Will the Senator yield?

I ask unanimous consent

that the Senator have an additional 5

minutes, and that the previous order be

extended for an additional 5 minutes.

Madam President, I

thank the Senator from Florida for his

perspicacious remarks. He has not been

asleep. He has been ill with a temporary

ailment, but he is back on the

mend. He is ready to go.

I also thank my friend for his expression

of support for my amendment.

That amendment will be voted on next

Tuesday. It will be voted up or down.

Senators will have an opportunity to

go on record, if they support that

amendment, an opportunity to support

the creation of a Department of Homeland

Defense. In voting for my amendment,

they will have an opportunity to

say that we are not going to hand this

whole package of homeland security as

it is envisioned in the House or Senate

bill. I refer to the Senate bill as the

Lieberman bill.

Once the Senate passes on the homeland

security bill, then the Senate bill

would go to the conference. The conference

report eventually would come

back to both Houses, and the Senate

will not have an opportunity on the

conference report to amend. All the

Senate will be able to do is vote up or

down on the conference report.

Under the House bill or under the

Lieberman bill, the overall time certainly

under the Lieberman bill, the

overall period for the ‘‘fleshing out’’ of

this Department of Homeland Security,

this fleshing out by moving various

and sundry agencies and offices into

the several directorates that are established

by the Lieberman bill, and the

five directorates that are mentioned in

my amendment thereto, that fleshing

out would occur under the Lieberman

bill over a period of 13 months.

But in passing the Lieberman bill,

and it is light-years ahead of the House

bill, it is a better bill than the House

bill, but it can be improved. That is

what I am attempting to do with my

amendment. Under the Lieberman bill,

over a period of 13 months, Congress

will be putting itself on the sidelines.

The Senate will be saying: OK, Mr.

President, it is all yours. You have 13

months. Congress is going fishing. You

have it. It is all yours.

Now, nothing would please this President

more than to have such a blank

check handed to him. The Lieberman

bill, in that respect, is a Tonkin Gulf

resolution on homeland security. Congress

will be removing itself to the

sidelines for those 13 months, and the

President and this administration—

think about that carefully—with its

penchant for secrecy, its penchant for

operating out of the White House, having

no limitations, will have full authority

to move agencies and 170,000

employees into this new department,

with Congress relegating itself to the

sidelines.

The hand of Congress ought to be

there. Congress ought to conduct its

constitutional responsibility of oversight

in seeing that these agencies are

put into the various directorates in an

orderly way throughout the 13 months.

The Lieberman committee and its

counterpart in the House under my

amendment would be front and center

throughout the 13 months. That committee

would still be in the driver’s

seat, and every 4 months there would

be another shift of agencies and directorates,

every 4 months, until it is

completed, over a 13-month period.

All the while, Mr. LIEBERMAN’s committee

would take the policies and the

recommendations of the Secretary of

Homeland Security, look at them, debate

them in the committee, amend

them, and report the legislation to the

Senate, and then the Senate would

take the legislation, report it from the

Lieberman committee, and debate it,

amend it, send it to the President.

I have said we could have expedited

procedure. I am not a Senator who

likes expedited procedure, but in this

situation I would be willing to have expedited

procedures to see that the bill

doesn’t fall through the cracks in the

committee, and that it is not filibustered

or delayed in the Senate.

That is my prescription, my amendment

for order: a phased filling out of

the department by agencies and offices,

under continuing congressional oversight,

avoiding the chaos that will otherwise

occur just by handing this whole

thing over to the President and the administration—

hook, line, and sinker.

Just mark my words. I am seeking to

improve the Lieberman bill. I am not

adversarial to the Lieberman bill. But

if we don’t adopt my amendment, or

something like it, there is going to be

chaos, and instead of having a measure

that will promote the security of our

homeland and its people, we will be

taking our eyes off the terrorists, off

homeland security.

The federal agencies are out there,

working now to provide homeland security.

The passage of the Lieberman bill

is not necessary in order to get these

people out there guarding the ports of

entry—the rivers and seaports and airports

and the southern and northern

borders. They are already out there

working now, every day. The FBI, just

a few days ago, in the State of New

York, located a cell and arrested six

persons. Did the FBI have to wait on

this homeland security bill? There is

no great outcry out there in the country;

there is no great clamor for a

homeland security bill. When I go to

West Virginia, people don’t come up to

me and say: Senator, let’s get that

homeland security bill passed. When

are you going to pass that bill? There

is no great clamor out there. As a matter

of fact, it is hard to get anyone to

listen to a discussion of the subject.

I have been on this Senate floor time

and time again, asking to be heard.

Listen. Hear me. Why, the Members of

the Senate aren’t that greatly interested

in this bill. Facing us in less than

2 months is a big election. All of a sudden

this administration, which as late

as the middle of August has been saying

that there were ‘‘no plans on the

President’s desk’’ to go to war with

Iraq. I asked the Secretary of State

that question in a committee hearing:

oh, there is ‘‘no plan. The President

doesn’t have any plan on his desk.’’ I

asked the Secretary of Defense. Oh, the

President has no plans. The President

himself has been quoted time and time

again saying he has no plans; ‘‘there is

no plan on my desk.’’

All of a sudden, bam, the administration

wants to go to war with Iraq. It

wasn’t too long ago, I can remember

the Secretary’s public spokesman and

Ari Fleischer and some others in the

administration, saying: ‘‘Why have a

Department of Homeland Defense? We

don’t need one.’’ That wasn’t long ago.

But all of a sudden, all of a sudden the

President was dropping in the polls and

the domestic situation was such that

the administration was appearing to be

much like the Emperor who had no

clothes. All of a sudden, bam, all of

this war talk—the war fervor, the

drums of war, the bugles of war, the

clouds of war—this war hysteria has

blown in like a hurricane. And what

has that done to the President’s polls?

Seventy percent.

Don’t tell me that things suddenly

went wrong. I sat in on some of the secret

briefings and nobody from the administration

in those secret briefings

has been able to answer the question:

Why now? Why all of a sudden, when

the administration was saying back

just in August the President has no

plans? Let’s not have all of this angst

about war.

All of a sudden this country is going

to war. And the President is saying, I’ll

do this if the U.N. doesn’t do it.

Now, all of a sudden, is the Administration

talking about the domestic situation

in this country? Are they talking

about the stock market? Are they

talking about the weakness of the

economy? Are they talking about the

jobs that are being lost? Are they talking

about the decrease in housing

starts in this country? No. No.

The war clouds are there. All of a

sudden this administration sends up a

resolution to Congress that is a nonstarter,

to give this President the authority

that he is asking for. Not by

this Constitution will I give my vote

on that resolution. That resolution is

going to take some work. But all of a

sudden? Why is it? Is it politics?

The Constitution is apparently irrelevant

to people in this administration.

What is wanted here by the administration

is for Congress, in connection with

war, to do the same as they want Congress

to do in homeland security—hand

over the whole authority and say: Take

it, Mr. President. It’s all yours for the

next 13 months. Congress is going fishing.

We are not going to be in the mix.

Congress relegates itself to the sidelines.

How foolish can we be as Members of

the Senate to tuck our tails between

our legs and just quit and say: ‘‘You

can have it all, Mr. President. Do anything

you want to do with homeland

security.’’ Well, not by my vote.

I thank the distinguished Senator for

his remarks.

Madam President, I yield the floor. I

suggest the absence of a quorum.