

for many years, those countries have their own approach. In Israel, for example, the country provides the insurance for the terrorist attacks. The Banking Committee and the Commerce Committee both have sought to craft legislation to say there ought to be a backstop with respect to antiterrorism legislation, that initially the insurance companies themselves should put up money and absorb the losses, to the tune of \$10 or \$15 billion, but after that there should be a sharing of the costs that grow out of terrorist attacks. The Federal Government should share that. It is unfortunate we were not able to proceed with this legislation today, and it is imperative we take it up as soon as we return.

The last point is with respect to other unfinished business. When terrorists attacked us on September 11, they didn't just take people's lives in New York, the Pentagon, and in Pennsylvania; they struck a body blow to our economy. We are still reeling, to some extent, from that body blow. The work of the Federal Reserve on monetary policy helps us with respect to that body blow.

The fact that energy prices have fallen so much helps us with respect to that body blow. The fact that we are spending, frankly, a lot of money with deficit spending, in order to fight terrorism here and across the country and around the world, provides stimulus to the economy and helps to reduce the length of time under which we will likely have a recession.

There is one other thing we could have done, and ought to have done, besides the terrorism reinsurance proposal that has been objected to, and that was to pass an economic recovery plan. That, I think, had broad bipartisan support by Democrats and Republicans. It would have accelerated depreciation and gotten businesses back into the business of making capital investment. It would have provided a payroll tax holiday for businesses and employees as well. It would have provided extensions of unemployment insurance and helped folks on the health insurance side. It would have helped States that are reeling at this point in time. Unfortunately, we have not had the opportunity to debate that today and to pass a true bipartisan plan.

So we go home with half a loaf. We go home with half a loaf, but, as the Presiding Officer knows, we will come back next month. And as we come back next month, my hope is, if we have not dealt satisfactorily with railroad security and port security today, if we have not dealt with antiterrorism reinsurance today, as it appears we will not, that once we return we will take that up.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that when I complete my request for the unanimous consent, the Senator from West Virginia be recognized.

He has time under the previous bill already, but I would like him to be recognized as soon as I finish.

The PRESIDING OFFICER. Is there objection?

Mr. BROWNBACK. Reserving the right to object, I have one unanimous consent request I would like to make regarding an immigration bill before, if possible, the Senator from West Virginia speaks.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Reserving the right to object, the Senators may be unaware, but under the previous order, I was to be recognized after the vote; right?

Mr. REID. Right.

The PRESIDING OFFICER. It was the understanding of the Chair that Senators INOUE and STEVENS were to be recognized after the vote. And the Senator agreed to delay his statement, but the time had not been allotted to him specifically.

Mr. BYRD. Mr. President, I know what my rights are, and I know what the order said. I just have not pressed my rights. But I have no objection to the Senator making his request. I will not, however, stand aside for the Senator's request, but I will be here when he makes his request.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Is my consent granted then, Mr. President?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST— H.R. 3448

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to H.R. 3448, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3448) to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies.

The PRESIDING OFFICER. Is there objection to proceeding to the measure at this time?

The Senator from Oklahoma.

Mr. NICKLES. I shall not object. I thank my colleague from West Virginia for his patience and tolerance, and also my colleague from Nevada for his assistance in moving this forward, as well as Senator DASCHLE and Senator LOTT. And I congratulate Senator FRIST and Senator KENNEDY for the work they have done in putting together this bipartisan Bioterrorism Preparedness Act.

The PRESIDING OFFICER. Is there objection to proceeding to this measure at this time?

Without objection, the Senate will proceed to the measure.

The Senator from Nevada.

Mr. REID. Mr. President, I say also that the Senator from West Virginia

and I worked very hard on homeland security, which featured a lot of these matters in this legislation that will quickly be approved. And it was real money. This is not; this is an authorization. I am glad we are going to get this, but it would have been better had we done Senator BYRD's bill and mine.

Mr. President, I understand Senators FRIST, KENNEDY, and GREGG have a substitute amendment at the desk, which is the text of S. 1765. I ask unanimous consent that the amendment be considered and agreed to, the motion to reconsider be laid upon the table, that the bill, as amended, be read three times and passed, and the motion to reconsider be laid upon the table.

Mr. BYRD. Mr. President, I reserve the right to object. I do not know what this bill is about.

Mr. REID. Did the Senator from West Virginia hear my statement I just made?

Mr. BYRD. I could hardly hear anything, as a matter of fact.

Mr. REID. What I did say, I say to Senator BYRD, is that this is the authorization on which Senators KENNEDY and FRIST have worked. And I did say that the legislation you offered—with me being second in charge of that legislation—was real money, appropriated money, which would have done these things that this only authorizes. I am glad this is going to be authorized, but it is too bad we are not here celebrating real money for the people.

Mr. BYRD. I object to this bill. I object to this being considered at this time.

Mr. REID. Mr. President, I ask unanimous consent that my consent to lay this bill down be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I will just state to my friend and colleague from West Virginia, he is very much my friend, and I know he has a Defense appropriations speech, and I look forward to hearing his comments on that, and then I look forward to working with him to kind of show him some of the provisions on which Senators FRIST, KENNEDY, and GREGG, and others have worked. I believe there are 75 or more cosponsors on this bill. I think it is a good bill, a bipartisan bill, strongly supported by both sides.

I will work with my colleague from West Virginia to acquaint him with that. I hope and expect we can pass it a little later this afternoon.

The PRESIDING OFFICER (Mr. DAYTON). Under the previous order, the Senator from West Virginia is recognized.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2002—CONFERENCE REPORT

Mr. BYRD. Mr. President, I have been more than patient. Under the majority leader's order earlier, I was to

have spoken on this subject, the Defense Department appropriations bill. Under his order, I was to be recognized after the vote so as to accommodate Senators that they might catch their planes.

Now there were other consents offered which I heard. I didn't object to them, but I believe the record will show that I was to be recognized immediately after the vote for the statement which I wanted to make on the homeland defense section of the DOD appropriations bill. I have been very patient.

I understand the problems of the two leaders. I have been majority leader before I have been minority leader, and I have been majority whip. I understand all their problems. This is the end of the year. Everybody wants to get away for Christmas. I don't want to interject myself in between someone's wish to catch a plane. But I have been very patient. I have let other consent orders come up without objecting because my speech isn't all that important. But I wanted to make it.

Now we are hearing consents offered for bills. I don't know who is watching the place on this bill. The distinguished Senator from Kansas is going to make a request on a bill. I want to be here when he makes it. He is entitled to make his request. But time is fast fleeting when this Senator is going to stand aside and just continue to wait and let everybody else speak, let everybody else object to the order of speaking, and just stand aside and let it be done.

That is not a big thing. It won't change the history of the world one way or the other. But I just want to say this: Next year, the chairman of the Senate Appropriations Committee is not going to stand aside for every other Senator's convenience in times like this.

I shall proceed.

The Senate has considered the conference report for the fiscal year 2002 Defense Department appropriations bill. It is a good bill, but it could have been much better. As Senators are aware, included in this legislation is the final allocation of the \$40 billion emergency supplemental funding approved by this Senate just 3 days after the tragic attacks on the World Trade Center Towers and on the Pentagon. Quite simply, we wanted to respond to the attacks that occurred on September 11 and take steps to prevent attacks from occurring in the future. We didn't just want to respond to the attacks that had already occurred, but we wanted to take steps that could prevent attacks from occurring in the future.

Just a few days ago, the Senate had before it a broader package, one that fulfilled the \$20 billion commitment made by the President and the Congress to New York and the other attacked communities; one that provided the Defense Department with substantial funding for its mission overseas—we wanted to give the President every

dollar he asked for, \$21 billion—and one that met the many pressing needs for our homeland defense: Improved hospital capacity to respond to terrorist attacks, wide distribution of smallpox vaccine, more border agents, improved safety at airports and train stations, safer mail, better trained and equipped police and firefighters.

That package, which was supported by a majority of this Senate in direct response to the September 11 disaster, succumbed to partisan politics. It fell when Republicans in this Chamber raised a procedural 60-vote point of order against the provision because they believed it was too expensive. They were within their rights to object. They were within their rights to propose a 60-vote point of order. But I don't understand how we can place an arbitrary price tag on protecting the safety of our citizens.

Never in my memory can I recall a time when Congress became so partisan over a disaster response, whether it be from earthquakes, floods, tornados, fires, never before can I remember our lining up so rigidly along political party lines when it came to providing the American people with funds to recover from disaster.

Unfortunately, the Senate minority and the White House used the 60-vote point of order against the homeland defense package. As I say, they have a perfect right to make that point of order. That is within the rules.

We all recognize that you can't beat 60 votes when you only have 51 at most on this side. Our Republican friends didn't want to help us get the 60 votes. So it must be dismaying to the people who have heard so much about the pledges of bipartisanship, so much about a new tone in Washington, to see what should have been a united, bipartisan approach to defending our homeland dissolve into a partisan dispute.

That is truly a shame. Since that vote, however, we have stepped back and worked on the smaller compromise plan that is before the Senate this afternoon. While it is not as comprehensive as the plan first proposed earlier this month, the allocation of the \$20 billion emergency supplemental funding in this legislation provides support and resources that are needed right now for homeland defense, for national security, and for the recovery of New York City and the other communities directly affected by the September 11 attacks.

For those communities, the supplemental provides \$8.2 billion. This brings the total commitment to the recovery effort to \$11.2 billion, when previously released funds are included. The bulk of this funding, \$4.35 billion, will fund debris removal at the World Trade Center site, repair public infrastructure such as the damaged subways and commuter trains, and assist individuals with expenses for housing, burial, and relocation. Another \$2 billion will work to restore the economic health of the area.

This funding, to be provided in the form of community development block grants, will give businesses a much needed hand as they attempt to recover from the terrorist attacks. Other funding will improve security at transportation hubs and reimburse hospitals in New York that provided critical care on September 11 and for many days after.

Some of the money will help children who continue to be haunted by the ghosts of the terrorist attacks. As do the businesses and the communities, these children need to be made whole again. This money will assist in that effort.

As part of this supplemental allocation, the Defense Department will receive an additional \$3.5 billion. When included with the funding in the regular Defense Appropriations bill, the Pentagon will receive a \$43 billion increase over last year. This is the single largest one-year increase in Defense spending in more than two decades. It gives the military the resources necessary to battle terrorism overseas. It makes sure that our brave men and women who put themselves in harm's way will not fall short because of fiscal constraints. This package also provides for \$775 million for repairs and reconstruction efforts at the Pentagon. As we rebuild Lower Manhattan, we must also repair the Pentagon.

Finally, we have provided in this allocation \$8.3 billion for defense efforts here at home. In the days and weeks that have followed the terrorist attacks, committees on both sides of this Capitol have heard from experts, from federal, state, and local officials, and from regular Americans who are concerned for their safety at home. We cannot ignore the gaps in our homeland defenses. We cannot put off until tomorrow investments that must be made today. The \$8.3 billion for homeland defense that is included in this legislation takes immediate steps to bolster our local police and fire departments. It provides critical funding to expand hospital capacity and to train doctors and nurses on what to do in case of a biological, chemical, or nuclear attack. The funding closes some of the holes in our Northern Border and in our seaports. Under the leadership of the distinguished Senator from South Carolina, Mr. HOLDINGS, we had \$50 billion for port security. These things were knocked out under that 60-vote point of order. We are not going to forget that. It provides funds for improved cockpit security, to hire additional sky marshals and to purchase explosives detection equipment. It provides funds for the Postal Service to protect postal workers and purchase equipment to make our mail safer. The funding that we have included in this package will help Americans to know that we are not standing idly by, ignoring what are such obvious needs in our homeland defenses. We will take steps today to protect Americans and to try to prevent the tragedy we witnessed in September from occurring again.

This package is a compromise. It is not a be-all and end-all package. This money will not fill all of the gaps that exist. But what this package will do is move us forward. It will fund those initiatives that we need to begin now, and lay the groundwork for priorities that every Senator knows await us in the spring.

I want to thank my good friend, Senator STEVENS, for his work on this package. We would not be standing here today if not for his steadfast efforts. I also want to thank our House counterparts, Chairman BILL YOUNG of Florida. My, what a fine Congressman he is and a fine chairman of the Appropriation Committee now. I am sure that BILL YOUNG wanted to do more, but under the constraints that were upon him, he could not do more.

I also thank Congressman DAVID OBEY of Wisconsin. He is always a stalwart. He stood up for homeland defense. He tried in the House to move it forward and increase it, but he didn't have the votes. They and their staffs, led by Jim Dyer and Scott Lilly, worked closely with us to develop this package, and I appreciate their commitment to this successful conclusion.

As I mentioned earlier, with the Senate's passage of this conference report, Congress will have completed work on each of the 13 individual appropriations bills. I congratulate Senator INOUE and Senator STEVENS, and their staffs, Charlie Houy and Steve Cortese, for crafting what I believe is a good Defense bill. I also am pleased that we were able to pass the thirteen individual bills on a partisan basis, with an average vote in the Senate of 91-6. We did not have to resort to an omnibus bill as has been the case in some years past. And we worked to protect the prerogatives of Congress. We did not invite the White House to sit at the table and negotiate these bills. That is not the role of the executive branch, nor should it be. The Constitutional Framers vested the power of the purse in this legislative branch—the people's branch—and we have a firm grasp on the strings. I only hope that Congress never sees fit to loosen that hold and give away what is the greatest single power afforded to this branch of government by the Framers, in their great wisdom.

Mr. President, before closing, I want to thank the members of my committee staff who have been so earnest and dedicated in their efforts this year. My staff director, Terry Sauvain, and my deputy staff director, Charles Kieffer, have done a remarkable job on these bills. They stayed at night. They stayed into the wee hours of the morning. They worked on the nuts and bolts. They worked and they grappled with problems and answered questions from disgruntled Senators and people on the outside and people on the inside. I don't see how they have been able to maintain their sanity. I congratulate them for the good work they did. This is their first year in these positions,

and they have certainly set a high standard for the years to come.

I also want to thank Edie Stanley and Kate Eltrich for their assistance, as well as the staffs of our 13 subcommittees. These appropriations bills are not written by magic. Rather they are the product of hard work, determination, and an understanding of the intricacies of each piece of legislation. The Senate is blessed to have such a fine group of men and women dedicated to the service of the nation.

I also want to thank members of my personal staff who have been invaluable to me. My Chief of Staff, Barbara Videnieks, my Administrative Assistant, Ann Adler, my Legislative Director, Jane Mellow, my Press Secretary, Tom Gavin, my legislative assistant, David McMaster, and the entire Byrd team have done an outstanding job on these bills.

Mr. President, the fiscal year 2002 Department of Defense appropriations bill is a good bill. I urge all Senators to support it.

Mr. President, I ask unanimous consent to have printed in the RECORD a document entitled "Compromise on \$20 Billion Defense/New York/Homeland Defense Funding."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPROMISE ON \$20 BILLION DEFENSE/NEW YORK/HOMELAND DEFENSE FUNDING

The amendment allocates \$20 billion as follows:

Defense: \$3.5 billion (\$3.8 billion below President).

New York/NJ/DC/MD/VA: 8.3 billion (\$1.9 billion above the President).

Homeland Defense: 8.3 billion (\$3.9 billion above the President).

UI/COBRA: 0.0 billion (\$2 billion below President).

When combined with the \$20 billion allocated by the President, the amendment results in the following allocation of the \$40 billion approved in the September 18th supplemental (P.L. 107-38):

Defense: \$17.5 billion (\$3.5 billion below the President).

New York/NJ/DC/MD/VA: 11.2 billion (\$1.8 billion above the President).

Homeland Defense: 9.8 billion (\$4.0 billion above the President).

Foreign Aid allocated by President: 1.5 billion (same as the President).

UI/COBRA: 0.0 billion (\$2 billion below the President—in stimulus).

Unallocated: 0.0 billion (\$0.3 billion below the President).

Highlights of the \$20 billion:

New York and other communities directly impacted by September 11th attacks (\$8.2 billion): Examples follow:

FEMA Disaster Relief, which funds debris removal at the World Trade Center site, repair of public infrastructure such as the damaged subway, the damaged PATH commuter train, all government offices and provides assistance to individuals for housing, burial expenses, and relocation assistance, receives \$4.35 billion.

Community Development Block Grants—\$2 billion to help New York restore their economy.

Amtrak Security—\$100 million for security in Amtrak tunnels.

Mass Transit Security—funding of \$105 million for improving security in the New York and New Jersey subways.

New York/New Jersey Ferry Improvements—\$100 million for critical expansion of interstate ferry service between New York and New Jersey. Prior to the September 11th attacks, 67,000 daily commuters used the PATH transit service that was destroyed.

Hospital Reimbursement—\$140 million to reimburse the hospitals of New York that provided critical care on September 11th and the weeks and months that followed.

Workers Compensation/Job Training—\$175 million that would help New York process workers compensation claims for the victims of the September 11th attacks. \$59 million is provided for job training, environmental health and other programs.

Federal Facilities—\$325 million for the costs of keeping Federal agencies operating that were in or near the World Trade Center, such as the Social Security Administration, the Occupational Safety and Health Administration, the Pension and Welfare Benefits Administration, the Commodity Futures and Trading Commission, the Secret Service, the Bureau of Alcohol, Tobacco and Firearms, the Securities and Exchange Commission, the Internal Revenue Service, the U.S. Marshals Service, the EEOC, the General Services Administration, the Food and Drug Administration, and the National Labor Relations Board.

Emergency Highway repairs—\$85 million for damaged roads in New York City, including \$10 million in FEMA for local roads.

Mental Health Service for Children—\$10 million that would help New York schools provide mental health services to the children of the victims of the World Trade Center bombing.

Law enforcement reimbursements—\$229 million for New York (\$71.8 million), New Jersey (\$50.7 million), Maryland (\$39 million) and Virginia (\$62.5 million) and Pennsylvania (\$5 million) to improve counter terrorism capacity of law enforcement and fire personnel for States directly impacted by the attacks on September 11th. \$68 million is provided for the Crime Victims Fund.

District of Columbia—\$200 million for the District and for the Washington Metro for improved security.

Small Business Disaster Loans—\$150 million.

National Monuments Security—\$80 million for improved security at national parks and monuments such as the Statue of Liberty and the Washington Monument, the Smithsonian, the Kennedy Center and other facilities.

Department of Defense—\$3.5 billion, including funding to repair the Pentagon.

Homeland Defense (\$8.3 billion):

Examples follow:

Bioterrorism/Food Safety \$3.0 billion, including \$479 million for food security:

Provides \$1.0 billion for upgrading our state and local public health and hospital infrastructure.

Provides \$156 million for CDC capacity improvements and disaster response medical systems at HHS.

Provides \$244 million for security improvements and research at the CDC and NIH and for mental health services.

Provides \$593 million for the National Pharmaceutical Stockpile.

Provides \$512 million to contract for small-pox vaccine to protect all Americans.

USDA Office of the Secretary: \$81 million for enhanced facility security and operational security at USDA locations.

Agricultural Research Service: \$40 million for enhanced facility security and for research in the areas of food safety and bioterrorism.

Agricultural Research Service Buildings and Facilities: \$73 million for facility enhancements at Plum Island, NY, and Ames, IA, which includes funding necessary to complete construction on a bio-containment facility at the National Animal Disease Laboratory at Ames, IA.

Animal and Plant Health Inspection Service: \$119 million for enhanced facility security, for support of border inspections, for pest detection activities, and for other areas related to bio-security and for relocation of a facility at the National Animal Disease Laboratory.

Food Safety Inspection Service: \$15 million for enhanced operational security and for implementation of the Food Safety Bio-Terrorism Protection Program.

Food and Drug Administration: \$151 million for food safety and counter-bioterrorism, including support of additional food safety inspections; expedited review of drugs, vaccines, and diagnostic tests; and enhanced physical and operational security.

State and Local Law Enforcement—\$400 million.

FEMA firefighting—\$210 million to improve State and local government capacity to respond to terrorist attacks.

Postal Service—\$500 million to provide equipment to cope with biological and chemical threats such as anthrax and to improve security for Postal workers.

Federal Antiterrorism Law Enforcement (excluding amounts for New York)—\$1.7 billion.

\$745 million for the FBI.

\$19 million for the U.S. Marshals.

\$78 million for Cyber security.

\$31 million for Federal Law Enforcement Training Center for training of new law enforcement personnel.

\$16 million for the Bureau of Alcohol, Tobacco and Firearms.

\$60 million for overtime and expanded aviation and border support for Customs.

\$73 million for the Secret Service.

\$209 million for increased Coast Guard surveillance.

\$95 million for Federal courts security.

\$70 million for Justice Department Legal Activities.

\$109 million for EPA for anthrax cleanup costs and drinking water vulnerability assessments.

\$66 million for EPA for bioterrorism response teams and EPA laboratory security.

\$25 million for the FEMA Office of National Preparedness.

\$30 million for the IRS.

\$27 million for Olympic security.

Airport/Transit Security—\$0.6 billion, including:

\$175 million for Airport Improvement Grants.

\$308 million for FAA for cockpit security, sky marshals and explosives detection equipment.

\$50 million for FAA research to expedite deployment of new aviation security technologies.

\$18 million for transit security.

\$50 million for Essential Air Service.

Port Security improvements—\$209 million, including \$93 million for DOT and \$116 million for Customs.

Nuclear Power Plant/Lab/Federal Facility Improvements—\$0.8 billion.

\$143 million for Energy for enhanced security at U.S. nuclear weapons plants and laboratories.

\$139 million for the Corps of Engineers to provide enhanced security at over 300 critical dams, drinking water reservoirs and navigation facilities.

\$30 million for the Bureau of Reclamation for similar purposes.

\$36 million for the Nuclear Regulatory Commission to enhance security at commercial nuclear reactors.

\$50 million for security at the White House.

\$26 million for GSA and the Archives to improve federal building security.

\$109 million for NASA for security upgrades at the Kennedy, Johnson and other space centers.

\$256 million for improved security for the Legislative Branch.

Nuclear Non-proliferation—\$226 million for the safeguarding and acquisition of Russian and former Soviet Union missile nuclear materials and to help transition and retrain Russian nuclear scientists.

Border Security—\$0.7 billion.

\$135 million for Customs for increased inspectors on the border and for construction of border facilities, with emphasis on the northern border.

\$549 million for the Immigration and Naturalization Service.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. First, let me commend the Senator from West Virginia. Over the years, I have seen him accomplish many feats. None would be more outstanding than what he has done on homeland security for the City of New York. Like Horatio at the bridge, he stood there against all forces, particularly with respect to the executive branch, and otherwise, and made sure we at least got some semblance of homeland security started. It is on account of Senator BYRD of West Virginia.

Mr. BYRD. Mr. President, I thank the Senator for his kind words. I want to say this: If I were out in the streets of a big city and, for some reason, got into a street brawl, I would want Senator HOLLINGS with me. If that ever happened to me, I would say: Senator HOLLINGS, where is he? He is the man I want with me in a tough situation.

Mr. HOLLINGS. And if I were lost on a lonely, dusty road amongst the hills, I would want Senator BYRD with me.

#### PORT AND MARITIME SECURITY ACT OF 2001

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, under the unanimous consent agreement, can we turn to S. 1214 and ask the clerk to report?

The PRESIDING OFFICER. The clerk will state the bill by title.

A bill (S. 1214) to amend the Merchant Marine Act of 1936 to establish programs to ensure greater security for U.S. Seaports, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the Senator from South Carolina is recognized for 5 minutes.

Mr. HOLLINGS. In my 5 minutes, I thank the distinguished Senator from Arizona, my ranking member—this is really a bipartisan initiative—Senator GRAHAM of Florida who has been a leader in this regard and also Senator HUTCHISON of Texas.

I also thank the distinguished director of the Commerce, Science, and Transportation Committee, Mr. Kevin Kayes; Mr. Carl Bentzel, the expert on port security who has been working on this over the past several years; and Mr. Matthew Morrissey.

We actually reported the bill before September 11 of this year. We have been working diligently to take care of

the concerns on both sides of the aisle and both sides of the Capitol. We think this measure can pass expeditiously, as soon as the House returns.

Following the terrorist attacks of Sept. 11, we have worked hard to improve the security of America's transportation system, starting with the airline security bill just signed into law. However, protecting America from terrorist threats is only as effective as the weakest line of defense. That means every mode of transportation must be secured, including maritime transportation.

The United States has more than 1,000 harbor channels and 25,000 miles of inland, intracoastal, and coastal waterways. Those waterways serve 361 ports and have more than 3,700 terminals handling passengers and cargo. The U.S. marine transportation system each year moves more than 2 billion tons of domestic and international freight, imports 3 billion tons of oil, transports 134 million passengers by ferry, and hosts more than 7 million cruise ship passengers. Of the more than 2 billion tons of freight, the majority of cargo is shipped in huge containers from ships directly onto trucks and railcars that immediately head onto our highways and rail systems. However less than 2 percent of those containers are ever checked by Customs or law enforcement officials. The volume of maritime trade is expected to more than double by the year 2020, making maritime security even more important for the future. This is a gaping hole in our national security that must be fixed—and it must be fixed before enemies of the United States try to exploit our weakness.

Before discussing the specifics of our bill, I want to read an excerpt from a chilling story published October 8 in the *The Times of London*:

Intelligence agencies across the world are examining Osama bin Laden's multimillion [dollar] shipping interests. He maintains a secret fleet, under a variety of flags of convenience, allowing him to hide his ownership and transport goods, arms, drugs, and recruits with little official scrutiny.

Three years ago, nobody paid much attention to a crew unloading cargo from a rusting freighter tied up on the quayside in Mombasa, Kenya. The freighter was part of Osama bin Laden's merchant fleet and the crew were delivering supplies for the team of suicide bombers who weeks later would blow up the U.S. embassies in Kenya and Tanzania. Bin Laden's covert shipping interests were revealed at the trial of the bombers, but until now security services have been slow to track down how many vessels he operates.

Lloyd's List International reported that a NATO country's intelligence service has identified more than 20 merchant vessels believed to be linked to Osama bin Laden. Those vessels are now subject to seizure in ports all over the world. Some of the vessels are thought to be owned outright by bin Laden's business interests, while others are on long-term charter.

Several weeks ago, a suspected member of the Al Qaeda terrorist network