to the FAA Administrator. We talked to pilots and people who know what needs to be done to close the vulnerabilities that we saw on September 11. The bill that is before us today was introduced today, of which I am a co-sponsor, has many of the items I have proposed in the past and certainly think we must pass today. We must have sky marshals in the air. In fact, I applaud the Department of Transportation for putting sky marshals on many of our flights around the country. They are in plain clothes. Most people would not know they are on a flight. But we do indeed have armed sky marshals on many of the flights that are in the air as we speak. But we want to make them permanent. We want to make sure we have sky marshals on virtually every flight, and possibly every flight later down the road.

We are concerned that the passengers that there is a certified peace officer onboard who is trained to do what is necessary to deal with the crime that is committed in the air.

The second major provision in this bill that I think we must do is upgrade the screening. We will upgrade the equipment, and we will upgrade personnel education and training. We all know the screeners have been hired by contractors. They have high turnover rates. They do not have the experience that we would expect in screening. We have seen pictures of things that have gone through the screens and gotten onto an airplane that are just not appropriate. We want to stop that from happening.

That is why upgrading the screeners is important. I think they should be a part of a Federal system of security.

We are going to put some kind of barrier between the pilots and the rest of the airplane so that someone would not be able to have, to use a cockpit, as so tragically happened on September 11. We will have a Deputy FAA Administrator in charge of aviation security so that we will have one person in charge of all of aviation security.

It is my hope that we would start with entry-level screeners, and that it would be a career path for the aviation security department which would include graduating to become a sky marshal, staying in the system with a career in the system so we could have more trained and experienced people.

Those are some of the important points that are in this bill. I know some people disagree with certain parts of this bill. But it is a great start. It is an important step for rehabilitating our airline industry.

If we have the security, people will fly. People love to fly. We had 600 million people fly last year. We can rebuild back to that number if we have the security. The convenience will be there. It is going to take a little longer going through the airport, but I think people are willing to wait a little longer and go earlier in order to feel safe. The flying public will come back.

I support this bill. I will continue to work on it with the chairman. But, the terrorists will have won. They are not going to be operating from the United States. America.

Thank you, Mr. President.

UNANIMOUS CONSENT REQUEST—S. 1450

Mr. DASCHEL. Mr. President, I ask unanimous consent that the Senate now proceed to S. 1450, the aviation assistance and security bill; that no amendments or motions be in order to it; that the bill be read a third time and the Senate vote on it; that the bill be read a third time and the Senate vote on it; that the bill be indefinitely postponed.

I further ask unanimous consent that when the Senate receives from the House its companion bill, it be immediately considered, read a third time, and passed, provided it is identical to the Senate-passed bill.

I further ask unanimous consent that once the House bill has been enacted into law, provided it is identical to the Senate measure, then action on the Senate bill be vitiated and the measure then be indefinitely postponed.

THE PRESIDENT OF THE UNITED STATES, Mr. FITZGERALD. I object.

The PRESIDENT OF THE UNITED STATES. Objection is heard.

The Senator from Minnesota.

AVIATION SAFETY

Mr. WELLSSTONE. Mr. President, I believe this Transportation Safety Act, which I know Senator HOLLINGS and others are going to introduce very soon, will certainly pass with strong support.

First of all, I ask unanimous consent to be added as an original cosponsor of this piece of legislation.

THE PRESIDENT OF THE UNITED STATES. Mr. DASCHLE, said this would be a first priority. I know Senator HOLLINGS has said that. We have to come back next week and have to focus on these employees. We have to make sure we provide the help to them and to their families. That has to be part of a relief package. We have to move fast now. We couldn’t get it in today. It will be in next week or it will be in as soon as possible.

Last point: We have all these huge issues staring us in the face. When I flew out here, I was talking to some of the employees of Northwest. I said: How are you doing? They said: We are there for them. They meant about the world they live in. Everybody is very worried. Everybody is very resolute. Everybody is very worried. But they
also meant: We are afraid we are going to lose our jobs. I am sure a number of those people now have lost their jobs. We have to provide help for them.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that I be recognized for 5 minutes. It is my understanding, under a previous order, that the Senator from Illinois has the floor. If he is not ready, then I ask unanimous consent that I be recognized for 5 minutes prior to him.

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

Mr. NELSON of Florida. Mr. President, as we consider a major component of America’s economic engine and what to do about it, clearly there are two things that stand out and that came from our Commerce Committee hearing yesterday chaired by Senator HOLLINGS.

For the airlines to be able to fly again financially solvent, the security measures must be put into place so that the American public has confidence to fly again.

I personally think it is safe to fly. I flew Monday night to Orlando, and there were only 10 people on the plane. Happily, when I flew back from Florida, from Tampa to Washington on Tuesday night, there were 40 people on the plane. My recommendation on the basis of going to two major airports in Florida, checking all of their security arrangements, is that the security apparatus is beginning to work. It didn’t work on September 11.

The first part of restoring this industry to health is security, so that we can get people back in the airplanes and the American public flying again.

That, of course, has been amply demonstrated this past few days, and the president today. I am a cosponsor of this bill.

The second component that came out of our hearing was that the airlines, in order to be able to operate, have to have insurance that is available and affordable. That is what is creating the crisis right now, that several of the insurance carriers are about to yank the coverage from the airlines. Of course, the airlines will be grounded if that is going to occur.

That last point is so important in this package that is coming out that the majority leader and the Republican leader are about to describe, a component of victims’ compensation which would eliminate a lot of the uncertainty and the collateral damage that had been done as a result of the World Trade Center being rammed by those two jetliners and where would be the source of that funding.

Preliminarily, for the leaders to discuss and have agreed upon as a first step—and I do believe this is a first step in a long journey, as we return to normality in our airline traffic system, a very big, essential first step—the American public, the American traveling public, has to be a major component. They have to have the confidence that they are going to be safe when they get back into air travel.

A major component of economic restoration in this country is hanging in the balance. I am going to discuss why I think this is of critical importance to the country and to the airlines.

Once we get through and decide on this first package—hopefully we will enact it this afternoon—then there are going to be many steps in this journey. There are collateral industries that have been decimated. Clearly, all of these other collateral industries, such as hotels, restaurants, tourist attractions, car rental agencies—and I have three of the Nation’s largest that are headquartered in the State of Florida: Avis, National Car Rental, and Budget Rent-a-Car. Car companies are headquartered in the State of Florida. You can imagine, with 50 percent of their business now not coming in the door, what is happening to their financial obligations, and to the obligations they have to banks on loan payments, and their obligations to the salaries of their employees.

So as we get on down the road, I think what we are going to discover is, first and foremost, we have to get the airline industry back in the air operating with fairly full loads, so the economic engine is working and so it is supplying all of the air traffic that feeds so many of these other collateral industries, such as car rentals, such as hotels, such as convention centers, such as restaurants. Once that package has been firmly established—and I hope this gathering right here in this Senate is bringing reasonable men together so that they might agree—then I think in the very near future—perhaps about next week—we can address some of these other collateral industries that desperately need help.

Today we are going to proceed with the debate on the aviation security bill. I don’t think there is going to be a lot of disagreement on that. I think it clearly will reestablish in the public’s mind that it is safe to travel. Indeed, I am going to demonstrate that with my own feet tonight when I walk into the Senator Mccain’s plane, because I really do believe it is safe. By the way, if you need to fly, now is the time to fly because there are no lines. But in addition, it is my hope that we are going to have agreement here so we can fund our other collateral industries, with the aim of giving the aviation industry the security it needs and, thus, the insurance industry will not start canceling their insurance starting Monday and Tuesday. It is absolutely essential, and it is imperative because we don’t want the terrorists to win. If they disrupt our economy, if they cause financial distress to a major component of America’s economic engine, then they will have scored a victory. But we are not going to let them. That is why this great democracy is as strong as it is to provide the needed help.

I thank the Chair for the opportunity for me to share. I thank the chairman of the committee, Senator HOLLINGS. I thank the ranking member, Senator Mccain. It was an excellent all-day hearing yesterday in the Commerce Committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I have a few observations to make and then the Senator from Arizona, Mr. KYL, is here as well. He would like to follow after me.

I want to say a few words in support of the Air Transportation System Stabilization Act, which we will pass, hopefully, in the Senate shortly. My only concern with this bill is that the Federal Government is not doing all it should for the victims of this tragedy with respect to their legal remedies. Specifically, there is no limit in this legislation on the amount of lawyer fees that personal injury lawyers can receive for filing lawsuits, either in absolute terms or as a percentage of the victim’s recovery. In other words, there is no guarantee that the victims or their families will receive an amount of the damages awarded to ensure that the personal injury lawyers do not end up taking the lion’s share of the award.

I think this is, in short, completely wrong, particularly when this legislation caps the compensation of airline executives relative to the aid package. Bear in mind, what we have in the underlying bill is a cap on airline executives. That is precisely what we have in the underlying bill. That is precisely what we have to do. The underlying bill is a cap on personal injury lawyer fees. It is right that we are going to make sure airline executives do not take advantage of this terrible tragedy, but we should also make sure personal injury lawyers do not unduly profit from other people’s miseries. I am relieved, however, that there is already in Federal law a bereavement rule in effect that will protect victims and families from being chased down and harangued by insensitive and opportunistic lawyers. Specifically, 49 U.S.C., section 1136(g)(2) protects victims of a commercial airline disaster and their families from unsolicited contact from lawyers for 45 days after a disaster. In other words, we would amend all of those who are concerned about the victims that there is a 45-day period from the day of the disaster during which, under this bereavement rule, lawyers are not to contact the families of victims of planes that have been lost.

It provides in relevant part that in the event of an accident involving an
Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, I wish to speak on this bill and to add my voice to those who have pointed out how critical it is that the U.S. Government support our airline industry. I share some concerns, such as those expressed by the Senator from Kentucky. There are other concerns that others have expressed that also have merit. I will note in a moment why I am very concerned about a provision of the bill. I would not have written it the way it is written, but I think fundamentally the U.S. Government must support our airlines at this critical time.

Everyone knows what happened on September 11. Everybody knows that as a result the U.S. Government shut down the airlines—no more air travel until we made it safe.

That shutdown resulted in huge losses to our airlines, not just for the days those airlines were down, but we have seen a continuation of a reluctance of people to fly, a diminution in the revenues of these airlines, fewer flights, people laid off and, frankly, the possibility of a spiraling down of this industry to the point that it could affect many other facets of our economy and drive our GNP down to an unacceptable level.

In my State, which depends a lot on tourism—everyone has come to Arizona for a vacation or would like to, I suspect, just as they would for the State of the Presiding Officer, States such as Hawaii, Nevada, Arizona—we have had a tremendous loss in our tourism industry, everything from the hotels and the motels, the golf courses, the limousine and taxi services, and everything else connected with it. Those losses are going to be extraordinary and we are going to have to do everything else to give these airlines financial relief for the airlines of two different kinds. The first is $5 billion of grants. This is to make up for the immediate loss to the airlines when the Federal Government shut them down. That is fair. Everybody goes with the formula for that based on passenger miles and some other factors that have been agreed to by the airline industry.
I will give an example. An airline headquartered in my State, America West Airlines, which is 9th or 10th in the country, but a relatively new airline, had obtained a commitment for a $200 million line of credit based upon future expected revenues. That was set to go through on September 11, when the bottom fell out. Obviously, no lender under the current circumstances would do that. That is why we are talking about guaranteed loans.

There are those who say these loans should be based on some collateral, something very specific and definite, or else the Federal Government should not be in the business of guaranteeing the loan. That would cut out certain companies, the very companies that offer the primary competition to these older, larger airlines to keep the fares low.

The reason these newer airlines have succeeded is that they have been able to offer low-fare service, and the net result has been a lot of people have gone to these newer, smaller airlines. But it has also served to keep the older, larger airlines’ fares within a reasonable level.

I happen to fly a couple of these older, larger airlines a lot, and I love them. They have provided very good service, and I want to help them, but I think they would agree that it would not be fair simply because of a difference in size or age, therefore representing different circumstances, that one airline should be preferred over another airline in terms of the ability to get these loans.

The legislation has embodied within it total discretion on the part of the President and his agents in any event because it says that the loans that are made under this guaranteed loan program are to be under rules and regulations the President deems necessary—no other further restrictions.

The reality is, if the President of the United States wants to say: I want to make sure the taxpayers get their money back, so I am going to require a condition of X, he can do that. The ability, however, to do that should not be confused with the ability of an airline to say: Even though the President has total discretion to set terms and conditions that we may not be able to satisfy, if there is a formula involved, we at least have the right to go to the banks or other lenders and say: Under the legislation, we are, in effect, guaranteed the right to repaid on 2 or 5 percent, or whatever that percentage is, of the available loans, and therefore would you, please, based upon that commitment of the Federal Government, lend us that money? There is a least a right to try for a certain amount of money to borrow. There is at least that the right to do that. That is what returning the formula to the legislation would do.

Senator MCCAIN and I have considered offering an amendment to that effect. We know the leadership would like to consider the bill without amendments, and we are willing to proceed on that basis if everyone else is as well.

What I am saying to our leadership, to you, Mr. President, and to anybody in the administration who will listen, is we are willing to cooperate on this, and, on behalf of the people we represent, we are willing to be cooperative, but we plead with them that for good public policy, they need to appreciate the differences among the airlines, the fact that some can do one thing, others can do another, and that this Government should not be in the business of literally picking winners and losers, the result of which could be to drive companies into bankruptcy. I do not think anybody wants that on this bill.

In the granting of these loans, I hope it will be done in such a way that they do not disadvantage certain companies with the result that they cannot stay in business. All of the industry will suffer as a result, and the American travelers will suffer as a result.

Mr. ROCKEFELLER. Mr. President, I rise before you today to support the Aviation Security Bill introduced by Senator HOLLINGS and me. As the nation strives to recover from the tragic events of September 11, 2001, one of the vital steps we must take to protect our economy and regain our sense of national security is to restore full function and confidence to our nation’s air transport system. We are on the verge of passing a large financial package to aid in relieving the financial pressures placed on our airlines as the result of these heinous attacks. This is a crucial first step in restoring consumer confidence in our air transport system. We are on the verge of passing a large financial package to aid in relieving the financial pressures placed on our airlines as the result of these heinous attacks. This is a crucial first step in restoring consumer confidence in our air transport system.

While the financial package is of critical importance, I believe the single most crucial element in the airlines’ recovery is restoring confidence in air travel by making it as safe and secure as is practical. While the financial package will help the airlines recover from the short-term losses associated with the September 11th disasters and subsequent shutdown, only the public’s return to air travel can guarantee their long-term success. Travelers must be confident that the United States has the most advanced, secure aviation system in the world.

The Aviation Security Bill before us today is an important first step in restoring such confidence to those in the sky and those on the ground. I am proud to stand with Senator HOLLINGS to introduce this momentous legislation.

The Aviation Security Bill contains important security measures which

The same formula was supposed to apply to the subsequent loan guarantees. The bill has $10 billion of loan guarantees. The industry wanted more, but there is $10 billion of loan guarantees in the bill. That is also very important for the industry because besides getting over the immediate hump of those revenue losses, they need to make themselves whole again by going out to the financial market and financing their future needs until the fares begin to make up for that lost revenue. To do that, they need the backing of the U.S. Government because most of them cannot convince lenders at this point that they are a good credit risk, for all of the obvious reasons of which we are aware.

The administration did not want the formula to apply to the loan guarantees and has fought very hard to take that formula out. This is regrettable because it suggests the possibility that this administration will actually involve itself in picking winners and losers. That is not right.

One can say it is not a free market if the Government guarantees loans, but the Government is supposed to be guaranteeing these loans on an equal basis to everybody. It should not be deciding which companies to favor and which companies not to favor.

That is my concern about the possibility that because there is no formula for the loan guarantees, some Federal official is going to literally be picking winners and losers. They certainly would not do that on the basis of some prejudice. I am not suggesting that. Instead, they would argue they need to protect the taxpayers’ money. There is not anybody who has been stronger in this battle than that. If you have been. We all agree we need to protect the taxpayers’ money. There is not anybody who has been stronger in this battle than that. If you have been. We all agree we need to protect the taxpayers and to grant these loans on the basis that they are going to be repaid, and the net result has been a huge amount of people have gone to these newer, smaller airlines. But it has also served to keep the older, larger airlines’ fares within a reasonable level.

I happen to fly a couple of these older, larger airlines a lot, and I love them. They have provided very good service, and I want to help them, but I think they would agree that it would not be fair simply because of a difference in size or age, therefore representing different circumstances, that one airline should be preferred over another airline in terms of the ability to get these loans.

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In the granting of these loans, I hope it will be done in such a way that they do not disadvantage certain companies with the result that they cannot stay in business. All of the industry will suffer as a result, and the American travelers will suffer as a result.

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The Aviation Security Bill before us today is an important first step in restoring such confidence to those in the sky and those on the ground. I am proud to stand with Senator HOLLINGS to introduce this momentous legislation.

The Aviation Security Bill contains important security measures which
will drastically reduce the potential for future disruptions in our nation's air traffic. The bill demands the strengthening of cockpit doors and limits access to the cockpit itself, ensuring that a commercial plane can never again be used as a guided weapon of destruction. Only pilots will be able to allow others into the cockpit. Under the provisions of this bill, even flight attendants won't have keys. It federalizes airport security operations, improving the training and testing programs for screening personnel, giving these invaluable men and women the tools necessary to perform their jobs properly. It increases perimeter security at airports, in their parking lots, and in air traffic facilities so that we can be safe at all times that only authorized personnel and vehicles have immediate access to our airports and aircraft. It increases the number of federal Air Marshals and provides hijack training for flight crews to make certain those in the skies are equipped to deal with any situation that may arise after takeoff. It establishes a Deputy Administrator at the Federal Aviation Administration for Aviation Security and establishes an interagency Aviation Security Council to make it easier for the government to assess and respond to the needs of the aviation community. It requires the performance of background checks on those seeking training in the operation of large planes. This will allow us to ensure that those who know how to fly our planes have the noble goals of service and self-betterment in mind. All of these steps guarantee that air transportation will be safer and more secure than it has ever been.

However, it is important to remember that this is only the first step. It is crucial that the immediate, but not final action. In the eleven days since these tragic events, many common-sense security solutions have emerged all over the country and on Capitol Hill. These are the solutions included in this bill. Yet a longer look remains necessary. We must continue to examine aviation security, working in phases to implement newer and better security measures as we go. We cannot forget about smaller commercial airports and general aviation airports. My home state of West Virginia is full of airports and general aviation airports. My state is certain that as we continue to examine the safety issues before us, we cannot only restore confidence in our nation's air travel system but, in fact, instill in the flying public a level of confidence even greater than before. I ask you to join me in supporting The Aviation Security Bill and to join me in finding future solutions to improve our national aviation system.

Mr. DASCHLE. Mr. President, we are now at a point where I can propound this unanimous consent request.

Mr. President, I ask unanimous consent that the Senate now proceed to S. 1450, the aviation assistance and security bill; that no amendments or motions be in order in the bill; that there be 1 hour for debate equally divided between the two leaders, or their designees, with an additional 15 minutes under the control of Senator BYRD and 10 minutes for Senator KENNEDY and 5 minutes for Senator SPECTER; that at the conclusion or yielding back of the time, the bill be read a third time, and the Senate vote, without intervening action or debate, on final passage of the bill.

I further ask unanimous consent that when the Senate receives from the House its companion bill, it be immediately considered, read a third time, and passed, provided it is identical to the Senate-passed bill.

I further ask unanimous consent that once the bill has been enacted into law, provided it is identical to the Senate measure, then action on the Senate bill be vitiated and the measure then be indefinitely postponed.

Mr. SPECTER. Mr. President, reserving the right to object, and I do not intend to object, for clarification, is the specific time within the bill, within the 1-hour total?

Mr. DASCHLE. Mr. President, reserving the right to object, and I do not intend to object, for the airlines, the Federal Government must take the lead in supporting this measure.

I also believe we must act to bolster the airline industry. We must demonstrate our commitment to supporting the men and women who represent the industry's heart and soul. The tens of thousands of workers who before September 11 were flying our planes, building our planes, keeping our airports open, and serving the flying public are now facing unemployment. They will need financial assistance to be sure they can continue to pay their mortgages. They may need retraining so they can find jobs in a new industry. And we ought to be sure they and their families are not put in the scary position of being without health care coverage. As we have done for the airlines, the Federal Government must take the lead in supporting these workers.

I inquire of the leader as to his thoughts on the prospect for enacting a comprehensive package of financial assistance for the airlines. I am confident the leader's efforts will ensure that the attackers who took down our buildings will not succeed in taking down the airline industry, too. I look forward to supporting this measure.

Furthermore, the Federal Government to assess and respond to the situation that may arise after takeoff. It is important that the Senate speak within the allowed time and hopefully keep the total time under an hour.

Mr. SPECTER. That is agreeable to me.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. CARNAHAN. Mr. President, reserving the right to object, our nation's airlines are clearly suffering as a result of last week's terrorist attacks, and I express my appreciation to the distinguished majority leader for his efforts to craft a comprehensive package to allow others into the cockpit. Under federal law, it federalized the cockpit doors and limited access to the cockpit itself, thus eliminating the potential for further attacks.

Mr. DASCHLE. Mr. President, I so amend the request, Mr. President.

The PRESIDING OFFICER. The PRESIDING OFFICER. The Senate from Alabama.

Mr. SESSIONS. Mr. President, reserving the right to object, I ask for 2 minutes.

Mr. DASCHLE. Mr. President, I so amend the request.

The PRESIDING OFFICER. The PRESIDING OFFICER. Is there any objection?

Mr. NICKLES. Reserving the right to object, parliamentary inquiry: Are the Senators to speak within the allowed time and hopefully keep the total time under an hour.

Mr. SPECTER. That is agreeable to me.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTTS. Mr. President, if the Senate will yield, we have a commitment to Senators who wish to be heard, such as Senator KYL and Senator FITZGERALD, that they will be yielded time out of the one half hour on our side. Of course, Senator HUTCHISON will be my designee to handle the time on our side, and she will speak also, but I urge the Senators to speak within the allowed time and hopefully keep the total time under an hour.

Mr. SPECTER. That is agreeable to me.