

even been considered on the Senate floor. It would be my hope we could devote all of our energy, all of our attention, all of the effort at addressing that need. We are only 3 weeks away from the end of this fiscal year, and clearly a lot of work has to be done if we are going to be able to complete our work on time.

So the appropriations bills, especially the Homeland Security appropriations bill, need our attention. I will say publicly what I have already said privately to the majority leader: that he can count on our cooperation and partnership as we address that bill in particular.

There are also a number of bills in conference. The highway bill ought to be completed this month. The FSC bill, the foreign sales credit bill, the Energy bill, the Defense bill—all of those bills need attention, need completion. So we have a lot of work to do.

It would certainly be my hope our Republican colleagues would send the right message not only to all of us on this side of the aisle but to the country about their determination to put those priorities first. We can always score cheap political points, but I hope we would resist that temptation on both sides of the aisle and get on with the work of the Senate and the country in a way that will accomplish this very extraordinarily long list of legislative challenges and needs that we face as we begin our session.

I also note we will be taking up additional judicial nominations, I am sure. The three judges confirmed today will bring the total for this administration to 201, which is the fourth highest number of judges ever confirmed in a single term. I think it goes again to the extraordinary cooperation the administration has received on nominations.

#### MAKING THE 9/11 COMMISSION'S RECOMMENDATIONS LAW

Mr. DASCHLE. Mr. President, I will have a lot more to say about nominations in coming days, but I want to focus, if I may, on just one matter that I think deserves real attention this month. I have also discussed this matter with the majority leader. It has to do with the recommendations made by the 9/11 Commission.

On November 27, 2002, when the President signed the law that created the National Commission on Terrorist Attacks Upon the United States, he said:

I expect that the Commission's final report will contain important recommendations for steps that can be taken to improve our preparedness for and responses to terrorist attacks in the future.

Twenty months, over 1,000 interviews, 12 public hearings, millions of pages of documents reviewed later, the Commission has put together those important recommendations—41 in all. Few of the recommendations are new. Many are obvious. Yet none are law. The ideas are there. The leadership has

been lacking. It is up to us, with the time we have now, to provide that leadership.

Congress is back in session for less than 2 months. The single most important thing we can do is make the American agenda the Senate's agenda, and we need to put security first. That means putting at the top of our legislative agenda the two items that carry with them an urgency that is unique to our time and our challenges: the recommendations of the 9/11 Commission and the funding necessary to increase homeland security.

The last months have only heightened concerns about the threat of terrorism.

In early August, the Secretary of Homeland Security raised the terror alert level from elevated to high, putting Washington, DC, New York, and New Jersey on orange alert.

Also last month, two airliners crashed nearly simultaneously in an incident that appears to have been caused by midair explosions.

Last week the world witnessed the terrible hostage standoff at a Russian school and the tragic consequences that resulted.

In those last two incidents, other nations were targets. And yet we know that America is a target. The question for every Member of Congress is, have we done enough to improve our Nation's security?

Three high-level government reports all sanctioned by the Bush administration—conclude the answer is: not yet.

The 9/11 Commission is not the first to look at how we can strengthen our intelligence community in order to protect ourselves. In just the past 4 years, the Joint House-Senate inquiry into the September 11 terrorist attacks issued its findings, as did a commission appointed by President Bush and led by General Brent Scowcroft.

Three independent commissions have reviewed these issues, and they have all made remarkably similar recommendations.

They have all said we need a national intelligence director someone whose job it is to manage the national intelligence program and oversee the agencies that make up the intelligence community. Right now, the CIA director also serves as the Director of Central Intelligence. But whoever is in that job simply doesn't have the authority to reposition our intelligence community to face new threats. We know al-Qaida is adapting every day. We are not.

They have all said we need a national Counterterrorism Center, to bring together all sources of information so that we can eliminate the barriers that keep one agency's information from another's and kept all of that information from getting analyzed.

We need to do more to understand and disrupt terrorist finances; improve the FBI's counterterrorism capabilities; and work with our allies to abolish terrorist sanctuaries.

When you have all of these experts saying all of the same things, it would be foolish for us not to listen and dangerous for us not to act.

The 9/11 Commission has made a series of additional recommendations. They include: Securing weapons of mass destruction and keeping them out of the hands of terrorists; using the full array of our power—military, diplomatic, law enforcement, and humanitarian—to combat Islamic extremism; finishing the job in Afghanistan with a long-term commitment to reconstruction and security, so that land never again becomes a haven for terrorists; openly confronting the ongoing Saudi-based terror financing and official tolerance of extremists, and reconfiguring our relationship so that it is not based simply on oil.

Of course, one of their most significant recommendations was for us to do more to protect the homeland. Recent disclosures have demonstrated that al-Qaida is an opportunistic organization. They don't attack where we are well defended. They attack where we aren't.

And so it is vitally important that we make America a harder target, while also preparing for attacks that may take place, so that we can contain the damage and save lives.

The way we do that is through the Homeland Security appropriations bill.

This bill includes the funding necessary to improve border security and customs inspections, to hire 570 new border agents, to make our ports safer by inspecting more shipping containers, and to make America's transportation systems safer.

It also includes funding to protect America against bioterrorism, cyberterrorism and to ensure our first responders have the tools and training they need in case they are called upon to respond to an attack.

Right now, we face a test of seriousness.

The September 11 Commission has made 41 recommendations. One of them can be addressed by completing work on the Homeland Security appropriations bill. But we need to act on all of them. As Lee Hamilton has said:

We believe that the reforms are a package and that if some are broken off, then the result is that you diminish the impact of our recommendations . . . You end up with something of less value.

We need to put security first. I don't think the Senate should be allowed to leave town until we have acted on all 41 of these recommendations.

Certainly, there will be some disagreement on some. I know that others have suggested different approaches and different reforms entirely.

All of these things deserve debate and discussion. But debate and discussion are meaningless if the 9/11 Commission's recommendations don't also receive action.

Time is of the essence.

Every day the Congress spends not doing the 9/11 recommendations is a day we ignore the threat and neglect our most solemn duty as leaders.

As Governor Kean has said:

We all think that if we do not act quickly, we increase the risk to the American people. We all agree that the status quo is unacceptable. Every day that passes is a day of increased risk if we do not make changes.

In the words of the families of the victims of September 11:

Nearly three years have passed since our nation's homeland security was cataclysmically breached. Far too little has been done to better secure our homeland. We therefore request that Congress and our President act with the greatest urgency.

We need to listen to the experts.

We need to listen to the voices of those who have lost loved ones and are working to see that the horror that was visited on their families is not visited on others.

We need to listen to the American people who are concerned about the safety of their families and communities. And then we need to do what the American people expect of us.

Senators MCCAIN and LIEBERMAN have put together comprehensive legislation that covers each of the 9/11 Commission's 41 recommendations.

They will be introducing that legislation this afternoon.

We all understand that we have limited time in this session and a great deal of unfinished work. This should be our first order of business.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ENZI). Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business for statements only until 5 p.m., with the time equally divided in the usual form.

The Senator from Mississippi.

Mr. LOTT. Mr. President, my apologies; what is the time divide?

The PRESIDING OFFICER. The time until 5 p.m., is divided in the usual manner.

#### THANKING NEW YORK CITY

Mr. LOTT. Mr. President, I would like to comment on the agenda we are going to be dealing with in September. But before I do that, I want to say I was very proud of the job that was done by the people of New York City, the leadership of New York City, and all who were involved in the Republican National Convention in New York.

I must confess, I dreaded going to New York City for our convention. I was worried about the heat at the end of August. I was worried about the traffic and congestion. I was worried about the ability to secure the place from potential terrorist threats. I was concerned about what the protesters might do. I had a lot of concerns.

I also had some concerns about how the convention itself would be perceived. But I must say, I was pleased with the way the city handled the convention. It was not as hot as I expected. The traffic was not as bad as I expected. The protesters were there, but they stayed within reasonable bounds. They were able to express themselves. Some of them went too far, and they wound up being arrested. The police in New York City did a very effective job. They were friendly. They were helpful. The city officials, Mayor Bloomberg, the State officials, Governor Pataki and his administration, all who were involved in the security and transportation aspects of the convention deserve to be commended because it turned out to be very good.

The convention itself, the events surrounding the convention, the experience, exceeded my greatest expectations. There were good speakers every night. I won't dare to name them now because if I name one, I might not name another who did a wonderful job. I was inspired by it all. But not wanting to make this a partisan speech, my real purpose is to extend my congratulations to the city of New York. They did a great job. I feel as many people said when New York City was attacked on that infamous day of 9/11, we all became New Yorkers, and from that we all became Americans again. We did a lot of things in a bipartisan, non-partisan way for the future of the people in that city and for the security of the American people. That was a good experience which came out of that terrible event.

So I want the record to show I found the whole event most enjoyable and a productive product for the political process.

#### SENATE AGENDA

Mr. LOTT. Mr. President, looking at the agenda for September—others set the agenda and I understand that and I will support that—there are certain things we must do. We need to confirm Congressman PORTER Goss to be head of the CIA. We need to look at the 9/11 Commission recommendations and see how much of those can be done in a responsible way.

I know there will be some who will resist and will defend the status quo or worry about committee turf. But we have a problem. Our intelligence operation is not set up properly. We had failures as we went into Iraq. We should not try to deny that. We should acknowledge it. I commend our men and women in the intelligence community who do a great job. They are on the line this day in Afghanistan, Iraq, and even here in America. We should recognize that talent. We should be careful not to undermine the morale of those organizations. We have learned there is a problem with chain of command and how the analytical material is checked and double-checked. We know the Intelligence Committees in

the Congress have not been set up in a way to do proper oversight. I can say that from experience, having looked at it from a leadership position, but also as a member of the Intelligence Committee for the last year and a half. It is not set up properly. Membership should be permanent, so that members not only can attend hearings, but understand what they are hearing, the dialog, acronyms and people, and burrow in and ask the right questions. This is not so that we will go native and become captive to the community, but so we will be able to ask the right questions. Even the staffing arrangement has to be changed.

We have a limited period of time and, obviously, this requires taking up some of that time. I want us to act in this intelligence area, as far as how it is set up, in the executive and legislative branches. We may not be able to do it all in September, but let's do all we can and then we can continue to work on it, provided, of course, we don't let the forces of the status quo rise up and prevent the necessary changes that I believe are called for. I am a strong advocate of reform across the board when it comes to our intelligence community.

Of course, we have to deal with the appropriations bills in some way. I am pleased the leadership decided to call up the Homeland Security Appropriations bill. Certainly, other than defense, nothing is more important to fund as soon as we can and in the best way we can than homeland security. I hope we can get through that process in a reasonable period of time, knowing there will be some amendments to be offered. We should get that appropriations bill done.

Beyond that, I am not sure whether we are going to have an omnibus appropriations bill or a continuing resolution or for how long funding will be continued. That will be left in the hands of others in the leadership and even the Appropriations Committee. But I want to talk about some other issues that don't always pop up when people are talking about what we should do in September.

Yes, we should deal with the intelligence issue. We should do some confirmations—confirm PORTER GOSS. We should do some judges and appropriations. But there are an awful lot of other things that have not been done yet that we should complete before we go out. It is going to be very unattractive and, in fact, an admission of failure to do our job if we don't complete work on some of the bills that are in conference—for instance, the highway bill. I hear some talk now that we should extend the current highway authorization into next year. Why? We need those highway jobs this year.

There are very few things we can do, if anything, that would create more jobs quicker than to pass a highway bill. There are highway projects, bridge projects and public transportation projects all across this country that