of

mass destruction. Once again, I can remember the Senators who were at that briefing. It was open to all. It was not a private thing where a few Senators were requested. Any Senator who wanted could have gone to that briefing. I remember those who were there. Not one of the current critics of the President's position was there at that briefing.

So I find it a little disingenuous to have them say they were misled when they did not attend the briefings that were given.

Now let me take my colleagues to that briefing in the Roosevelt Room in the White House and summarize for them what was said there. We were told the following: Four areas of deep concern were raised, and we were told in descending order of how scary these were. The first was biological weapons. The second was Saddam Hussein's capacity to deliver those weapons. The third was chemical weapons. The fourth was nuclear weapons.

I remember that very clearly because I summarized it back to the briefers and said: Let me be sure I understand what you are saying. You are saying you are most frightened of his capacity in the biological area, slightly less frightened about his ability to deliver those weapons, slightly less frightened about his capacity in the chemical area, and least frightened about his capacity in the nuclear area? And they said, yes, Senator that is the descending order of concern.

I cite that because we are now being told in the popular press that the entire operation was sold to us because of the threat of nuclear weapons, ignoring the facts that we were given at the briefing to which they did not come.

The question was raised, Why should we be going against Saddam Hussein at this particular time? That was one of the questions at the briefing. I remember the answer very clearly. If we are just talking about weapons of mass destruction, there are a number of countries that have weapons of mass destruction. Indeed, if we went to the country that has the most outside of the United States itself, that would be Russia. Simple possession of weapons of mass destruction, the point was clearly made at the briefing, simple possession of weapons of mass destruction does not justify taking action.

A brutal dictator who oppresses his own people. Look around the world and there are plenty of brutal dictators who oppress their own people. Being a brutal dictator who oppresses his own people is not justification for the United States to go to war against you. That point was clearly made at the briefing.

Willingness to invade your neighbors. There have been regimes around the world that have attacked recently their neighbors. Clearly, the United States cannot intervene every time there is a border war or a willingness to attack your neighbors. That, alone, does not justify going against someone in a military fashion.

Using weapons of mass destruction is different from possessing them. Now we are getting kind of narrow because we do not have a great number of examples of regimes that have used weapons of mass destruction. But maybe that alone, again, does not justify going against another regime.

Put them all together—possession of weapons of mass destruction, using the weapons of mass destruction, crossing borders and invading your neighbors, and being in the hands of a brutal dictator—now we are getting a list and we are coming very close to Saddam Hussein, as the only brutal dictator with weapons of mass destruction, who qualifies for all four of those.

But there is a fifth that comes into play as a follow-on to September 11: That is financing and harboring terrorists. Let me make it clear at that briefing, no one said there was a heavy al-Qaida presence in Iraq. Once again, people in the media are attacking President Bush for saying something that, in fact, he did not say. What was said at the briefing was Iraq sponsors terrorism, Iraq funds terrorism, and there are intelligence reports of Iraq harboring members of al-Qaida who are fleeing for their lives.

The statement was never made that there was a major al-Qaida headquarters in Iraq. The statement was simply made that terrorists run through Iraq. A number of terrorist organizations, in addition to al-Qaida, have been represented in Iraq. Iraq funds terrorism throughout the region.

Here are five different criteria, any one of which might not be enough to justify moving against a foreign government. Indeed, two or even three gathered together might still not justify moving against a foreign government. But the statement was made clearly, when you put all five together and ask yourself where in the world do you find all five at the same time, the answer is in one place and one place only: That place is Iraq.

That was the intelligence briefing I attended. That was the intelligence information I heard when I made up my mind to be in support of the President and this operation. As I said before, I do not remember—indeed, I am sure that most of the President's congressional critics—indeed, all of—the President's congressional critics in this Chamber—were not there. They did not hear the briefings.

For them to come forward now and say the President misled them, when they did not go, is disingenuous. I do not feel misled. I do not feel uninformed. I do not feel the intelligence was bad. Insufficient? Of course. Intelligence is always insufficient. But that does not mean it was deliberately manipulated; that does not mean it was planted; that does not mean anyone did anything but the very best he or she could do in good faith.

The fundamental question I posed earlier still stands. Even if you accuse the President of doing all of what his

critics are saying he did, was it bad to have gone into Iraq and toppled Saddam Hussein? Until critics either in the Congress or the media will come forward and say, we used bad intelligence to make the bad decision and the world would be better off if Saddam Hussein were still in power, they cannot, in my view, sustain their criticism. They cannot fault this President unless they are willing to say in this instance what we can say in the two other instances I have described.

Intelligence was flawed in the Sudan. Would the world be better off if we had not destroyed that plant? Yes. The intelligence was flawed in Belgrade. Would we be better off if we had not destroyed the Chinese Embassy? The answer is yes. If the intelligence was flawed in Iraq, the same question still applies: Would we be better off if we had not toppled Saddam Hussein? Until someone is willing to answer that question yes, I am not willing to give credence to their complaints about this President and this White House.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from West Virginia.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004—Continued

Mr. BYRD. Mr. President, today the Senate takes up H.R. 2555, the Department of Homeland Security Appropriations bill. This is the first homeland security appropriations bill in the history of the Nation. The Senate Appropriations Homeland Security Subcommittee was created just 4 months ago. Under the able leadership of Chairman COCHRAN, the subcommittee held six hearings to review the operations of the Department of Homeland Security. I commend Chairman COCHRAN and his staff for their work on this important legislation.

The bill provides discretionary budget authority totaling \$28.521 billion, a level that is \$1.039 billion above the President's request. The bill is at the level available under the 302(b) allocation. Regrettably, the allocation for homeland security programs is inadequate. This is not a criticism of Chairman COCHRAN, nor is it a criticism of full Committee Chairman TED STEVENS. Unfortunately, the budget resolution that passed this Congress limited discretionary spending to levels below the President's already inadequate request. The budget resolution severely constrains our ability to address known threats to the safety of the American people.

With the Department of Homeland Security regularly changing the ter-

rorist level from elevated to high and back, and with the Secretary saying publicly that another terrorist attack is inevitable, the demands for homeland security spending seem endless. Our job on the Appropriations Committee is to make careful choices. Unfortunately, the budget resolution has forced us to exclude from the bill some funding that both the Congress and the President have recognized as being real needs.

All Americans, whether they live in rural communities or major cities, want to know that if there is a terrorist attack close to their homes, their local doctors and nurses have the training to treat the injured. Americans want to know that their local firemen have the ability and the equipment to handle a chemical or biological attack. Americans want to know that their local police officers are trained in identifying and responding to the variety of terrorist attacks that we could now face.

Regrettably, this bill, while providing first responder funding at a level that is \$303 million over the President's request, is \$434 million below the level that the Congress approved for the current fiscal year. The Federal Government needs to remain a full partner in local homeland defense efforts and adequate funding is essential to that task.

According to the Secretary of Defense, the United States is spending \$3.9 billion per month for the war in Iraq. Yet this bill includes only \$3.9 billion for the entire year for equipping and training our first responders. Frankly, I believe that the President and the administration have lost their focus on what really matters to American citizens; namely, the combating of terrorism and securing the homeland.

One of the mysteries about the President's budget is the budget for the Transportation Security Administration or TSA. TSA was created by the Aviation and Transportation Security Act of 2001 and was supposed to focus on securing all modes of transportation. Yet the President's budget includes only \$86 million or 2 percent of the TSA budget for maritime and land security.

Yet the President's budget includes only \$86 million.

The rest of the President's budget request is for aviation security and for administration. What about securing our ports? What about securing our trains? What about securing our subways and our railway tunnels? What about securing our buses, or securing the trucks that carry hazardous materials? In fact, the President's budget requests 2.5 times more for administering the Transportation Security Administration bureaucracy than the President does for securing the Nation's ports, trains, trucks, and buses.

I commend Chairman THAD COCHRAN for recognizing this problem and for addressing some of these weaknesses. But he simply did not have the resources available to him to deal with several well-known vulnerabilities.