

report to Congress on the resources, personnel, and capabilities used to perform non-homeland security functions, as well as the management strategy needed to carry out these missions.

The measure would require the Department to include information on the performance of these functions in its annual performance report. Our legislation also calls for a General Accounting Office (GAO) evaluation of the performance of essential non-homeland security missions.

The establishment of the Department of Homeland Security created additional management challenges and has fueled growing concerns that the performance of core, non-homeland security functions will slip through the cracks. Just last week, the GAO testified before the House Committee on Transportation and Infrastructure that the Coast Guard has experienced a substantial decline in the amount of time spent on core missions. Moreover, GAO found that the Coast Guard lacks the resources to reverse this trend. Coast Guard Commandant Thomas H. Collins is quoted as saying that his agency has more business than it has resources and is challenged like never before to do all that America wants it to do.

These same concerns extend to the entire Department of Homeland Security. The Department of Homeland Security's Bureau of Citizenship and Immigration services provides asylum for refugees and helps immigrants become American citizens. The Customs Service protects and monitors foreign trade so essential for a healthy American economy. And the Secret Service protects and monitors against identity theft, counterfeiting, and other financial crimes. In fact, the General Accounting Office has added the transformation of and implementation of the Department to the GAO High Risk list, partially as the result of existing management challenges to fulfill non-homeland security missions.

The cost of creating a Department of Homeland Security should not come at the expense of these essential missions. Agencies should strike the proper balance between new homeland security responsibilities and their critical non-homeland security missions. Enhancing traditional missions also enhances domestic security which depends on sound management strategies that ensure adequate resources and personnel.

I urge my colleagues to support the "Non-Homeland Security Mission Performance Act of 2003." Our bill takes important steps to ensure that Americans will not see a decline in non-homeland security services as a result of the creation of the Department of Homeland Security.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record following this statement.

Mr. AKAKA. Mr. President, I yield back my time.

The ACTING PRESIDENT pro tempore. The Democratic leader.

ORDER OF PROCEDURE

Mr. REID. Mr. President, this has been cleared with the majority. I ask unanimous consent that Senator LANDRIEU be recognized at 11:30 a.m. today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GOVERNMENT'S RESPONSE TO HURRICANE KATRINA

Mr. REID. Mr. President, there are many things we do not yet know about

the Government's response to Hurricane Katrina, but two things are very clear: The Federal Government's response was unacceptable, and the victims and all Americans deserve to know why.

Following 9/11, preparedness for national emergencies was supposed to be a priority for our Government. Americans were made to believe that the Government was doing everything it could to prepare for terrorist attacks, natural disasters, and national crises. Katrina makes it clear that we failed. We must find out why, and we need to do it soon, to make sure that devastation, such as caused by this hurricane, never happens again, whether natural disaster or act of terrorists.

When we faced a similar situation after 9/11, Democrats and Republicans came together and established an independent blue ribbon commission. I am sad to see the Republicans now want a different approach. We don't know the details of their approach. I have been talked to on a couple of occasions very lightly about having either chairmen, ranking members, and a few members from some of the committees to get together. It would be a joint task force of the House and the Senate.

I have great confidence in the Senate committee structure. The chairmen and the ranking members are where they are based on the rules of the Senate, something that is called seniority. Democrats do it a little differently than the Republicans, but it is still basically a seniority system. So that is why I have confidence in the HELP Committee, with MIKE ENZI from Wyoming, a fair man, and TED KENNEDY, the ranking member, a fair man; also, Homeland Security with SUSAN COLLINS and JOE LIEBERMAN.

I could go through the whole committee structure we have in the Senate. They do good work together, as indicated by what has been going on in the Judiciary Committee with the relationship developed with Senator SPECTER and Senator LEAHY. At a very difficult time in the history of our country, with two Supreme Court vacancies, they are working their way through this. I do not think it is the time to invent something new.

Yesterday, the Republicans unveiled very briefly their proposal to investigate the events of last week. They called it a bipartisan commission. I do not have the details of this—there are no details—but what little I do know raises serious concerns about whether their proposal will provide Americans the answers they deserve.

I went through how Senate leadership is picked with the committees. That is not how it works in the House anymore. I can remember being elected to the House of Representatives and meeting a wonderful man by the name of Cliff Young, who served in the House a number of terms, a Republican Congressman from Nevada. After leaving the House, he later served more than 20 years in the Nevada State Senate, be-

came the chief justice to the Nevada Supreme Court, and served there for more than two decades. Cliff Young told me: Harry, when you come back to Washington in the House of Representatives, there are two things I want you to do. No. 1, use the gym. You need to keep your body strong. And No. 2, do not do anything to change the seniority system because in that large body of 435, stability is needed. The one thing that gives that body stability is seniority.

That has been thrown out the window. Now the leadership in the House on the committees wants whoever appears to be the nicest to the Speaker and to the majority leader. If they do anything wrong, boy, they are booted out. We have examples of that. They would not even let CHRIS SMITH from New Jersey have a subcommittee because he did not vote the way they wanted him to on a number of issues. He is gone. That is not what we need to be looking at after the disaster that took place in the Gulf Coast.

What has been proposed is not bipartisan. It is like a baseball player saying, we have a great deal here. The game is going to move more quickly and I think it will turn out pretty well. I am going to do the pitching and I am also going to call the balls and strikes.

This is not the way we should do things. It may speed up the ball game, but one does not get the results that are fair.

We have a Republican President, a Republican House, and a Republican Senate. We should not have the pitcher calling the balls and strikes. The President has already said he is going to lead an investigation of what went wrong. On its face, that is flawed. It is flawed to try to change what we are doing in regular order. It is wrong. We have a role for committees. We have a committee structure in place to investigate.

I have had somebody ask, well, why should Secretary Chertoff have to appear at a committee in the House and then one in the Senate?

That is the way we do things around here. That is what oversight is all about. We have the ability to do things on a short-term basis under what we call regular order, have Congress itself, in its role in oversight, do what is done in the ordinary course. We have seen what happens when this administration investigates itself or any administration investigates itself. It simply does not work.

There are serious concerns about this so-called Republican approach. That is why Americans deserve answers independent of politics. That is why Democrats and Republicans preferred an independent commission for investigating 9/11. It took awhile before the President signed on to it, but when he finally did, we got great people such as Hamilton and Kean. They did a wonderful job as the chairmen of this 9/11 Commission. They came up with facts that have been supported. They spent a

year with a staff that was adequate to come up with what went wrong on 9/11.

We are ultimately going to have an independent bipartisan commission to study what went wrong with the Government's response to Katrina. There is no question about that. So we should move that along and get it done as quickly as possible. In the meantime, have the committees of jurisdiction in the House and the Senate do what they are obligated to do by virtue of their role in history.

I would hope that on this issue we can move forward on a bipartisan basis. If we use the model of the 9/11 Commission, the majority still gets the edge because with 9/11 what happened is the President picked the chair. As it turned out, the Republicans had one more vote on the commission than did the Democrats, but it worked out OK. While that may not be perfect, it is certainly more perfect than this very awkward presentation that has been made in the last 24 hours about this so-called bipartisan commission. That is Orwellian. That is not bipartisan.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

OPENNESS IS BEST POLICY

Mr. DAYTON. Mr. President, I echo some of the remarks the Democratic leader made. I am about to leave this Chamber to go to a behind-closed-doors hearing of the Committee on Homeland Security and Governmental Affairs with the acting director of operations for FEMA and the Commandant of the Coast Guard. I am told that the chairman of the committee, the distinguished Senator from Maine, and the ranking member from Connecticut tried to get this hearing in public but that the administration officials would not appear in a public session. I think the public deserves to and would benefit from hearing these people with key roles in this recovery effort.

Similarly, on Tuesday evening, a majority of us in the Senate met with 10 members of the Cabinet, 10 Secretaries—all of them had important things to say—as well as the Chairman of the Joint Chiefs of Staff and the head of the Coast Guard. That briefing should have been in a public setting. There was not a single remark made by anyone that was not unclassified and should not have been available to all of the people of this country, certainly those who are most beleaguered, who are looking for answers to the questions that the Democratic leader and others on both sides of the aisle have raised.

We had a brief time for questions. We were not able to ask those questions of the administration officials in a public setting before the American people. Yet the President is coming forth now with a second request for funding, \$51.8 billion on top of the \$10.5 billion the Senate and the House passed last week. These matters are moving swiftly. We are told by FEMA that the burn rate—

only in the Federal Government would the spending of taxpayer money of \$2 billion a day be called a burn rate, but the FEMA director has said they are spending \$2 billion a day. That is why we have to have a second supplemental before this body in less than 2 weeks.

I understand the need to move quickly, but I have been in this body all week. We could have come back last week. We have not had a single public hearing on any of these matters, I am told, because the administration officials will not appear in public before these committees to answer questions before us and before the American people. I find that to be unacceptable.

The administration has a responsibility to come before us in public hearings and public sessions and present their testimony but then answer our questions. Give us a chance to ask and for them to answer the questions that are on the minds of millions of Americans these days. We have a right to public hearings before we expend another \$51.8 billion of public money.

The administration has that responsibility, I believe, and I ask that the distinguished majority leader of the Senate insist in his discussions with the administration—and I am quite confident that the Democratic leader and all of our caucus would support this—that these hearings and briefings be in public settings before the American people and not behind closed doors. If we are going to work together in a bipartisan way, let us do so. Let us begin that work now in public sessions. I challenge the administration officials to come before us in those settings.

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

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. 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.

Mr. GREGG. Mr. President, what is the regular order?

The PRESIDING OFFICER. There is 14 minutes remaining in morning business under the control of the majority.

EMERGENCY FUNDING

Mr. GREGG. Mr. President, we will sometime later today be getting a supplemental request in the Senate to continue to fund the needs of the relief effort in Louisiana, Mississippi, and Alabama, which will be approximately \$50 billion on top of the \$10 billion that has already been spent. Obviously, it is essential that we get these dollars down there and put them to use aggressively in order to try to help the people who are in such dire straits, and to try to begin to bring some order and some relief to those who have suffered so much.

As we proceed in this effort, we should err on the side of making sure

that we get the dollars there quickly in order to support these individuals who are in such dire straits, and to try to assist this part of the country that has been hit by this catastrophic event.

But in the process, I think it is important that we have some fiscal oversight that allows us to feel comfortable that the dollars that are being spent are going effectively, quickly, and aggressively to relief efforts which are legitimate and appropriate.

Thus, I congratulate the House of Representatives for putting in the supplemental and identifying within the supplemental \$15 million which will be assigned to the Inspector General's Office to start to put in place the auditing process and the oversight process on how the money is being spent, which I believe is critical.

We have seen some issues which obviously, if they are pursued logically, make sense. But if they are pursued in a way that is not logical, they are going to cost us a lot of money and probably not get us a lot of relief.

For example, there was a report in my State paper which said that all the dealerships who sell Winnebagos in New Hampshire have been contacted and told to get ready to transfer their entire inventory over to the Federal Government because they are going to ship it all out. Maybe that is what we will end up doing, but we hope before we buy up all the Winnebagos in America and send them to the gulf coast, we would be thinking about the cost and how we are going to approach that and whether that is the best way to proceed.

There are a lot of ideas floating out there. I think it is important we have the structure in place that effectively monitors cost and how the money is being spent. So I congratulate the House.

In addition, I think the President's decision, along with the Vice President, to have the Vice President physically going there and being on the ground in that region is a very positive step in our efforts to get order in the process of delivering relief.

Anybody who knows the Vice President—and I have had the good fortune to serve with him in the House and fortunate to serve with him here while he has been Vice President—will note that he is a no-nonsense individual. He looks at an issue, decides how to get the best results for resolving the problem, and moves forward. He did that as Defense Secretary. He has done it, obviously, as Vice President. He will bring immediate coherence, intelligence, and aggressive action in solving the problem and will move forward with the complexities of this reconstruction and relief effort. I think it is an excellent decision to have the Vice President step into the middle of this effort and basically try to calm the waters, but more importantly execute efficiently what is going on in the area of the Federal relief effort. However, it does lead to the point I made earlier—