The Senate met at 9:30 a.m. and was called to order by the Honorable Daniel K. Akaka, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Faithful Father, Your words to Joshua so long ago sound in our souls as Your encouragement to us today: "I will not leave you nor forsake you. Be strong and of good courage."—Joshua 1:5,6. Thank You for Your faithfulness. Your love and guidance are not an on-again, off-again thing. We can depend on You for a steady flow of strength. Just to know that You are with us in all the ups and downs of political life is a great source of confidence. We can dare to be strong in the convictions You have honed in our hearts and courageous in the application of them in our work in government.

Grant the Senators a renewed sense of how much You have invested in them and how much You desire to do through them in the onward movement of this Nation. It is for Your name’s sake, Your glory, and Your vision that You bless them. Guide and inspire them and how much You desire to do of how much You have invested in our work in government.

PRAYERS

The Honorable Harry Reid, a Senator from Nevada, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PLEDGE OF ALLEGIANCE

The Honorable Daniel K. Akaka, a Senator from the State of Hawaii, made the following letter:

U. S. Senate. 
President pro tempore.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Daniel K. Akaka, a Senator from the State of Hawaii, to perform the duties of the Chair.

Robert C. Byrd.
President pro tempore.

Mr. Akaka thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The Acting President pro tempore, under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The Acting President pro tempore. The Senator from Nevada.
Mr. Reid. I thank the Chair.

SCHEDULE

Mr. Reid. Mr. President, today the Senate will be in a period of morning business until approximately 11 a.m., with Senators, as the Chair has announced, permitted to speak up to 1 minute each regarding S.J. Res. 22. Last night, there was a unanimous consent order entered that the following be the order of speakers today: Bond, Lincoln, Smith of New Hampshire, Stabenow, Collins, Graham, Murkowski, and Byrd. If there is not one of the Senators here on time, it will go back to the other side.

At 11 a.m. or thereabouts, the Senate will resume consideration of Commerce-State-Justice Appropriations Act, and it is every hope that with the two leaders we can complete action on that CSJ Appropriations Act early today.

There likely will be rollcall votes throughout the day’s session. We may be in recess from 12:30 p.m. until 2:15 p.m. today. We are awaiting further word from Senator Daschle on that matter.

MORNING BUSINESS

The Acting President pro tempore. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 11 a.m., with Senators permitted to speak with respect to S.J. Res. 22 for up to 5 minutes each. Under the previous order, the Senator from Missouri, Mr. Bond, is recognized to speak for up to 5 minutes.

TERRORIST ATTACKS AGAINST THE UNITED STATES

Mr. Bond. Mr. President, September 11, 2001, will forever be burned into American history as a day of horror without precedent.

Our hearts and prayers are with survivors and families of those who were murdered in New York City, the Pentagon, and in the hijacked airplanes.

Although still appalled by the damage, the United States is in the process of recovering from these attacks.

Fate has written many painful chapters in America’s history. Each is sharply engraved into our collective memory. Most are battles and wars: Gettysburg, Pearl Harbor, Iwo Jima, Pork Chop Hill. Others were acts of madmen such as the bombing of the Oklahoma City Federal building and the slaying of our Presidents Lincoln, McKinley, and John F. Kennedy.

The magnitude of Tuesday’s attack defies understanding. It is the scale of what happened that day that freezes the mind in horror. The wrenching sights of passenger planes deliberately flown into the largest symbol of America’s economic and military strength was an assault on how we think of ourselves, our Nation and our role in the world and in history.

Vehicles of peaceful domestic travel were bent horrifically into missiles of death shot into the heart of our economy—into all of our hearts. The blasts we watched in real-time and in slow-motion reruns in our collective mind’s eye have buried splinters deep into our souls.

As shock gives way to action, recovery and the identification of those responsible, we must remember this is not the first time the American people have been tested. History has probed the limits of our strength and patience many times, over many generations of Americans.

As the realization of what has happened continues to sink into our national consciousness, we must never forget that each time our Nation is tested, each time we have survived—as we will again.

And while it seems impossible to believe today, barely days after this horrific attack upon our soil, we must draw strength from the knowledge that each test has failed to diminish our Nation. Just the opposite. America’s history is written by a people who rise to every challenge, and history has shown we will prevail.

We are the greatest and most powerful nation today precisely because we have met and triumphed over adversity. This is our national identity. This is what it means to be an American. This is the strength of character that built our Nation over the last four centuries.

Americans do not face challenges. We surmount them. And we grow stronger as a result.

I am confident that we are already seeing this in the days after the disaster. We see it in the faces of the New York firemen and police officers, the dedicated men and women who fought to protect and recover and who have
often lost their lives in that effort. A grim determination and smoldering pride etched in the ashes on their faces—etched with sweat. And tears. And blood. We see it in the faces of our military men and women still breathing life into our Nation’s military command center at the Pentagon.

We see it in the commitment of the urban search and rescue teams and other public safety officers who have gone into New York City and into the Pentagon to help. I am deeply honored and proud that my good friends in the Missouri Task Force One, from the Columbia, MO, area, are there helping, and they want to help. Americans want to help. While the terrorists hit their targets, caused death and damage, their real aim of terrorism is to strike a crippling psychological blow. The terrorists will succeed only if we surrender our confidence in our Nation. Americans cannot and will not allow them this victory.

Many people have asked me, what can we do? I hear that from Missourians all the time. First, obviously, is prayer, for those who have been lost, for those who suffer, for the families and loved ones. I ask also for prayers for individuals, for families, for guidance, that they may be strong, that this country may be strong, that we may not be disabled by the threats of terrorism.

We must continue to be strong as Americans. There are things we can do. Giving blood is one thing that is readily available. I ask all my constituents to listen to their radios and televisions and contact the local blood donor stations.

I ask citizens not to panic. We have seen panic in the buying of gasoline with 30-car-long lines. Do not horde. Prices are going way up; do not buy. Do not raise prices. Do not try to hide. The country will be strong. We will have our economy back on track if we behave rationally and responsibly.

This country will be strong. We will have our economy back on track if we behave rationally and responsibly. Let us not be crippled by potential terrorism. Let us not put up barriers that are impossible to overcome.

I have talked with people in the airline industry. Our airline industry is suffering billions of dollars of losses. We must have a better airline security system. But let us be smart about it. Let us not make it impossible to travel by airplane.

We are beginning the process of taking down the extraordinary security items around this Capitol. This is the people’s place of business. We want people to be able to visit. Normally on Thursday mornings I have an open house for Missourians. They could not get here. I had a tough enough time getting here myself. We are going to go back to business in this Capitol. We need to rebuild the confidence the American people have in our military men and women. We need to build the strength in our families. That will strengthen our country.

I hope those considering scheduling sporting events will realize this is part of our national culture. These should go forward. I ask we not be so terrorized by the terrorists that we forget what we do in this country and why we are strong.

I believe the President has indicated the war against terrorism will be conducted with great vigor, with no terrorist left unharmed. They could not do so. The President’s hands ought not to be tied. So we can ensure our Nation is never dealt a similar blow, we must give the President the authority, support him and give him the resources and provide him the freedom to act, to preempt the acts of terrorism.

Tuesday’s attacks have shaken us. But the bedrock beliefs and principles of the United States remain strong. We will show the terrorists.

Our immediate must be to recover from these attacks. And to tend to the victims and their families. We may not know the full toll for many weeks.

In the longer run, we must recognize that these attacks demand an appropriate response from the United States. I know the man who is the President of the United States. I know this man. And I am confident that he will throw the full weight of the U.S. Government behind the task of identifying and destroying those responsible for the attacks. The President should also have the power to take appropriate steps to prevent a reoccurrence. And I know that he has the support of both political parties in the U.S. Congress. And more importantly, he has the full support of the American people.

Our Nation must not rest until those behind the attacks are destroyed. Our unyielding anger will span the world and reach the terrorists wherever they may try to hide. The world is not big enough to offer them the concealment they seek. We will find them, we will get them, and we will make them pay for what happened Tuesday.

Any nation that seeks to provide protection or cover for the terrorists ought to think twice before doing so. The President is correct to make no distinction between the terrorists and those nations that shelter them. The price of doing so will be very high.

Let us be clear about what Tuesday’s attack was—and what it was not. It was an act of war, not a simple criminal act. I say it was not merely a criminal act because of its scale. It was too large to be only a criminal act. It was against our country, our people, our way of life, and against all people who cherish democracy and freedom.

I believe there has been an unfortunate trend in the American Government in recent years to “criminalize” the actions that are by and large acts of war against this country. That trend has delayed our potential responses until the evidence collected approached the standards required by a court of law. I believe that to have been a mistake.

The war against terrorism—and its war against us—is just that, war. And as such we need to respond in kind. Not only after that fact, but I believe the President’s hands ought not to be tied. To ensure our Nation is never dealt a similar blow, we must give the President the authority and freedom to act to preempt such acts. That is how we must be able to strike terrorists before they strike.

For many years the prevailing trend has been to shackle our intelligence agencies—to err on the side of doing too little rather than doing too much. I understand the forceful reasons behind this trend. Nothing is more dear to us than the protection of our civil liberties. Our political culture at root is defined by our steadfast guardianship of our civil liberties.

I believe we can do more to attack terrorism without further encroaching upon our civil liberties. I believe we can strengthen the reach of our intelligence agencies significantly at no cost to our civil liberties.

We know the incalculable cost of getting this balance wrong. In our understandable zeal to protect our civil liberties, we hampered the very agencies that protect not only our lives but our very way of life.

America is a different nation today than it was Tuesday morning. We have been attacked in a way without precedent, in kind and magnitude. Our Nation needs time to grieve, we need time to tend to our dead and to care for the wounded and their families.

Tuesday’s attacks have shaken us. Yet the bedrock beliefs and principles that anchor the United States remain strong. Just as strong is something the terrorists will soon discover.

God bless the United States of America.

The ACTING PRESIDING pro tempore. Under the previous order, the Senator from New Hampshire, Mr. SMITH, is recognized to speak for up to 5 minutes.

Mr. SMITH of New Hampshire. Mr. President, this is a very sad time for America. The unthinkable has happened. What we always feared could happen, but prayed never would happen, has happened.

I rise today to pay tribute to the men and women who lost their lives in this cowardly attack against the United States of America.

I, as so many others, am overcome by the magnitude of this horrific act, a cowardly act against innocent people. It is hard to understand what would motivate people to do such a thing. But now I think we understand our hearts must go out to the victims, to their families, and all who have suffered at the hands of this evil that struck this greatest nation on Earth.

May God be with those who have passed and those who are suffering.
Words, I know, are of little solace in a terrible tragedy such as this in dealing with the shock and pain. I know words may ring hollow compared to the pain and disbelief that the families must be feeling. I want those families to know we are as one nation under God. We are united in our resolve, no matter who we are, to see justice done on behalf of the lives lost so senselessly.

We must unite and comfort our fellow Americans in these difficult days. Their grief is immeasurable and they need our support. They will have it.

My State lost many citizens in this tragedy, including Thomas McGuinness of Portsmouth who was the copilot of American Airlines Flight 11. I knew Tom personally. He was a fine man. His family and the families of all those who have lost loved ones are devastated by this tragedy. They need our prayers.

I commend the efforts also of the brave men and women who are working around the clock, risking their own lives to rescue those still trapped in both the Pentagon and at the World Trade Center. We stand behind them and pray for their success. As each hour goes by, we hope to see another survivor and another family member united.

I also commend President Bush and Senators DASCHLE and LOTT and the leadership in the House for returning to this city and getting back to business, letting these people know we will not tolerate this interruption in our system, and demonstrating we will not be cowed by the actions of these despicable people.

The American people understand an act of war was committed against the United States of America. Make no mistake about it, it was an act of war. You can say it is the Pearl Harbor of the new millennium, but it is far worse than Pearl Harbor. I might add, we responded to Pearl Harbor and we will respond to this. Make no mistake, the United States of America will respond to this heinous act with overwhelming force. We will find those responsible and those who supported these evil acts. They will be eradicated. This is not a question of bringing criminals to justice. This is an act of war, and it will be responded to as an act of war.

After we win—and win we will—we do have some serious questions we will have to answer. What went wrong? Why didn’t we have the intelligence assets we needed? How can we protect ourselves in the future without giving up the civil liberties we cherish? Where are our priorities? These are all important questions which need serious attention and honest answers.

We must never forget the magnitude of this loss and its effect on our way of life. Some will always live with us. Like December 7, 1941, we will always remember where we were. In the past, we have not decisively acted against some of these terrorist attacks and threats. This will not stand any longer.

Some talk about multilateral efforts to combat terrorism; that is fine. I am here today to say to the American people we will act unilaterally, if necessary, to protect our people. We need to send a clear message to terrorists and those countries that harbor them that there is no distinction as the President has said, between the terrorists and the country that harbors them; we will decisively act against this cowardly aggression, and they will pay the full price for what they did.

As our President said, America will hunt down and punish those responsible. President Bush will have my support and the support of every American to do just that. We must be on the offensive against terrorists and those states that support them. The policies of the past must change. We are at war, and this is a war that we will win.

God bless America.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Arkansas is recognized to speak for up to 5 minutes.

Mrs. LINCOLN. Mr. President, on Tuesday a series of terrorist attacks on the United States shook our Nation and left thousands suffering or dead. Normally a Democrat of number have risen to express our compassion. Almost everything has been said. But with such a tragic event, each one of us feels compelled to tell our own story.

I rise today to offer my continued prayers and condolences to the victims and their families. And I rise to add my voice to those condemning the atrocities committed against the United States of America Tuesday morning, September 11, 2001.

The hijackers, the deliberative terrorist attacks on the World Trade Center and the Pentagon, are an outrage against our nation and against human decency. I support the President in his pledge to devote all of our country’s resources to the task of determining who is responsible for these acts and of holding them accountable.

In the days to come, we will need to reflect on Tuesday’s events to determine what we will take from them and how we will respond.

To begin with, it appears certain that these attacks will force us to re-define our national defense priorities. According to many reports, the hijackers of the airplanes were armed only with boxcutters. This disturbing detail underscores the reality that the greatest threats against our national security and our well-being may no longer be missiles or tanks or armies. The greatest threat is terrorists or rogue nations armed with simple weapons and a dangerous resolve.

It is time that we demonstrate the same resolve in preventing and, when necessary—as now—responding to acts of terror. We need to reconsider how our security apparatus, our intelligence network, and our channels of communication can be strengthened and more effectively employed to ensure that these attacks are never duplicated. Let us begin a new dialogue about our national security that accounts for this changed and changing reality. Let us devote all our resolve to tracking down and destroying these agents of terror.

We need to recognize also that Tuesday’s events must, by necessity, call us out of our complacency. For too many years, our national character has too often been focused inward.

Tuesday’s tragedy should remind us of our duty to not only our families and our immediate circles, but of our duty to our neighbors, our communities, and our nation.

Still, the reports that we have heard suggest that these terrible attacks have brought out much of the best in the American character—the courage of the search and rescue team members, the commitment of our law enforcement officers, the generosity of those who have given their support to these efforts, and the sympathy and caring that all Americans have extended to the suffering.

I am deeply disturbed, however, by some other reports that are coming to light. Arkansas newspapers reported Wednesday morning that rumors of oil shortages have forced a run on gas stations in the American heartland, and that some station owners have raised prices to exploit this fear. I am pleased that the Attorney General of Arkansas, Mark Pryor, has pledged to investigate the actions of these profiteers. Those who attempt to profit from these events should know that their actions will not be tolerated. If necessary, they will face prosecution for their actions. I ask my colleagues to join me in denouncing this sort of profiteering from tragedy.

Foremost in my mind is the human dimension of Tuesday’s events. It will likely be several days before we have a clear sense of how many lives were lost, but there is no doubt that the total will be in the thousands. Numbers of this magnitude will ensure that the effects of these horrific acts will be felt by all Americans.

We now know that Sara Low, a native of Batesville, AK, and a flight attendant on American Airlines Flight 11, was killed when her plane struck the World Trade Center. Sara was a 1991 graduate of Batesville High School and a graduate of the University of Arkansas. Our deepest sympathy and our prayers are with her parents, Mike and Bobbie Low, and her family and friends as they grapple with this horrible tragedy.

It is a horrible and saddening reminder of how the shock waves of these
events are felt throughout our nation, far beyond New York and Washington. As a daughter, as a wife, as a mother and as an American, I am deeply pained by our suffering today.

It has now been over 48 hours since the first plane struck the World Trade Center, and even now it is possible that there are scores of people trapped in the debris and rubble in New York and in Virginia. Our prayers are with them and their families, and it is my great hope that, if there are survivors, they are rescued soon and reunited with their loved ones.

We also extend our prayers and sympathy to the families of those who were killed in Pennsylvania, where United Airlines Flight 93 was forced into a crash landing.

Tuesday morning, these terrorists made their statement, at a great and unprecedented cost of American lives. Let our statement to them be that this was an act of war, and from this point forward, the United States of America is at war against these kinds of actions.

Let them know that although they may strike at the United States, they cannot strike at the freedom and resolve that make our nation great.

I join my colleagues in letting these terrorists and anyone else who would take such actions against this great Nation know, it will not be tolerated.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas yields the floor.

The Senator from Alaska, Mr. MUKOWSKI, is recognized to speak for up to 5 minutes.

Mr. MUKOWSKI. Mr. President, I join my colleagues and all Americans—those from my State of Alaska and throughout the world—in prayer, prayer for the families who have lost their loved ones; prayer for the families who are now fighting for their lives in the rubble associated with the tragedy in New York and possibly still at the Pentagon.

The inhumanity of this act will live in infamy. We yearn in heartfelt sorrow for the families of those injured, those lost. We all join together in support of our President and to assert our resolve to endure the evil wrought Tuesday, to ensure that evil is countered, and that that evil is destroyed.

The hunt for those responsible has begun. The terror they have sought to inspire will not stand. So let's be very clear, recognizing the great and enduring values upon which our liberty, our tolerance, our fairness. These are the very values which the terrorists trampled upon in pursuit of their misguided quest. These will not save those responsible for these crimes. We recognize our own weaknesses, and our resolve to protect those values is absolutely unshaken. We should not, as we follow the tracks of the killers to the lairs of their leaders, presume to know their identity with certainty. Neither can we begin to know their motivations for committing the most criminal of acts—killing innocent people.

If the killers believed that they, through this act, would enter the Kingdom of Heaven, they now realize the real destination to which Satan has guided them.

But to the children of America I say: Have faith; your parents, your teachers, your Government are all working hard to protect you, to protect your freedom and to grow, to learn, to play—and many adults are working to bring those responsible to justice, to ensure that they and those who helped them never commit this kind of a crime again.

To the terrorists who have sought to bring fear to the people of the United States, I say to you: You have failed. It is you who should be afraid, afraid of the sense of justice of the American people, afraid of your fate at the hand of God, afraid of what you have unleashed.

As we shared, along with Members of the House, on the steps the other evening “God Bless America,” let me also mention the dimension of this which we all relate to in our own lives. I stand here as one who recalls as a child the “Day of Infamy,” December 7, 1941. I noticed a piece that indicated the deaths from that surprise attack on Pearl Harbor. It was 2,403. Clearly, this tragic set of circumstances brings the death toll to many times that amount.

We have the realization for the first time that an aircraft has been used as a weapon by terrorists. How do we protect the public? What change is it going to make in transportation? It has shaken some of the foundations and symbols of our Nation—our buildings—which represent prosperity in our economy. It has not shaken the resolve to recover nor the resolve to pursue those responsible. We are prepared to move heaven and Earth to bring to justice those who are responsible for this carnage.

But everything did change Tuesday. Things will be different in this country. We still do not know the extent of the threat, although we do know that we all must be vigilant.

I join with my colleagues in an expression of faith and an expression of hope and an expression of conviction that America will overcome this tragedy. America will never forget this tragedy.

I yield the floor.

The PRESIDING OFFICER (Mrs. LINCOLN). Under the previous order, the Senator from Florida is recognized to speak for up to 5 minutes.

Mr. GRAHAM. Thank you, Madam President. I wish to commend you and Senator SMITH for the eloquent remarks you have just delivered to the American people.

We all are shocked by what occurred on September 11, and we recognize that that will be a demarcation date in the history of America. It will be a date upon which we will recognize our loss of innocence and the new reality of our vulnerability.

Not since the Civil War has there been a conflict of such violence committed on the territory of the United States as we experienced on Tuesday.

As with Pearl Harbor and the assassination of President John Kennedy, all Americans will forever remember where they were and what was in their mind as they heard of the tragic events of last Tuesday. Today our prayers are with the victims in New York and here in the Pentagon and with their families.

Our admiration and good wishes go to the brave firefighters, policemen, doctors, nurses, and all the other emergency personnel who are working so hard to find the survivors and to deal with the pain. We pray for our Nation as well. We have entered a new phase in history, one that will unfortunately be marked by a pervasive sense of insecurity.

I am fortunate to be a grandfather of 10 beautiful boys and girls. Their mothers called me Tuesday evening and told me how frightened the grandchildren were and that they were wondering whether their neighborhood, whether their school, and whether their own brothers, sisters, mothers, fathers, and friends would be subject to the same thing they had just seen on television.

Every time we take a trip, particularly by airline, we are likely to be reminded of Tuesday's incident. We will also face increased security, particularly at airports and seaports. Our borders will be reinforced.

Frankly, I believe the vast majority of Americans will agree that there will be reasonable, new restrictions in light of the new period of American history in which we will now be living.

To honor the lives of the victims, we must take steps to assure that other Americans will not be subject to the same fate. A first step in that honoring will be to support the President of the United States of America. We will have some extremely difficult decisions to make in the next few days.

Clearly, we are not going to allow this horrific act to go unanswered. As has been the case in so many other incidents of conflict, this commitment to see that those who have committed these deeds will be brought to justice with great enthusiasm. The real test will be whether we are prepared to make the long march that will be necessary in order to root out the many cells of terrorists around the world that represent a continuing threat to our security. The
President will need our support then even more than now. We also need to rebuild some of our institutions that will be on the front lines to address the needs of the security of America. One of those with which I feel a particular responsibility is our national intelligence capability. To deal with terrorism, there is no alternative but to have the most effective capacities and to anticipate what the motivations and capabilities of our particular adversaries are and then to be able to interdict those capabilities before they can be put into action.

We have seen over the past several years a degradation in some important areas of our intelligence capabilities. We will know in the next few weeks whether those shortfalls bear a part of the responsibility for what happened on Tuesday.

Illustrative of the areas in which we are going to need to pay renewed attention and additional new resources will be rebuilding our human intelligence. For a long period during the cold war we became increasingly dependent upon technology as the means of gathering information. That played a critical role. But in this new era there is going to be no substitute for having well-trained, diverse in background and language skills, and technologically competent persons who can represent the interests of the United States in getting inside these organizations so that we will have a level of understanding that will allow us to prepare for and to avoid incidents such as Tuesday's tragedy.

We also must make some investments in some of our technological areas, particularly the National Security Agency, which for many years had been our prime means of gathering information by essentially eavesdropping on our adversaries. That capability which was developed to a very high level during the cold war when most of those communications were over the air, has been degraded as countries, including our own, have gone to other forms of communication. As an example, communicating computer to computer does not allow the kind of detection we have relied on in the past. It is going to be important that we make a new commitment and a new investment to build up that capability to what it has been historically.

With the permission of the body, I am submitting for the CONGRESSIONAL RECORD a recent article which appeared in the Washington Post which examines the National Security Agency, the some of its immediate challenges, and the pathway to a stronger and more secure future that is being developed under the direction of its leader, LTG Michael V. Hayden. I ask unanimous consent that be printed in the RECORD. The revelations led to laws and regulations that strictly prohibit the NSA from spying
The agency's high opinion of itself was backed up by its success throughout the Cold War, success that rested on three pillars: massive budgets, superior technology and the luxury of having a single main adversary—the Soviet Union—that enjoyed neither the advantages of many enemies nor the capabilities of its workforce during the 1990s. And instead of one backward adversary, the agency found itself trying to deploy against elusive terrorist groups, roaming cartels and rogue states, in addition to a full slate of traditional targets ranging from Russia to China to India to Pakistan. In 1980, the NSA focused on 3 percent of its budget on the Soviet Union. By 1993, less than 15 percent was fixed on Russia.

But if the end of the Cold War was hard on the NSA, the onset of the digital age was harder. More and more communications were being transmitted through hard-to-tap fiber-optic cable. More and more were encoded with cryptography. Network software that was thought to be impenetrable was proving virtually impossible to break. By the late 1990s, NSA officials had given up a futile effort to limit the spread of encryption software, but NSA's fear of its capabilities could wither if, say, Microsoft started building powerful encryption algorithms into its operating systems.

More immediately, the NSA had to confront the exploding volume of global communications. In the 1960s, there were 5,000 computers in the world and not a single fax machine or cell phone. Today, there are more than 100 million hosts on the Internet serving hundreds of millions of networked computers, not to mention 650 million cell phones in use worldwide. And with broadband fiber-optic cable being laid around the world at the rate of hundreds of miles an hour (yes, literally), the problem of moving data digital data down these slender pipes more than doubles annually—faster even than computing power, which doubles every year and a half.

With more and more digital data moving across the Internet and bouncing off communications satellites, SIGINT has become more valuable than ever. And the uninterceptible data stream has threatened to drown the NSA's analysts in a rolling sea of 1s and 0s.

In this new context, private industry suddenly controls the technology that the NSA needs to keep pace. But the agency has been isolated from the dynamism of the market by its own cult of secrecy. The agency has fallen farther and farther behind, unable to sort through a torrent of information streaming back into Fort Meade's computers and the Strategic Air Command at Offutt Air Force Base in Nebraska. Harry Hayden Jr. figures his older brother joined the service because he had read everything he could find about American history and wanted to start participating.

A decade into his Air Force career, Michael held the rank of major and was chief of intelligence for the Strategic Air Command at Offutt Air Force Base in South Korea. The director of operations, Col. Chuck Link, a fighter pilot, detected the same leadership qualities Dan Rooney had recognized years earlier. So did Hayden's men. Gene Tighe, a young intelligence officer, remembers Hayden more as a mentor than as a commanding officer. "He thought it was a great thing to be out and about and getting this opportunity overseas," Tighe recalls. "He wanted us to see the temples, the rice paddies, go shopping in Hong Kong. He took a vested interest in making you feel important." After Osan, Hayden spent six months studying at the Armed Forces Staff College at Fort Leavenworth and 18 months learning Russian as an operations officer in the Balkans. From his attache days in Bulgaria, Brent Scowcroft's annual policy document on Central Intelligence began an all-out search for somebody to fill the NSA’s leadership void. George Tenet turned to a man who lacked the innate spookiness normally associated with intelligence officers. A small man with a crew cut and a bald pate. A man with a scholarly interest in history. A man who would show no fear of either the public or the agency he would have to overhead.

Michael Hayden, 56, grew up in an era when the backbone of America's industrial might was steel. "I grew up in a neighborhood on Pittsburgh's North Side where men carried lunch buckets to work and proudly traced their ancestors to County Galway."

His father, Harry Hayden Sr., was a welder at Allis-Chalmers, a plant that made giant electrical transformers. Harry worked the 3:30-to-midnight shift, leaving his wife, Sadie, to raise their three children almost by herself. But he remembers how, when he would awake before dawn and walk to the house for newspaper and then check Michael's room at 5:30 in the morning. "The boy was studying."

Michael was a standout student, and an adoring father was proud to talk about "Michael," says Harry, now 81. "Everybody else was." As early as grade school, Michael showed a talent for impressing talent spotters. His football coach at the St. Peter's parochial school says Hayden clearly had "the smarts" to play quarterback—no small judgment, coming as it does from Dan Rooney, son of the founding owner of the Pittsburgh Steelers and now the franchise's president. In time, however, Hayden distinguished himself in a new arena: foreign near the top of his class at North Catholic High School and at Duquesne University, where he majored in history.

One day, he surprised his father by coming home from college and announcing that he had signed up for Air Force ROTC. It was 1967, when a lot of young men were burning their draft cards. "I, a small man with a crew cut and a bald pate, a man who would show no fear of either the public or the agency he would have to overhead—"

Then he started his service in the Air Force, as an analyst and briefer at the head- quarters of the Strategic Air Command at Offutt Air Force Base in Nebraska. Harry Hayden Jr. figures his older brother joined the service because he had read everything he could find about American history and wanted to start participating.

A decade into his Air Force career, Michael held the rank of major and was chief of intelligence for the Strategic Air Command at Offutt Air Force Base in South Korea. The director of operations, Col. Chuck Link, a fighter pilot, detected the same leadership qualities Dan Rooney had recognized years earlier. So did Hayden's men. Gene Tighe, a young intelligence officer, remembers Hayden more as a mentor than as a commanding officer. "He thought it was a great thing to be out and about and getting this opportunity overseas," Tighe recalls. "He wanted us to see the temples, the rice paddies, go shopping in Hong Kong. He took a vested interest in making you feel important." After Osan, Hayden spent six months studying at the Armed Forces Staff College at Fort Leavenworth and 18 months learning Russian as an operations officer in the Balkans. From his attache days in Bulgaria, Hayden probably knew the region as well as anyone in the U.S. military.

On June 2, 1996, Hayden walked into the U.S. Embassy in Belgrade to learn that an American F-16 piloted by Air Force Capt. Scott O'Grady had been shot down over Bosnia. The news marked a turning point in Hayden's thinking as a soldier. Serb Gen. Ratko Mladic had been saying publicly that he would deny Serb airspace to NATO. Operations officers at the European Command had dismissed the threat, but Hayden believed it was significant. "I felt we should see him making idle threats. As an intelligence officer, he had informed the operational commanders of Mladic's statements and relayed to them that he believed the general was not to be trifled with. But he didn't believe it was his place to voice further objections—until after O'Grady was shot down."

"Maybe I should have picked up the phone and told the air commander, 'Every
time I see that orbit on your morning slides, I get nervous,” Hayden says, “But I didn’t.”

The Hayden icon, of course, has become essential to any government rolls of the military’s traditional hierarchy, in which intelligence was seen merely as a support function. Increasingly, Hayden realized that the agency’s front-line employees needed to be as skilled in the basics of electronic intelligence as in the art of counterterrorism. “The need for that," he says, "is not about intelligence successes or failures; it’s just successes or failures.”

Hayden’s next assignment, as commander of the Air Intelligence Agency at Kelly Air Force Base in San Antonio, gave him plenty of opportunity to further hone his thinking. Kelly is where the Air Force works on its plans for cyberwar—a field in which the NSA’s expertise found itself on target. Hayden enjoyed the job, not only because it was a chance for him to oversee the agency’s antiquated technology and lead a managerial revolution, but also because he knew his predecessors had been unable to change the NSA’s culture. "It was a culture of lurking," he said, "a culture of control." Hayden knew the agency was in great peril. We have no similar protections for foreigners. By the time he arrived at Fort Meade, Hayden discovered another wrinkle: The NSA director didn’t have to worry about the larger task ahead: The price tag. Hayden had no trouble remembering the September 13, 2001.

But with Hayden’s relief came a realization that the largest single act of terrorism he would pay for moving too cautiously would greatly exceed whatever he would pay for being too bold.

Hayden’s internal coup began with an innocuous act: He hired a chief financial officer. Without one, he had no way of making strategic decisions based on how much money was being spent across the entire organization. Without one, he had no way of making strategic decisions based on how much money was being spent across the entire organization.

September 13, 2001

CONGRESSIONAL RECORD—SENATE 16958

In 1997, the European Parliament had commissioned a report on Echelon, a global communications system. That report had concluded that the NSA was stealing European companies’ secrets and that the lawmakers’ suspicions that the NSA was stealing European companies’ secrets and that the NSA was a support function. Increasingly, Hayden realized that the NSA was in trouble because the systems and practices of the NSA were simply not up to the task of keeping the NSA from spying on Americans. Hayden was given a chance to make good on his promise to change the NSA’s culture. "It was a kind of redefinition of self," he said, "a kind of redefinition of self." Hayden knew that he was no expert in signals intelligence. He thought he saw what needed to be done but didn’t feel secure, especially when many of his senior managers were new to the agency. Hayden strode off the stage in Friedman Auditorium. His challenge—This was the agency’s internal coup, naming two review teams—one made up of NSA insiders, the other comprised of NSA insiders—"to visit intelligence expression of American technology and American culture—its dynamism, its risk taking, its proud individualism. He believed that the NSA had to become the intelligence expression of American technology and American culture. It needed to

Yet another wrinkle: The NSA director didn’t have to worry about the larger task ahead: The price tag. Hayden had no trouble remembering the September 13, 2001.
With Black onboard, Hayden was ready to move. Last October, he rolled out his reorga-
nization plan—a first step in changing the NSA from its own bureaucracy. All the NSA’s sup-
port services would be centralized under Hayden’s chief of staff. And where there were
fire walls, he wanted them doubled. It’s a short way to having just two: one for information secu-
rities (the agency’s codemakers) and another for signals intelligence (its codebreakers).

Now, high-level managers could focus on going after bytes.

A decade ago, a single NSA collection sys-
tem could field a million inputs per half-hour. Automated filtering systems would winnow
that to 10 messages that needed review by analysts. With today’s explosion in communications
traffic, multiply a million inputs per half-hour by a 1,000 or 10,000, and 10 messages needing
review becomes 10,000 or 100,000. Cutting-edge fiber-optic systems now move data at 2.5 to 20
gigabits per second. The latest Intelsat satellites can process the equivalent of 90,000 simulan-
taneous telephone calls. A single OCI line on the Internet transmits 155 million bits per second—the
equivalent of 100,000 simultaneous telephone calls.

From an operational standpoint, the NSA’s Cold War vacuum-cleaner approach is no
longer tenable—there’s just too much to be processed and analyzed. The only way for the NSA to remain relevant in this environ-
ment is to target the individuals and organizations whose communications are most valuable—and that now is
more complicated than programming a tar-
get’s telephone number into a computer. To
succeed in the digital age, NSA analysts must be able to commu-
nicate, understand their targets and inbox
s, and how its traffic is routed around the world.

And with so many conceivable targets in
the world, the only way to zero in on the most
important ones is to ask White House of-
ficials, Pentagon commanders and CIA of-
ficers to identify them. Hayden’s goal is to
interest in them. The days when NSA officials sent
the White House whatever interested them
are over.

Now, SIGINT requires the agility to move
from system to system and adapt to new
technologies. If that can be done, the poten-
tial for electronic spying is enormous. So-
much for the age of uncompro-
missable encryption. Hayden wants to make
the NSA’s information in the public domain
otherwise.

The irony amid all this new technology is
that human beings—old-fashioned spies—are
suddenly so important as ever.

With the organization laid out and his mis-
sion clarified, Hayden began updating his
human resources last December. He freed up
enough slots and jacked additional funds from Congress to hire 600 people—three times what the agency had been hiring
annually. Sixty senior managers accepted early retirement incentives, giving him
enough headroom to reach down a genera-
tion in selecting new managers. Maureen A.
Baginski, a member of the insiders team
that produced the soothing management
assessment plan for Hayden back in 1999, headed the class.

She would run the newly created direc-
torate of signals intelligence. Now, an opera-
tional fiber-optic targeting team could work
time zone and a new team with one engineer who could help him figure out how the cell’s communications were routed around the world. And though Baginski, too, is a former
engineer, she clearly understood the challenges ahead.

“You could literally stare for 25 years at the
Soviet land mass and never have this kind of
volume problem,” she says. “They were slow, so it was okay if we were slow. Today, it’s
volume, it’s velocity and it’s variety.”

Her management style, too, is more cur-
rent—more attuned to the idea of empow-
ering the people beneath her. When a U.S.
Navy VP-3 reconnaissance aircraft—an NSA asset—crashed-landed on China’s Hainan Island this spring after colliding with a Chinese
fighter jet, an operations officer called Baginski at home late on a Saturday night, told her what had happened and said, “You
will want to come in.”

Baginski replied: “No, I will not want to
come in.” Her reasoning was that the agency
already had a person charged with running
operations who could handle the emergency response. Why should I do it in a crisis if someone else does it every day?” Baginski said.

As Baginski was setting in, Hayden was
busy looking outside the NSA for new people
to work for her—and soon found the agency
swamped. In February, the home of No Such
Agency and Never Say Anything held a job
fair to recruit computer scientists, mathe-
maticians, linguists and analyst to become
new spooks. Seventeen hundred people reg-
istered in advance—and hundreds of walk-ins
dressed in dark business attire showed up
and waited in a line that snaked through the
parking lot. Hayden’s openness initiative was paying dividends.

Soon, Hayden was talking in the outside world to fill eight other top jobs, including chief in-
formation officer, chief of legislative affairs, deputy associate director for research and chief of the agency’s information engineering. All of the jobs paid between $109,000 and $125,000, well below salaries for commensurate jobs in the private sector. But, as Black is fond of saying, patriotism still works on occasion.

By the end of March, the NSA began its first major push to involve the private sector in development of new SIGINT technology with an initiative it called Trailblazer. A total of three contracts, worth about $10 mil-
lion apiece, were awarded to corporate con-
sortia led by Booz Allen & Hamilton Inc., Lockheed Martin Corp., and TRW’s systems and information technology group.

Skeptics wonder whether it will all be enough, you’re at that point in an organiza-
tion that is moving. They also question wheth-
er is enough top technical talent still left at the NSA to manage complex relationships with agencies of the federal government. Hayden, Black, Baginski and company ap-
pear to be getting their message across that the NSA must take risks if it is ever to “own the vigilance,” as the agency’s systems design director James Adams, a British journalist turned Internet security executive who serves on a vari-
ty of federal advisory panels, put it.

James Adams, a British journalist turned Internet security executive who serves on a panel of outside advisers created by Hayden, who says the agency’s workforce breaks down into three distinct camps: 25 percent are en-
thusiastic about Hayden’s program, 25 per-
cent are lukewarm toward it and 50 percent are sitting on the fence wait-
ing to see who wins.

Sometime this summer, Hayden plans to pub-
lish reduction-in-force procedures to deal with the naysayers, if need be. He will keep offering retirement incentives, preferring the carrot to the stick, but now accepts that layoffs may be necessary.

They would be the first in the agency’s his-
tory. With all the changes, Hayden may be mak-
ing enemies among his agency’s old guard, but he’s also building a powerful constitu-
cency elsewhere. “We went deaf for 72 hours because of an antiquated system that should have been upgraded years ago,” says Tim Sample, staff director of the House Perma-
nent Select Committee on Intelligence.

“Sometime in the near future, the NSA is going to implement a new audio control system and end up abandoning the project at a cost of $500 million.”

But analysts on Capitol Hill and other close observers of the private sector agree that Hayden must know that far from para-
lyzing the American people and divid-
ing us fearfully against one another, what they have done instead is in-
stantly to unite all of us into one peo-
ple. We stand united in the solidarity of suffering and committed to our fellow citizens and utterly single minded in our determination to remain unbowed and to see justice done.

In fact, this is my fifth year in the Senate, and never have I seen the Sen-
ate more united and more determined than we are now.

These, then, are the messages we must send—and that we must keep sending with relentless determination. America may have lost a measure of our innocence, a degree of that special separateness that has helped us to keep our land of liberty safe from some of the storms that have long battered other peoples in an often turbulent world; we clearly are not as separate or as strong as we once were. But no one—no one—should doubt our resolve and our resilience. It is in moments such as these that the special char-
acter of America can and should shine through with particular brilliance. It shines through in our sacrifices in helping fellow citizens in terribly try-
ing times. It shines through in the sac-
rifices of those brave and heroic pas-
sengers who were on the jet that did not make it to the intended target. It shines through in our commitment, even in adversity, to the bedrock val-
ues that make our system of govern-
ment worth protecting, even as those values draw the murderous ire of twist-
ed souls whose only answer to the dis-
course of liberty is a vocabulary of vio-
ence, terror, and death.

As we care for survivors and comfort those who have lost loved ones, we also will set about finding those respon-
sible. We must respond to these horrors in a way befitting our voices as free
and united people. But let there be no doubt, respond we should and respond we will.

As difficult as it is to find a voice to talk about the horrors we have experi-
enced, I believe by finding our voices amid such shock, rage, and pain we re-
affirm our most cherished principles as citizens of the United States of Amer-
ica.

With God’s help, we shall persevere, we shall find comfort in our grief, we shall find strength in the days ahead, and we shall hold those responsible for these attacks on America responsible for their actions.

Madam President, seeing no one seeking recognition, I suggest the ab-

The PRESIDING OFFICER. Under a previous order, the Senator from Maine, Ms. Collins, recognizes Mr. Graham to speak for up to 5 minutes.

Mr. GRAHAM. Madam President, with a prayer that God will be with us as we enter this next and more chal-
lenging period of our Nation’s history, I extend the wish that God will bless our Nation and that we will be worthy of his blessings.

Thank you.

The PRESIDING OFFICER. Under a previous order, the Senator from Maine, Ms. Collins, recognized to speak for up to 5 minutes.

Ms. COLLINS. Madam President, it is very dif-
ficult to even find the right words to speak about the attack on America.

But speaking about it is something we must do. The American people and the Government of the United States of America must speak forcefully and with crystalline clarity. The families and friends of those killed or wounded in these awful terrorist attacks must know that the prayers of every Amer-
ican and of millions upon millions of people around the world are with them now.

The heroic firefighters, police offi-
cers, rescue workers, National Guard-
den, doctors, nurses, members of the
clergy, and the citizens who are volun-
teering, who are even now struggling to save the lives of the surviving vic-
tims and to help grieving families, must know that our hearts and our deepest, the wide are with them in their vital work.

Our Commander in Chief and all the men and women of the Armed Forces, our law enforcement community, and our intelligence agencies must know that we are with them, as perhaps never before in my lifetime, as they set about with grim resolution to ensure that justice is done to those respon-
sible.

And the evil people who planned and committed this atrocity—and all of those who may have aided and abetted them—must know that far from para-
lyzing the American people and divid-

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