

It is essential. It is timely, and I hope my colleagues around the country understand those of us in the Northeast and the great metropolitan areas of Los Angeles, Chicago, Miami, and Boston cannot yield on this point, not with hundreds of thousands of commuters having their lives depending upon it every day.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AVIATION SECURITY

Mr. ROCKEFELLER. Mr. President, the day of September 11 has been eloquently described by the preceding speaker, Senator TORRICELLI. Its consequences are unknown. In fact, one of the great questions none of us can answer at this point is: What are the unintended consequences of what will follow this attack over a period of weeks and months?

However, this is not our purpose. Our purpose is to get an aviation security bill done. That is why this Senator from West Virginia chooses to speak.

I wish to make a couple of very clear points. We have not yet passed an aviation security bill. There were those who said, no, you cannot work on the aviation industry's financial condition until you have done an aviation security bill. That was an understandable argument, as well as those who talk about people who have lost their jobs. There really was not much point in doing an aviation security bill if there weren't any airplanes flying. That had to be done as a first order of business.

They are flying. They have picked up a modest amount of business. It has increased about 7 percent in the last week, but they are still in a very bad position, even with the money we gave them after forcing them to ground all of their airplanes for a period of time.

In any event, that and the loan guarantees part is done and so now we move on to aviation security, which we ought to do. One could say, well, that is a fairly easy subject. We could go ahead and do that promptly and without much fuss.

That is not quite the case. There is a lot involved, which is serious, which is complex, a lot of back and forth about which is the best agency to do this or that and how do people feel about it, what are the costs involved.

That being said, the Department of Transportation, under President Bush's leadership, immediately after September 11, took some very strong steps with respect to our airports and our airlines. Within days, Congress sent, as I have indicated, its strong support with an emergency financial package that, in fact, included \$3 billion, still unknown to most people, for airport security. That was included to be used at the discretion of the President, which was fine. Most of that has been used for sky marshals and other items. Urgent aviation security efforts are already in place. The money is there. Now we are

talking about a bill for a broader aviation security purpose.

In the few weeks that have passed since September 11, a large group has been working around the clock through a lot of very contentious issues, not easy issues, to try to resolve what should be in an aviation security bill that would best serve the Nation, not just in the next months but in the coming years. One can say, therefore, that the Aviation Security Act is a result of these efforts. It is not finally worked out. There was to be a meeting this morning with the Secretary of Transportation. He was called to the White House. There are still details pending. That is not the point. We are on it and moving at the point, for those who come down to speak on it, because we want this done if at all possible this week, with the American people knowing that aviation security is at the top of our legislative agenda.

I am very proud to have joined Senator HOLLINGS, Senator McCain, Senator HUTCHINSON as original cosponsors, and I rise in strong support of the managers' amendment because we have been working closely with Senator LOTT and Senator DASCHLE. I can report there is broad bipartisan support within this body on both sides of the aisle as to what we ought to do. That has come through in meetings and compromises. That is a very important fact and bodes well for the bill.

The truth is, the horrific attacks of September 11 do reflect broad intelligence and other failures.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, if the Senator will yield, I ask unanimous consent that the morning hour be extended for 1 hour, until 12:30, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. ROCKEFELLER. I ask unanimous consent for an additional 10 minutes.

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

Mr. ROCKEFELLER. The fault of these attacks clearly lies with those who perpetrated them, but the failures are all our shared responsibilities. There is no way to get away from that.

On the other hand, they are also a shared opportunity. I have long argued and made many speeches that we have a habit in the Congress, and to some extent in our country, of taking aviation for granted, knowing very little about its details, complaining when we are delayed but not making the effort to understand what aviation entails, what happens when passenger traffic doubles—as everybody knew would happen before September 11, and which I believe will come to be true again. This is an opportunity, this horrible tragedy, to set a number of accounts straight in terms of the way we secure our airports.

We have to develop, we have to fund, we have to implement a better and changed way of providing security—particularly true after September 11. Had it never happened, we still should have been doing it. Instead, we were concentrating on air traffic control, runways, matters of this sort that are tremendously important, but we were not focused on security. That has to change. The Aviation Security Act gives us the chance to do exactly that.

First and foremost, the bill restores the basic responsibility for security to its rightful place. That is with Federal law enforcement rather than with the airlines and the airports, which can neither afford it nor do it properly. This is not a question of private security companies. There is absolutely no other segment of American life in which we need national security contracted out to the private sector. Until last month, the airports' private security companies had in fact managed to ensure that ours was the safest system in the world. Let that be said. It always has been, always will be. But there is public concern that if there is an accident, it will be of a very large nature; if there is terrorism in our future, it will be of a very large nature. We have to begin to think about all things more seriously. We want the safest system in the world. We have the safest system in the world, but it has to be a lot better.

Law enforcement has to be fulfilled by the Federal Government. Everybody agrees on that, both sides of the aisle. The Bush administration is working on that, leaning towards that. We owe it to the American people to take profitability out of aviation safety altogether.

This bill, still subject to some details that have to be worked out—but that is good, that is not bad; we are moving—creates a new Deputy Secretary for Transportation Security, with ultimate responsibility for interagency aviation security, and expands the air marshal program to provide armed, expert marshals on both domestic and international flights, and increases Federal law enforcement for airport perimeter and for air traffic control facilities—not just getting in and out of airports but the complete perimeter of the airport. Screening will also be monitored as it has never been monitored before by armed Federal law enforcement. It will be conducted in virtually all cases by a Federal screening workforce.

When you walk into a small airport, you will see uniforms, pistols, screeners who, like everybody else in this country, are going to have to be trained more or less from ground zero because the training is insufficient, the turnover is horrendous. It is a national embarrassment. The whole level of training will have to be raised very dramatically in urban and in rural airports. In rural airports there is a possibility, where there are five or six flights a day, you don't need full-time

security. There we would have deputized local police officers who are federally trained at the highest levels and who are federally funded. So there is no net difference, no first and second class airport. It is a question of making sure the rural airports have the security they need. We will be sure of that.

On board the aircraft, the bill requires strengthening cockpit doors. We had a fascinating discussion at length with El Al. They have a double set of doors with space in between so if even a hijacker were able to get through one, he or she probably could not possibly get through the second. That, obviously, would take reconfiguration, would take some time, and it would take some costs. We have to do what is necessary. Does a pilot come out of a cockpit, for example, to use the lavatory? I am not for that. I think lavatories ought to be inside the cockpit. A cockpit should be absolutely inviolate—nobody gets in. If nobody gets in, there will be no more hijackings. El Al has not had any, and I don't expect them to. Even flight attendants will not have keys to be able to get into the cockpit. No one will be able to access the plane's controls other than the pilot.

The PRESIDING OFFICER. The Senator has spoken for 10 minutes.

Mr. ROCKEFELLER. I ask unanimous consent for an additional 4 minutes.

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

Mr. ROCKEFELLER. It will take some time. People should understand that. We cannot take a workforce without sufficient training and upgrade it in a day, in a month. You don't quickly reconfigure airplanes in the way we will have to with sky marshals, through cockpit arrangements. It will take time. People need to understand that. If they want airport security totally now, we can give them a lot of that, but we cannot give it all to them immediately; it will take time. The federalization will give people confidence this will be done at the highest level.

We have anti-hijack training for pilots and flight attendants. We propose to pay for this with passenger security fees, authorizing DOT to reimburse airports for the costs incurred by them since September 11. Most have no idea that is coming, but it is. We will help them pay their costs. We will give airports temporary flexibility to pay for their security responsibilities under the AIP program. They can't do that now. We will give them that flexibility. They can pay for security equipment and infrastructure, but they cannot pay for any direct expenditures such as salaries and the rest.

It will be a very good bill.

We are looking at security with biometric and hand-retina recognition devices. As the bill comes before us and as we debate it, there can be no higher order of magnitude for our Senate concentration than this bill as it emerges.

I strongly urge my colleagues to support it.

I thank the Presiding Officer. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, just over 2 weeks ago I came to this floor and talked about the 20-year history of aviation security. I did so for a simple reason. There has been a very clear pattern on this issue over the last 20 years. Again and again there has been a tragedy in the sky. Again and again there has been widespread public outrage. Again and again there has been widespread agreement on what needs to be done to improve aviation security. Again and again the real reforms weren't implemented because of political infighting.

I come to the floor of the Senate today to say that this time it really has to be different. This time the Senate needs to come together on a bipartisan basis and make sure these changes are actually implemented. I wanted to make this appeal for bipartisanship because that is what Chairman HOLLINGS—I see my friend Senator MCCAIN on the floor as well—and Senator MCCAIN are trying to do in the Senate Commerce Committee with the legislation that we would like to have taken up.

I happen to believe that, as a result of the determination and the persistence of Chairman HOLLINGS and Senator MCCAIN, we are now talking about legislation that will bring new accountability on this aviation security issue. The bill is not about political ideology. The Hollings-McCain legislation is about accountability—about ensuring that the Federal Government on a national security issue is accountable. Nobody in the Senate would ever think about subcontracting out our national security. But that is regrettably what has happened in the aviation sector for so many years.

I went back through some of the history almost 2 weeks ago on the floor of the Senate. It started really after the Pan Am Flight 103 bombing over Lockerbie in 1988. We saw it again after the TWA Flight 800 crashed near Long Island. In each case Presidential commissions were established, and there was unanimity about what needed to be done, with the General Accounting Office and the Department of Transportation inspector general outlining the vulnerabilities and then political infighting started.

I am very hopeful the Senate will support the bipartisan effort being led by Chairman HOLLINGS and Senator MCCAIN. I have felt for way too long that there isn't enough bipartisanship on important issues of today. Senator SMITH and I are trying to do it in our home State of Oregon. I think Chairman HOLLINGS and Senator MCCAIN are trying to do it in this Chamber with this legislation.

If we don't get this done, I fear we will be back on the floor of this body in

6 months or a year with Senator after Senator taking their turn once again in a procession of floor speeches about how sorry and upset the Senate is that another tragedy has occurred—that another tragedy occurred because the Senate failed to act promptly to put in place the safeguards that I have documented on the floor of this Senate and that have been called for now repeatedly in the last 20 years.

I am hopeful that in the hours ahead—I appreciate what Chairman HOLLINGS and Senator MCCAIN are trying to do—we can deal with the additional issues that are outstanding and get this legislation reported.

Let me touch on two other matters. The second issue I would like to mention is this: The rule and the procedures that are going to be set out will define what the aviation industry is all about for years and years to come. I am talking now about the rule that is going to be set in place with respect to loans and loan guarantees that are going to go a long way in determining whether there is real competition in the airline sector, affordable prices, and whether places in rural Nebraska and rural Oregon are serviced. I have outlined what I think are six or seven key principles that ought to govern how those loans and loan guarantees are made.

What concerns me is that those decisions are being made behind closed doors. They are being made outside the public debate. There is considerable discussion about whether the large airlines may, in fact, have an agenda that will crush the small airlines. I am very hopeful that Members of this body will weigh in between now and Saturday with the Office of Management and Budget as they make the rules that are going to govern these loans and loan guarantees.

One last point: Something that I and Senator SMITH are together on is the pride in our State and our citizens. A number of Oregonians, strong-willed people in our State, are mounting an operation that they call Flight for Freedom, answering the national call for all of us to get on with our lives and come to the aid of those hurt in the attacks of September 11. In a show of solidarity with their fellow Americans, more than 700 Oregonians are making the statement this weekend by heading to the hotels and Broadway shows and restaurants in New York City that are fighting for economic survival in the aftermath of the attack. With Oregonians' Flight for Freedom, the people of my State are standing shoulder to shoulder with the citizens of New York in an effort to make clear that no terrorist can break the American spirit.

I congratulate Sho Dozono and the other organizers and participants in Oregon's Flight for Freedom for their generous efforts. I urge all Americans to follow their example. Oregonians are showing this weekend that we are going to stand against terrorism by

reaching out to fellow citizens and enjoying what American life has to offer in our centers of commerce across this great Nation. Because of these kinds of efforts, we can send a message that terrorists can't extinguish the American spirit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my colleague from Oregon for his kind words about the work we have done together on the Commerce Committee on other issues. It has been a distinct honor for me to have the benefit of the relationship we developed over the years. I am very grateful for his involvement in issues such as Internet tax, aviation, and many others. I believe he is correct in that we have been able to display from time to time the degree of cooperation working together on common goals about which I think the American people are very pleased.

If you believe the latest polls, Americans have never been more pleased at the way we have been performing in a bipartisan fashion. I thank the Senator from Oregon for his kind words.

I wish to take a couple of minutes to talk about where we are and where we need to go on airport security and airline security. I am sure all of us by now know that a Russian airliner was shot down a few hours ago. They are not exactly sure why. But I think that may, at least in the minds of some of us, emphasize the need for us to proceed with whatever measures we can take to ensure safety but also as importantly to restore confidence in the American people in their ability to utilize air transportation in America in as safe a manner as possible.

There is no doubt that there are millions of Americans who are still either concerned about or afraid of flying on commercial airlines. We need to move forward with this legislation.

What is hanging it up? One is there is a disagreement between sponsors of the bill, Senator HOLLINGS, myself, Senator HUTCHISON, Senator ROCKEFELLER, and the administration on the issue of federalization of employees. There are different approaches. But I think we can at least have serious negotiations and come to some agreement. I believe that is not only possible but probable.

The second point is the concern about the addition of nongermane amendments to the legislation—whether it be Amtrak, whether it be on the so-called Carnahan amendment which extends unemployment benefits and other benefits to people whose lives were affected by the shutdown of the airlines.

I think all of us are in sympathy with those individuals, all of them, particularly those at National Airport, who had a more extended period of unemployment as a direct result of an order of the Federal Government. I am not sure how a conservative or liberal could argue the point that since it was a Government action it would be hard

for us to not justify some assistance to those people whose lives were directly affected.

As we all know, hundreds of thousands or so of airline employees' lives are affected by layoffs that the major airlines have already announced. So there is a significant problem out there. But I would make a strong case that this is an airline/airport security bill. This is to improve aviation security. It is not a bill for unemployment compensation or any other. This legislation is directly tailored to aviation security and airline safety.

Last week, we passed a bill to give financial relief to the airlines. That was what it was about. That is for what it was tailored. We did not add extraneous amendments.

So I have to say to my colleagues that I think it is not the time to add that to an aviation security bill, especially in light of the fact that we all know within a week or two we are going to take up a stimulus package. Clearly, that issue would be addressed in some shape or form when the stimulus package is considered.

So I intend to oppose any nongermane amendment to this legislation. I believe there are at least 41 of us, if not 51 of us, who would object, so therefore we would not have the bill become bogged down in extended debate.

Those who insist on putting a nongermane amendment on an aviation security bill would then be responsible for preventing passage of a bill that has to do with aviation security.

So I hope those Members who are concerned and committed to assisting those whose lives have been severely disrupted by the shutdown of the airlines—we are in complete sympathy with them and we intend to act. And we intend to negotiate a reasonable package that would provide some benefits and compensation, depending on how directly their lives were affected, et cetera—something that, by the way, we would have to have a lot of facts and figures about, too. But to put it on this bill would be obfuscation, delay, and prevention of us acting to ensure the safety and security of airlines and airline passengers throughout America.

So I want to make that perfectly clear, that we should not have any amendment, no matter how virtuous it may be, on an airport and airline security bill.

I hope we can move forward with this bill. There are a lot of Members who want to talk about it. There are not too many amendments. We could get this thing done today if we could move forward on it and have some agreement.

I also remind my colleagues that we are in negotiation and will continue to try to work with the administration. We also have to work with the Members of the House on this legislation as well. But for us to delay because we have our own pet agendas, our own specific priorities, and not act as speedily

as possible to restore confidence on the part of the American people in their ability to get on an airline is somewhat of an abrogation of our responsibilities.

I am pleased that Senator HOLLINGS, the distinguished chairman of the committee, has also pledged to oppose any nongermane amendments as well.

So, Mr. President, I really want to emphasize that we need to move forward. I think it would be wrong of us to go into the weekend without doing so, at least making some progress. We are prepared to do so, and I hope we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I want to discuss for a little bit the airline issue. I thank my friend from Arizona for the work he has done on this issue. Certainly, security in flying is an issue on which all of us want to move forward. So this is not a failure to act.

Some people have said we are holding it up, it is slow, and so on. I do not think that is the case at all. I think what is the case is that this is a very important issue. This is an issue that could be done in several ways. I think there is a legitimate effort to try to ensure that we think it through enough to come up with a process that would most likely achieve the goals that we have; that is, of course, safety and security on airlines.

There are a number of different issues that need to be talked about, but I do not think there is a soul in this body who does not want to move forward on airline security. It is the security issue of the moment.

There needs to be some major changes in the process. We have had security for some time. We have a higher security level now, I believe, than we did before September 11. I happen to have been in Wyoming three times since then and have found that there is security. There are armed people in Dulles, for example—more security. Is it enough? Probably not. We probably need to do it better and more professionally. And that is what this is all about.

But I do want to make the point that I think you will see airline passenger numbers going up. There is more security than there has been in the past, but we need to change the process. And we need to do it as quickly as we possibly can.

We need to have more experienced people there, particularly in baggage examination. We need to do it so that we do not develop a long-term Federal bureaucracy. That is an opinion that some do not share. But, nevertheless, in order to achieve the goals we want, we have to make some changes. And even though I would like to see it done in the next 15 minutes, and move out of here, I must say, I am glad that we are taking the time to examine these issues and to come up with what we think is the best solution, even if it takes a little longer.

As I say, we now have substantially more security than we did have. In

some of the smaller States, the National Guard has been made available to help, and so on. One of the puzzles, of course, is to find the proper agency. I don't know that it is a puzzle, but it is a challenge to find the proper agency to supervise and be responsible for airline security. Many believe—and I am one of those who think it—that it ought to be a law enforcement agency and not really belong in the FAA. Those people have responsibilities, but law enforcement is not one of those responsibilities. So that is one of the issues.

I see my friend from Texas is in the Chamber. She has been very involved in this issue. I yield my time to her.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I appreciate very much the Senator from Wyoming, who has also been working on this issue, coming forward.

I see the Senator from Montana in the Chamber; he is a very important part of the negotiations on this issue.

The bottom line is, we want to go to the bill. The American people expect us to pass a bill to securitize the airplanes and the airports in this country. What is holding us up is people who want to offer extraneous amendments. Some of them I agree with; some of them I do not.

But the point is, we cannot put every amendment, on any different subject, on the security bill and pass it. We have legitimate disagreements on how to best securitize our aviation system.

Let us go to the bill and start talking about those differences because I think we can work them out. I believe we are 90 percent there. There are a few things on which we are going to continue to negotiate, but we need to be on the bill. We cannot go to the bill if we are worried about having extraneous amendments, whether it is on employee problems and benefits or whether it is on Amtrak security—all of which I think are very legitimate issues. I want to add security to Amtrak, as long as we add security for the entire system and not just one part of the system.

But the bottom line is, we have an aviation security package that is a very good first step forward, where we would put sky marshals in the air, where we would secure the cockpit, where we would have better trained and equipped screeners, where we would have better equipment. All of these things must be done. And we can do it this week if we can get to the bill.

I urge my colleagues not to have process drag us down. The Senate has a bill before it that is good, solid legislation. We are working with Democrats and Republicans and with the administration to make sure we do what we do well, correctly, and give the flying public the confidence that when they get on an airplane, they are going to be safe.

If we can do that, it will be the beginning of rebuilding our economy. If we

can secure the airlines so people will come back and fly, then more of those people who have been laid off by the airline industry will be called back to work.

The travel industry will be uplifted. We will have people staying in hotels. We will have people renting cars, employed in the airports, and in the shops. These are the things that will stimulate our economy.

We are talking about a stimulus package, which I hope we will look at next week. That is very important. We can stimulate the economy with an aviation security package. We can put people back to work in the aviation industry and stop the domino effect to our economy caused by layoffs in the airline industry because people are not coming back to fly.

I appreciate the cooperation we are getting. Senator HOLLINGS, Senator ROCKEFELLER, Senator McCain, and I have worked well together to try to get a consensus. We are very close. If we can go to the bill and if people will agree not to offer amendments that delay the ability for us to consider relevant amendments, we can work it out this week and send something to the House and hopefully go to the President and do the very important part of the stimulus package, and that is to beef up the aviation industry.

I thank my colleague from Wyoming, and I certainly thank my colleague from Montana, who has been a very important part of the aviation subcommittee, working to put something together that all of us will be able to support.

The PRESIDING OFFICER (Mr. BAYH). The Senator from Wyoming.

Mr. THOMAS. Mr. President, I thank the Senator from Texas who has worked very hard on aviation matters. We are moving forward. No one is seeking to hold up this bill. All of us agree aviation security is something that needs to be done and needs to be done very soon.

The Senator from Montana has been a part of this committee and has worked very hard. I yield to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank my good friend from Wyoming.

When we examine this issue, we find several approaches we have to take a look at. We do want to move forward on it because there is a sense of urgency, if not in this body, in America.

Last weekend when I was in Montana, that is what they discussed: How do we travel; how do we know we are safe; and the anger they feel because of the events on September 11. Whatever was important to us on September 10, by September 12 it was not important anymore.

Now we have before us the very important issue of airport security and this legislation. Let's talk about the areas of concern: intelligence and passenger lists, who is in charge of those,

who can better manage those; security at airports on the perimeter, the total facility, the check-in area, the departure gate, the cargo, which includes baggage and how they handle baggage, and the tremendous tonnage of air freight that moves through each airport and each facility every year; how do we secure the area where the aircraft are parked; and finally, and most importantly, the security of the aircraft.

We had an opportunity to visit with the security people who are in charge of passenger safety and security for El Al. It is a Government-owned airline by the country of Israel. If there is one thing of which the Israeli people are apprised and aware, it is terrorism. How do they handle this? Granted, their domestic air transportation isn't as great as the system we find here in the United States. However, in principle, it has to be the same heightened awareness of security before we see load factors going from what they are running, around 40, 45 percent now, to 70, 75 percent, and profitability of the airlines. Air transportation is one of those linchpins of the American economy, our ability to move.

El Al has 31 airplanes. Living in a very volatile region of the world, the areas of responsibility to which I referred are very important to them. They have 7,000 employees, 1,500 of whom are employed in the security part of their operation. They do nothing but security. They secure the areas I previously enumerated: intelligence and passenger lists, the airport facility, the check-in area, departure gate, cargo, aircraft area, and aircraft.

They have been pretty successful in the last 20 years. They have not had a hijacking or anything such as that, operating in an area of the world that is very volatile.

They have one man who is in charge of security in all of these areas. He doesn't operate the airport, the runways, the luggage, the people who handle cargo. He handles security. They have accountability and responsibility.

That is what the American public wants us to do. In this legislation, there has to be a strong, bright line of accountability and responsibility to one agency or one area of government.

I have proposed an amendment. It has very strong bipartisan support. The amendment would give that responsibility to the Department of Justice. Not that the Department of Transportation is not efficient and would not be dedicated to passenger safety and security, not that the FAA could not do it, but we do not need a convoluted and nondistinct line of responsibility or accountability.

The American public are telling us Justice does it best, with the confidence in the Federal Bureau of Investigation, in the Federal marshal system. We have a model right in front of us, as those folks are responsible for the security of our Federal buildings,

the movement of Federal prisoners. They understand secure areas and danger points. However the Attorney General wants to do it matters not to me. It is that we have a bright line of authority and accountability and responsibility.

Mr. REID. Will my friend yield for a question?

Mr. BURNS. Certainly.

Mr. REID. I say to my friend from Montana, I was speaking earlier today to the chairman of the committee, Senator HOLLINGS. He, too, thought that perhaps there should be some other entity other than the Department of Transportation that would supervise and control this. He suggested, for example,—I know there is a dispute as to whether or not they should be federalized, but he suggested maybe the Department of Defense. I say to my friend, in the form of a question, I think the Senator's suggestion is worth consideration. I think it is not a bad idea.

Maybe the Department of Justice, which has wide law enforcement responsibilities already, could do this. But the question I ask my friend—my friend from Texas, the junior Senator from Texas, who was here in the Chamber saying we should get to the bill and get some of this stuff decided, I agree with her; we should get on the bill. But I say to my friend from Montana, the minority is holding up the bill. I think the issue the Senator is talking about as to who should supervise, whether it should be federalized or not—we should get to the floor and offer amendments.

I think the Senator's idea is good. I will not do this now because it is inappropriate, but if I offered a unanimous consent agreement now that we would go to the bill immediately, would the Senator allow me to do that?

Mr. BURNS. How loaded was that? I think there are still disagreements among leadership. I could not do that personally. If it were in my power—which it is not—I am a soldier around here and everybody in the world is smarter than I am—I am ready to go to the bill. I would offer my amendment and we would vote on it, and we would win or lose and we would go on down the trail.

Mr. REID. I am not going to offer a unanimous consent at this time because, as the Senator has indicated, leadership on his side perhaps doesn't agree. I hope the Senator, with the persuasive nature that he has in his down-home, homespun, very persistent and persuasive way, would be able to talk to his side and let us get to this bill. There are some things that I would like to offer as an amendment on the bill. The Senator from Montana agrees, and I agree, that airport security is something we should fasten onto quickly. We should get to the bill. If there is something somebody doesn't like in the way of an amendment—and people are not complaining about the underlying bill, but if there is an amendment someone doesn't like, vote it up or down.

I hope today we can get to the bill. I appreciate the courtesy of my friend from Montana for yielding.

Mr. BURNS. I thank my friend from Nevada.

Mr. REID. The only thing I will say, the Senator mentioned he is one of the soldiers. If I were going to war, I would not mind having the Senator from Montana with me.

Mr. BURNS. I thank the Senator for that. I feel the same way about him. I want to reiterate that I think we can complete this bill today. I don't know whether or not we are in session tomorrow, but I think we can get it done. I am not sure if we have an agreement with the folks on the House side. That is another important piece of this puzzle that we have to solve in the next 2 or 3 days in order to move this legislation to the President's desk.

I am sure the President wants a piece of legislation that he can sign, which gives him the direction and also allows him the flexibility to provide the safety and security for the American people. He is basically the ultimate director of how this will work. What I am saying is that I think the American people are watching this very closely.

Yesterday, we had a hearing on border security. Nobody is more in tune than I am as far as border security. The Senator from Nevada understands the Western States and how big they are. We have just a little under 4,000 miles of border with our friends in Canada, with cultures that are similar, and no language barrier; and 25 percent of that border is my State of Montana. We have farmers who farm both in Montana and in Canada. So for the movement of livestock, and for farm machinery, and farm chemicals, and everything it takes to make a farm or ranch go, it is important that we have not only secure borders but also borders that are flexible enough to allow movement of commerce and to get the job done for those people who live on the border. There are ranches that lay on both sides, part in Canada and part in the United States. No, we don't have a lot of ports and the gates are rusted open. Nine times out of 10 they set out a red cone and it says: The gate is closed. You can go 100 yards on either side of the gate of entry and go in unnoticed, undetected. So we understand that, too.

To conclude my statement, Mr. President, even though there is a sense of urgency for the passage of airport security, I think there is also a feeling in the United States—even though we are working in this highly charged environment because of the events of September 11—that we do it right. I think we can do it right. We also can be accountable to the American people for whom we are doing this legislation. It is for their benefit, their movement, and for the safety of this country. I appreciate the attention of the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS

Mr. REID. Mr. President, I ask unanimous consent—and this has been cleared with the minority—that the Senate stand in recess until 2:30 p.m. this day.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:29 p.m. and reassembled when called to order by the Presiding Officer (Mr. REID).

The PRESIDING OFFICER (Mr. EDWARDS). The Senator from New York.

TRANSPORTATION SECURITY

Mrs. CLINTON. Mr. President, I come to the Chamber to discuss further the need for transportation security that encompasses not only our airlines but also our rail lines and our ports. Others with their own experiences and perspectives have already spoken to these issues and I am sure will continue to do so because as we address these critical needs of transportation security, it is imperative we look at all the means of transportation our people require and that we found to be particularly important in responding to the events of September 11.

I want to focus my remarks on Amtrak and our rail transportation system. I think anyone who followed the events of September 11 is well aware that Amtrak played a critical and essential role in responding to this national disaster. We know that without Amtrak being able to respond, New York would have been cut off. The natural flow of commerce and passengers between Boston and Washington, the busiest rail corridor in our country, would have been severely undermined. We know, too, that Amtrak did its part to make sure people not only could reach their destinations but, for example, those who had planned to fly by air when our air system was shut down, their tickets were honored and they were part of the continuing and increasing flow of people and goods that demonstrated that America was still moving.

Ridership on Amtrak has been up 17 percent across the Nation and certainly in the Northeast corridor, which was so devastated by the attack on the Pentagon, the closure of our airports, the attack in New York City, the continued, until thankfully today, closure of our Washington National Airport. We know that Amtrak's increase here was up by 30 percent.

How do we make sure this critical mode of transportation is safe and secure in the future? We cannot be in a position of looking backwards. We have to look forward and say, what do we need to do to make sure our transportation system is redundant and safe? I