

Senate—Wednesday, November 7, 2001

The Senate met at 10 a.m. and was called to order by the Honorable BILL NELSON, a Senator from the State of Florida.

PRAYER

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

Dear God, You, Yourself, are the answer to our prayers. So often we come to You with our shopping list of requests. Prayer becomes a "gimmie" game rather than a grace gift. Help us to realize that whatever You give or withhold from us in prayer is to draw us into deeper intimacy with You. When we put the primary emphasis on a relationship with You, experiencing Your presence and receiving Your power, life becomes a privilege. It loses its strain and stress. Added to that, You provide the spiritual gifts we need—wisdom and discernment, emotional strength and stability, and physical stamina and endurance. Grant the Senators a special measure of Your inspiration today as they listen to You. Speak to them before they speak to the Senate and to the Nation. May debate not divide but develop deeper understanding. Now, when the world looks to America for leadership, may patriotism unite this Senate. Grant the Senators and to all of us a renewed dependence on You that makes possible greatness in leadership. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BILL NELSON 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 7, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BILL NELSON, a Senator from the State of Florida, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate will resume consideration of the District of Columbia Appropriations Act immediately. Senator ALLEN will offer an amendment regarding needle exchange programs. He has agreed to have 60 minutes for debate prior to the vote in relation to the amendment. That vote will occur a little after 11 o'clock. Following the vote in relation to the Allen amendment, Senator HUTCHISON of Texas will offer an amendment regarding attorney's fees, with 60 minutes for debate on that amendment. Following 30 minutes of debate on the Hutchison amendment, it will be laid aside for a period of morning business until 2:30 p.m. Senators will be permitted to speak during morning business time for up to 10 minutes each. This period of morning business is for a number of reasons but mainly to accommodate the Senators-only briefing with Secretary of Defense Rumsfeld.

At 2:30 p.m., the Senate will resume consideration of the Hutchison amendment, with 30 minutes of debate prior to the vote in relation to the amendment, at approximately 3 p.m.

The majority leader announced last night in closing that he wanted to complete the DC appropriations bill today. Everyone should understand we are going to work very hard until we finish this bill tonight. That is the intention of the majority leader. Other than these two amendments, I am not sure how many more there will be. Hopefully, it can be wrapped up quickly. There are a number of other important issues that are waiting to be completed before we adjourn for the year.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002—Continued

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 2944, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said district for the fiscal year ending September 30, 2002, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Virginia is recognized to offer an amendment, on which there shall be 60 minutes of debate.

Mr. REID. Mr. President, I ask that we not go to the amendment for just a few minutes. Senator LANDRIEU is in the building and will be here momentarily. I think she should be present. I ask unanimous consent the Senator from New York be recognized for 5 minutes as in morning business.

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

The Senator from New York.

PUBLIC SAFETY INFRASTRUCTURE

Mrs. CLINTON. Mr. President, I rise today to bring to our attention two distinct problems facing our States and particularly our communities in New York as a result of the attacks on September 11. I have just come from a meeting with a number of mayors from cities all over the country, including mayors who joined us by conference phone, Democrats, Republicans, large cities, medium- and small-sized cities. They all have said with a single voice that the impact on our public safety infrastructure of the attacks is such that they are bleeding dollars. They are paying overtime constantly to our police officers, our firefighters, our first responders. They do not have the funds to provide the protection and the quick response our citizens deserve and expect.

I can speak specifically about New York. We have an economic situation where we face a \$10 billion shortfall in State revenues over the next 18 months. In addition, our New York State comptroller, Carl McCall, has identified \$940 million in potential State and local government costs due to the current congruence of events.

This means that city governments, county governments, far away from Ground Zero, are faced with hundreds of calls about potential biological or chemical materials, particularly anthrax, to which they are responding as we expect them to. They are faced with threats coming in—both credible and, frankly, not, but we have to follow each one up—potential threats to our infrastructure, our powerplants, our bridges, our ports, our airports.

As a result, we have a tremendous pressure buildup on our local governments. As I heard today, it is something that is being faced by governments across our country. That is why I strongly support the plan with which Senators BYRD and REID are coming forward, to provide additional funding for public safety needs. I am calling on our colleagues and the Federal Government to create a public safety block grant program to help communities plan, strictly for our emergencies, and to be ready no matter what happens in their communities.

Why is a public safety block grant so necessary?

First, September 11 changed everything. Anybody who wants to pretend it didn't is sending a false message to the people we represent. Our cities and our counties are on the front lines in the war against terrorism. When a threat is called in to our local fire department or our local mayor's office, they cannot wait for some kind of Federal response. They have to send out those first responders. They are on a heightened state of alert as they have been told by our President, by Governor Ridge, and by Attorney General Ashcroft. A public safety block grant would help our communities provide these additional resources for police, fire, ambulance, emergency, airports, waterways, public transit infrastructure, chemical, and nuclear plants.

I think we should reinvigorate the concept of civil defense, using more volunteers to supplement our first line responders. Some of our colleagues, including Senators MCCAIN, BAYH, and LIEBERMAN, have recently spoken out about the importance of encouraging Americans to become involved in civil defense. I believe a public safety block grant could use funds to further that idea and help us prepare better and involve so many of the citizens who want to participate in protecting our homeland front. If we are at war, which we are told we are, which we believe we are—we are fighting two wars. We are fighting a war abroad in Afghanistan against the terrorist networks, and we are fighting a war right here at home, and we need to be prepared on both fronts.

The eligibility criteria would be based on several factors. Certainly, communities would have to be ready to use those funds for post-September 11 needs, not because they didn't budget well before the date of the attacks but because of the additional burdens they now face.

I believe medium- and larger-sized cities and counties should receive direct assistance. Smaller communities could go through the State, based on the CDBG program. I hope communities would have to submit a plan explaining how they would use the funds, but that they would be given broad discretion because they are best able to

defend their own communities. They should be given that opportunity.

I think we need this legislation now because our homeland defense will only be as strong as the weakest link at the State and local level. We need our citizens more involved in civil defense to supplement those of our people on the front line in the uniformed services. I think we recognize this now is an absolute necessity. I certainly support the efforts of Senator BYRD and Senator REID, combined with Senator BAUCUS, to have a homeland recovery and security package, but I do not think it will work unless we provide funds directly to our cities and counties, unless we recognize that they have to be the front line defense in the war against terrorism here at home.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002—Continued

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Virginia is recognized to offer an amendment on which there shall be 60 minutes of debate.

Ms. LANDRIEU. Will the Senator yield for just 1 minute for opening remarks from the manager of the bill?

Mr. ALLEN. Certainly.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank the Senator from Virginia for yielding.

Let me quickly support my colleague from New York in her remarks about how important it is for us, as we fashion homeland defense, to be cognizant, as Mayor Giuliani beautifully showed us, so that the mayors and local officials are really on the front line. Our Federal Government needs to recognize the great role they have played and can play. Our budget should reflect the principle of getting those resources down to the lower level. I thank the Senator from New York for her very instructive remarks to us this morning.

Let me, as I begin again this morning on the DC bill, very briefly—within 1 minute—just hit the highlights of the bill before we turn to the three or four amendments we may be considering today, with that of Senator ALLEN being the first one up for us to consider.

First, there is great consensus in this underlying bill. Again, I thank my colleague from Ohio, Senator DEWINE, for his excellent work. We thank Mr. BYRD, the Senator from West Virginia, and the Senator from Alaska, Mr. STEVENS, for helping us get this bill to the floor, working across party lines and in a very dedicated way to bring a good bill to this floor.

The five points in this bill are:

No. 1, this is the first bill over \$7 billion that comes to the floor in 5 years without the Control Board being in effect. So there is great responsibility

that we have to make sure this and future budgets reflect the fiscal discipline that is now a part—and hopefully will be even a stronger part—of the District's future. The budget is not only in balance but the District is in a surplus, having swung \$1 billion from a deficit now to a surplus. We would like to keep it that way.

There are going to be great challenges ahead, but Senator DEWINE and I are committed to fiscal discipline, transparency, accountability, and excellence in management for the District.

No. 2, there is an underlying principle—we will debate some of that this morning—about local decisionmaking. We believe generally local governments should be allowed to spend their money and local funds in the ways they are directed. There is some debate about that issue. That debate will take place this morning.

No. 3, there is a significant investment in child welfare. I want to say on behalf of Senator DEWINE and myself and many of the Members who helped, we are investing \$40 million in new moneys to set up a better child welfare system in the District. Too many children have died. There are too many families torn asunder. There are too many children without parents, too many parents without children who cannot be found. This investment will help the courts work better and help us to put our money where our mouth is and invest in kids.

No. 4, there is a \$16 million increase for security in the District. After September 11, it is obvious the District itself is a target, hosting the Capitol of these great United States. So we have recognized that.

Finally, there is an investment in the environment and in education.

AMENDMENT NO. 2109

Ms. LANDRIEU. I send a managers' amendment to the desk and ask unanimous consent it be approved. This is strictly a technical amendment. Any controversial issues have been removed; they are not included. It has been cleared on both sides.

I send the amendment to the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself and Mr. DEWINE, proposes an amendment numbered 2109.

Ms. LANDRIEU. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 6, line 25, insert the following after "inserting '1,100'":

Section 16(d) of the Victims of Violent Crime Compensation Act of 1996 (sec. 4-