

public uproar over this issue, this review will be thorough. I have spoken with people involved in the review. I said to the top people in the departments: Put your hands on this one, this is critical.

To rush ahead and say, no way, before this Commission has an opportunity to reach a judgment and advise Members of Congress and the American people about what their judgment, it seems to me, to be unfair. It is not the way we handle issues of this kind in America. It raises an awful question, which I ask everybody to think about because we promised people in this country—this extraordinary, greatest country in the world—that here you can be sure you will be judged by your merits, not by your race, or nationality, or religion, or gender, or sexual orientation, or age. I worry that in the midst of the war against Islamist terrorism, we are reaching a hasty judgment based on factors that ought not to be considered in the United States of America.

I don't know how I will vote ultimately on this proposal about the acquisition by Dubai Ports World, a company controlled by the United Arab Emirates. I don't know enough to reach a judgment on that. I am waiting for that 45-day review.

I do know that the United Arab Emirates has been, since September 11, an extremely important, constructive ally of ours in the war against terrorism. I know they have put their own people on the line in very dangerous places to assist us in the war on terrorism. I know that the Dubai Port, as I understand it, sees more visits by U.S. Navy ships than any other port in the world. So obviously, the U.S. Navy has enough confidence in the security of their port to have done that.

That doesn't mean that the acquisition of these terminals by Dubai Ports World should receive a free pass, but it should mean, in addition to the basic qualities of fairness that generally characterize American life, that this proposed acquisition does deserve a fair hearing, not a rush to judgment before all the facts are in, which I say respectfully is what the committee of the other body did yesterday and what the amendment offered by my friend and colleague from New York would have us do in this Chamber.

This is one of those moments where we are tested because the emotions are high, but we are leaders. We are elected leaders, and I hope we will rise to the occasion and at least let this company and this country have a fair trial before any of us reach a judgment about whether they are guilty or not guilty.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it so ordered.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that I be given 5 minutes of the minority's time on this.

Mr. WARNER. Mr. President, I have no objection. I would like to be recognized following the Senator from New York for a period of about 10 minutes.

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

Mr. SCHUMER. Thank you, very much, Mr. President. We are approaching this cloture vote at 2 o'clock.

One thing is very clear; that is, that doing ethics reform and dealing with the Dubai issue are not mutually exclusive. We can easily do both this week, and the motion made earlier by the minority leader makes that perfectly clear. The two are not mutually exclusive.

Mr. President, the Senator from Virginia has asked that he speak before me, which I will accede to. He has always been gracious on the floor. So I ask unanimous consent that immediately following his time I be given 5 minutes of the minority's time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

PORT SECURITY

Mr. WARNER. Mr. President, I thank the courtesy of my colleague. I believe what I am going to say, since the Senator is addressing the issue of the DP World port terminal transaction, might bear on his remarks.

Mr. President, I have had the opportunity to work very closely with the White House and the administration, with our distinguished leader, BILL FRIST, and several other Senators on this question.

I have had the opportunity to meet and work with representatives of the DP World company who came to the United States for the purposes of sharing the importance of this contract and their perspective.

I shall not recount the events that have occurred here in the last few days. But I have just been contacted by Edward Bilkie, chief operating officer, of DP World. And in an effort to get this message to all interested parties as quickly as possible, I indicated a willingness to read a press release that is now being issued by DP World. It reads as follows:

Because of the strong relationship between the United Arab Emirates and the United States and to preserve this relationship, DP World has decided to transfer fully the U.S. operations of P&O Ports North America, Inc. to a United States entity. This decision is based on an understanding that DP World will have time to effect the transfer in an orderly fashion and that DP World will not suffer economic loss. We look forward to working with the Department of the Treasury to implement this decision.

His Highness Sheikh Muhammad al-Maktum, Prime Minister of UAE, has

directed the company, in the interest of the UAE and the United States, to take this action as the appropriate course to take in the future.

Mr. President, I would say that I started the day with the Secretary of Defense, the Chairman of the Joint Chiefs, and General Abizaid—discussing with them not the politics strictly—but potential security implications. It is not just the security of the United States with which we are concerned, but that of the free world, for much of the world is engaged in this war on terrorism.

It is absolutely essential that we, the United States, and our coalition partners in the region of the Persian Gulf, who are doing our best to secure the stated goals in Afghanistan and in Iraq, sustain a strong working partnership. Indeed, the relationships among the coalition of partners—most specifically the United States, the Government of UAE, the Government of Bahrain, Kuwait, Qatar—must be maintained as strong as possible because they are valued partners in this war on terror.

This is not just a matter of importance regarding the current operations at the moment in Afghanistan and Iraq, but rather in looking to the indeterminate future as to how long our coalition partners will be engaged in the war on terrorism to deter any attacks, and if necessary, to use force of arms to prevent injury to life and limb of citizens in the free nations of the world.

This has been a very interesting chapter in my 28 years of having the privilege to be a Member of the Senate. But I believe both governments have collaborated and acted in good faith, recognizing the circumstances at hand and our shared objectives from this time forward.

Mr. President, I ask unanimous consent to have printed in the RECORD two letters addressed to me from the U.S. Marine Corps and the U.S. Army.

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

CHAIRMAN OF THE JOINT CHIEFS OF STAFF,

Washington, DC, March 9, 2006.

Hon. JOHN W. WARNER,
*Chairman, Committee on Armed Services, U.S.
Senate, Washington, DC.*

DEAR MR. CHAIRMAN: In response to your letter of 28 February 2006, the loss of access rights for US forces to the United Arab Emirates (UAE) would severely impact US operations in the US Central Command area of responsibility. These strategically located ports and airfields are crucial to providing timely logistical support to our military operating in the region. Beyond port and airfield access, this loss would negatively affect bilateral exercises and result in loss of support from a strong regional ally.

In particular, Jebel Ali is the premier naval refueling port in the region and hosts more US Navy ships than any port outside the United States. It provides a dedicated deepwater berthing space for aircraft carriers, and is the only carrier-capable port in the Arabian Gulf. Additionally, the Port

of Fujairah faces the Indian Ocean and provides critical logistics support to US operations in the region. We assess that losing access to UAE ports would have a severe impact on US naval operations in support of Operations ENDURING FREEDOM and IRAQI FREEDOM. Finally, the UAE provides basing for US Air Force aircraft flying various missions in support of operations in Afghanistan, Iraq, and the Horn of Africa.

Very Respectfully,

PETER PACE,
General, United States Marine Corps,
Chairman of the Joint Chiefs of Staff.

UNITED STATES CENTRAL COMMAND,
OFFICE OF THE COMMANDER,
Macdill Air Force Base, FL.

Hon. JOHN W. WARNER,
Chairman, Committee on Armed Services, U.S.
Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your letter of 8 March 2006, the United Arab Emirates is a strategically important regional partner, and a supportive ally in the Global War on Terror. UAE occupies a critically important position relative to the Strait of Hormuz, and access to its naval and air bases is essential for maintaining presence in the region. The government of the UAE is a committed partner in support of operations throughout the region, providing vital military and humanitarian assistance as well as political support. For example, UAE has contributed over \$100 million toward Tsunami relief operations, over \$50 million in support of humanitarian mine clearance efforts in Lebanon, and over \$100 million dollars in supplies, personnel, facilities, and funding during Pakistan earthquake relief operations.

UAE's cooperation in the Global War on Terror has been noteworthy. Less than 60 days after the 9/11 attacks, the first UAE liaison officer arrived at USCENCOM headquarters. Since August 2003, UAE Special Forces have been deployed in support of Operation ENDURING FREEDOM. Additionally, a field hospital was deployed to Iraq from April 2003 to November 2005, providing critically important medical services and supplies. US Air Force assets utilize UAE base support for aerial refueling, intra-theater lift, and surveillance/reconnaissance missions in support of Operation ENDURING FREEDOM, Operation IRAQI FREEDOM, and Combined Joint Task Force Horn of Africa. Finally, the significance of UAE's support of the War on Terror is clearly evident in the \$545 million of direct and indirect cost sharing in FY04 and FY05.

Our strong partnership with the UAE is similar to the support received from other moderate Arab nations. As you have noted, other nations provide critically important basing, overflight, financial, and in many cases, troop and equipment contributions to operations in the region. The cooperation of our moderate Arab partners is essential to the success of the mission, and UAE is a strong example of strategic partnership at work in the Middle East.

Very Respectfully,

JOHN P. ABIZAID,
General, United States Army, Commander.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, first, let me thank my colleague from Virginia for his unfailing efforts to try to find a solution here that would solve the many different goals and needs of the situation of the purchase by Dubai Ports World of British P&O.

I believe the words that were mentioned in Mr. Bilkey's letter—I tried to

write them down here—were that DP World will “transfer fully” to a U.S. entity.

Could I ask my colleague to yield for a question? Did I get the words exactly right? I would be happy to yield for a question. I just want to make sure I got the words right in the letter which my friend from Virginia just read—that DP World will “transfer fully.”

Mr. WARNER. Mr. President, I am having it duplicated, and I will hand the Senator a copy.

Mr. SCHUMER. Obviously, this is a promising development, but of course the devil is in the details. I think those of us who feel strongly about this issue believe that the U.S. part of the British company should have no connection to the United Arab Emirates or DP World, which is fully owned by the United Arab Emirates.

So therefore, we would have to examine their proposal.

The bottom line is, again, if U.S. operations are fully independent in every way, that could indeed be promising. If, on the other hand, there is still ultimate control exercised by DP World, I don't think our goals will be accomplished. Obviously, we will need to study this agreement carefully.

I again thank my colleague from Virginia for his unstinting efforts, like everything he does, to try to come up with a fair and reasonable compromise.

In the meantime, I urge my colleagues to join in voting against cloture at this point in time. Obviously, the vote occurs at 2 o'clock, and this brief statement by Mr. Edward Bilkey is something which has to be studied.

At this point in time, the amendment I have offered, along with so many of my colleagues on this side of the aisle, should remain in play.

I make a couple of points about that. First, I believe strongly in ethics reform. I believe this Senate can do both at once, ethics reform and deal with the Dubai issue. They are not mutually exclusive.

The bottom line is we have offered to take a few hours off ethics reform, vote on my amendment as a freestanding bill, and then go back to ethics reform. It is truly the actions of the other side—invoking cloture, refusing to let this amendment come up—if cloture is not invoked, which I believe it will not be, that will be slowing down ethics reform. It is the intention of those on this side—and I know our minority leader will speak to this—to turn to ethics reform when we can but not in exclusion, not in place of, getting a vote on this particular issue.

The bottom line is very simple. There have been too many concerns raised about DP Ports World and its views of security, its actions in regard to security. We cannot any longer play roll-the-dice. We cannot roll the dice when it comes to the security of our Nation. The way this deal was approved initially, the secret nature by which this investigation occurred—casual, cursory—is simply not good enough. We

have to examine the whole issue of port security.

I have been pushing that issue for many years, ever since September 11. Hopefully, out of this sorry mess, we will look at that. In the meantime, this deal should not go through. This deal creates too many unanswered questions. To simply allow the President, who has already said he is for the deal even before the investigation is completed, to have the only and final say is wrong.

I urge a vote against cloture.

Mr. NELSON of Nebraska. Mr. President, I rise today to state that I will be voting against the motion to invoke cloture on the lobbying reform bill. Typically, I vote for cloture motions because they are usually intended to facilitate an up-or-down vote on a piece of legislation or a nomination that is being stalled. Today, that is not the case. Yesterday, cloture was filed on the lobbying reform bill to prevent an up-or-down vote on an amendment. In this case, it is an amendment on port security, an issue of critical importance to this country right now. As a result, I will vote against cloture today to ensure that up-or-down votes are allowed to occur.

The PRESIDING OFFICER (Mr. THUNE). The minority leader.

Mr. REID. Mr. President, there is a lot going on as to whether the port deal is there or not there. We have to wait and see what really is going to happen.

I want everyone to understand how we got to where we are today, how we got to this cloture vote. It is fair to say the minority, the Democrats, forced the debate on ethics reform with the legislation we introduced, the Honest Leadership Act. We did that in January. If it were not for us, I don't believe the Senate would be even talking about Government reform this week—maybe sometime in the future. We pushed this and pushed it hard. Regardless of what happens today, Democrats are committed to seeing this legislation through. We are going to complete lobbying reform legislation, and on my side I am committed to ensuring we do that.

The Senate has to be able to do two things at one time. We can handle the vote on the Dubai port situation and we can vote on honest leadership amendments. Historically, this body has been able to do both; that is, conduct its day-to-day business and address critical national security issues when they arise. That is all we are asking we do now.

Democrats believe it is important that we clean up what is in Washington with the lobbying, and we have heard the floor managers agree with me, but we also understand it is just as important that we stop a foreign government with connections to terrorism, which I will talk about in a minute, and even nuclear proliferation, from taking control of our ports.

The Senate must not look the other way, as this administration's dangerous, I believe, incompetence once again threatens our country. I understand the majority has in the past rubberstamped this administration's actions and activities; however, we on this side of the aisle are going to continue to call attention to this issue. We need tough and smart national security policies, not more of the same as we saw with Katrina and in Iraq.

It is a vision of the Democrats that the Senate can and should complete action on lobbying reform and also protect Americans by addressing port security.

Do we Senate Democrats want a country, not a company, running our seaports? No, especially a country that was one of only three countries in the entire world to recognize the Taliban government in Afghanistan. Do we want a country that has a trade boycott against Israel running our ports, a country that has not even recognized the State of Israel, which was formed in 1948? Do we want a country that was a staging ground for the September 11 terrorists running our ports? Do we want a country owning one of our seaports that was instrumental in allowing nuclear devices to make nuclear weapons go through its seaports to other parts of the world? The answer is no, we do not want that.

Just a year or so ago, it was exposed that Dubai was the center of the world's largest nuclear proliferation as the AQ Khan network used Dubai to traffic nuclear weapons technology to the highest bidders. Osama bin Laden's operatives are said to have used Dubai as a local hub after September 11. Terrorism money has been laundered through the United Arab Emirates. Several of the hijackers flew from Dubai to the United States in preparation for the attacks. The 9/11 Commission found that the United Arab Emirates represented a persistent counterterrorism problem for the United States.

We do not want such a country running our ports.

We believe there should be a vote today. There won't be one today on this issue, I understand that. The reason the leaders in the House and the Senate have done what they could in the last 24 hours to say there will not be a vote is because it is the hope of President Bush that this issue will go away some way.

That is why I will vote against cloture. The Senate needs to speak out against the seaport deal. We have heard the American people speak out against it. We heard the House of Representatives in their Committee on Appropriations speak out against it. It is now time for the Senate to do the same.

The PRESIDING OFFICER. The majority leader is recognized.

ETHICS REFORM

Mr. FRIST. Mr. President, Americans finish what they start, and they expect the Senate to do the same.

I open with that because we find ourselves once again in an unfortunate situation in that until yesterday afternoon, we were making steady progress, working together, all four managers on this important bill on lobbying reform, ethics review reform. We had the opportunity to have it finished by today or possibly tomorrow morning.

This is an important bill. We have come to a general consensus that it had to be one of the first bills we took to the Senate because it is so important to restore trust in this institution. It is a bill about making our Government more accountable, making it more transparent. It is a bill that strengthens our ethics rules to ensure we uphold the very highest standards of integrity. And it is a bill that will help restore America's confidence in this institution, in our Congress, in our Government.

It is also an issue that my friend, the Democratic leader, proposed as his top priority in this Congress. And we agreed. Unfortunately, some of my Democratic colleagues have chosen to hold this bill hostage for a totally unrelated issue. As we have seen even over the last 30 or 40 minutes, things are moving along aggressively toward a resolution. We do not know exactly what the resolution is going to be but toward a resolution.

The distinguished Democratic leader said just 48 hours ago to the effect of insisting that Democrats would not try to stall this lobbying reform bill by offering unrelated amendments, saying that:

I have told the distinguished majority leader this is no attempt to stall this legislation. I have told the majority leader that unless there are issues outside of what the two committees did that are within their jurisdiction, we have no intention of offering a myriad of issues. We have Members clamoring to offer—issues on the port security deal . . . we are not going to do it on this legislation.

That was 48 hours ago, and then in the last 24 hours directly contradicted the assurances he made on Tuesday when he said:

I believe that this lobbying reform is important. I believe that we need to do everything we can to help restore integrity to what we do here in Washington. But having said that, Mr. President, I think it would have been absolutely wrong for the Senate not to take action yesterday on the most important issue the American people see today, and that is port security.

That is from the statement on March 9.

I mention this because if we didn't have this what we call nongermane and totally not relevant amendment to an important issue on which we are making great bipartisan progress, working together—if that amendment had not come up, we would have been able to complete this bill. I have been in discussions with the Democratic leader,

and we both understand we have the opportunity to finish this bill in the near future because the amendments are not that tough and there is general consensus around them, but we have to be allowed to finish what we start and not be pulled off with essentially the Senate shutting down last night and over the course of the morning on something that is totally unrelated to the bill itself.

Although I don't want to keep overstating it, there seems to be this pattern of obstruction and delay and pushing things off—Judge Alito, the PATRIOT Act, which, by the way, will be signed in an hour or so, and now on lobbying reform.

Yes, we have a cloture vote here in a few minutes so that we can continue to make progress on this bill. It is not an attempt in any way to foreclose the opportunity to offer lobbying-related amendments. As the Democratic leader knows and we have talked about, we are perfectly willing to agree on a list of amendments related to lobbying and ethics reform. We can set time agreements, debate the amendments, and vote. But what we are opposed to is considering amendments that are totally outside of the scope of the bill that is at hand. We are opposed to amendments designed to score partisan political points in one way or another.

The port security issue, I do not minimize it as an issue. I was one of the very early people who said we need a pause, we need to examine it in detail, and we need to get the information. That process is underway. We have our Commerce Committee looking at overall port security. The PATRIOT Act, signed in 45 minutes, has a whole 13 points on port security. And on what is called the CFIUS review, or the review of the process that created this problem in many ways, I believe, right now our Banking Committee is looking at that aggressively.

The Dubai Ports deal needs to be addressed in a thorough way. That is why we have called for—really, initiated by the Senate—this 45-day period, to collect all the information and consider that information as it comes forward.

We saw, 45 minutes ago, some real positive news that has been brought forward. It shows the importance of sitting back and getting the information. There is a system underway to address the port issue without injecting it into a lobbying reform bill, a bipartisan bill, that in essence brings it to a halt. The administration is moving toward this 45-day review of the deal. Let's get this review. Let's get information as it is underway.

The Senator from New York, I know, has been to the floor several times. In a letter to me this week, he had said—and I quote in the letter—he “decided not to press for a vote on [his] bill at this time in the hope that this new investigation will be thorough, fair, and independent.”

So, Mr. President, we are about to vote. I do want to encourage my colleagues to vote for cloture because I