

Like him, I have come to the Senate floor on several occasions advocating for passage of the FSC bill. Many of us believe it may be the only opportunity we have to address, meaningfully, jobs policy and the creation of new jobs in this country.

His characterization of our position is unfortunate and inaccurate. We have no desire to filibuster the bill. We simply believe Senators ought to have a right to offer amendments. That was really the discussion and the debate earlier as the legislation was offered. We had an amendment that simply provided for protection for 8 million workers who were not accorded overtime, who the administration now acknowledges were prepared to take overtime as a part of their compensation packages. We fought it. The administration has changed it, not to our satisfaction. But had it not been for our fight, I doubt very much that overtime could have been protected for the millions of workers who otherwise would see it as lost.

We also want to ensure that we have an opportunity to deal with the outsourcing problem. Outsourcing is a very serious issue today. The President has created a new program called Higher Hour Workers. The acronym is HOW. Well, that is our question. How? How are you going to do it? What we have seen so far from this administration falls far short of what we need to do if we are serious about meaningfully addressing the problem of jobs in this country.

This administration has lost 3 million jobs. We have not seen an administration like this in seven administrations. We want to address the terrible and unfortunate record we have seen with regard to the economy over the last 36 months.

So our hope is we can create a real opportunity to debate jobs, to debate the way with which we can compete in the international markets. That is our desire.

I went to Senator FRIST and offered him an agreement, after this cloture vote, and indicated that we would limit our ourselves to 18 amendments. I presented that to him. I was hoping we could get a unanimous consent agreement. That was not done and, as a result, time was lost. Now, as we understand it, they have over 50 amendments pending to this bill. We have something like 30. So there is no filibuster going on. They have some difficulty on their side in trying to address this issue, and in an expeditious way.

We will get through the amendments. It is unfortunate we could not have agreed to the 18. We would be done with it by now. But there has been a practice on the Senate floor, over the last several months—we get on a bill, an amendment is offered, the bill is pulled; we move to another bill, we get on that, an amendment is offered, the bill is pulled. We have to stay on a bill to finish the bill. I am hopeful we can stay on the Internet tax bill until it is

finished, that we can stay then on the FSC bill until it is finished, and welfare reform until it is finished.

We can accomplish a lot, but we have to have greater attention to the work at hand and a willingness to stay with it until it is done. That is the nature of the Senate. That is the way we function. That is our institutional history. We are prepared to work with our Republican colleagues on these and other bills in the months ahead to make that happen.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

FSC/ETI

Mr. FRIST. Mr. President, very briefly, I know we are in morning business and we are on other topics, but so our colleagues will know, we are coming back to the FSC/ETI bill. We have a general agreement and a framework. We are coming back to it. That was really the purpose of my comments today. We are coming back to it next week. I hope we can work together. The American people deserve it. I do not believe either side will have 30 or 40 or 50 amendments. I think we can do it if we start right now to put our heads together. The managers are working. They have, I believe, an excellent glidepath to finish it as we go forward. I appeal, in a strong, bipartisan way—we are going to have to have a bipartisan approach to finish that bill—that we do just that next week. The American people deserve it. Regardless of how we get there, next week we have this opportunity to address it. We absolutely must do that.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire how much time we have remaining in morning business?

The PRESIDING OFFICER. Eleven minutes 18 seconds.

Mr. CORNYN. I thank the Chair.

THE 9/11 COMMISSION

Mr. CORNYN. Mr. President, I want to talk a few minutes about the work of the 9/11 Commission. I know it has become popular—perhaps it has always been that way—for those who sit on commissions, those who engage in political debate about the great causes of the day in Washington, DC, to try to find blame for various things that happen. That is no less true of the work of the 9/11 Commission in looking into both the causes of the terrible events of that day and also when it comes to coming up with recommendations about what we might be able to do to make sure that sort of tragedy never occurs on our own soil again.

But I think we ought to be clear about who is to blame for the terrible events of 9/11. It was not President Clinton or his administration. It was not President Bush or his administration. The individual and the organiza-

tion at fault for the events of 9/11 were Osama bin Laden and al-Qaida. Regardless of our differences, especially in this election year where we are going to select a President, I think we ought to make sure our enemies do not draw any comfort from the debates we have on the floor of the U.S. Senate or elsewhere that we somehow are redirecting the blame to others for political gain and to score political points. I think all Members of the U.S. Senate—indeed, all Members of the U.S. Congress—should be absolutely clear where the blame lies. As I said, that lies with al-Qaida and Osama bin Laden.

Indeed, after that terrible day there was an upswelling of bipartisan support in this country to try to make sure we did whatever we needed to do in order to make sure that the events of that day would never occur again. Indeed, the Senate unanimously approved a resolution authorizing the use of all necessary and appropriate force against the persons and organizations responsible for September 11.

Indeed, in an unprecedented fashion, also, we saw that our allies in NATO, under article V of that treaty, declared that an attack against the United States was, in effect, an attack against all NATO nations.

Of course, this issue is as current as today's news because we know there are two cases that are going to be argued before the U.S. Supreme Court, the Hamdi and Padilla cases, which are going to look at the limits of Presidential power under a declaration of war, such as was authorized by the Congress, by the Senate unanimously. Of course, they are going to decide, and it seems obvious to me, but perhaps it is not as obvious to others, that the approval of all necessary and appropriate force must necessarily include the capture and detention of enemy combatants. But that is perhaps an issue for another time.

Also, in the spirit of bipartisan support for using all necessary and appropriate means to defend our country, the Senate passed the USA PATRIOT Act 98 to 1. Of course, this important legislation provides law enforcement with sorely needed tools to combat terrorism. Unfortunately, we also recall that spirit of bipartisan unanimity did not last very long.

Once the Democratic Party began to choose its Democratic nominee, we heard a lot of disparaging remarks made about the USA PATRIOT Act. Indeed, in a misguided and perhaps ill-informed way, there are 287 different municipalities around the country that have passed resolutions disparaging the USA PATRIOT Act.

It is amazing, in Washington, how events can turn on a dime. After we heard testimony before the 9/11 Commission from Janet Reno, former FBI Director Louis Freeh, Attorney General John Ashcroft, FBI Director Robert Mueller, and others, a bipartisan chorus said it was the USA PATRIOT Act which tore down the wall which