

"And there was war in heaven: Michael and his angels fought against the dragon; and the dragon fought and his angels,

"And prevailed not, neither was their place found anymore in heaven.

"And the great dragon was cast out, that old serpent, call the Devil, and Satan, which deceiveth the whole world: he was cast out into the earth, and his angels were cast out with him.

"And I heard a loud voice saying in heaven, Now is come salvation, and strength, and the kingdom of our God, and the power of his Christ" (Rev. 12:7-10).

That must have been a terrible conflict. The forces of evil were pitted against the forces of good. The great deceiver, the son of the morning, was defeated and banished, and took with him a third of the hosts of heaven.

The Book of Moses and the Book of Abraham shed further light concerning this great contest. Satan would have taken from man his agency and taken unto himself all credit and honor and glory. Opposed to this was the plan of the Father which the Son said He would fulfill, under which He came to earth and gave His life to atone for the sins of mankind.

From the day of Cain to the present, the adversary has been the great mastermind of the terrible conflicts that have brought so much suffering.

Treachery and terrorism began with him. And they will continue until the Son of God returns to rule and reign with peace and righteousness among the sons and daughters of God.

Through centuries of time, men and women, so very, very many, have lived and died. Some may die in the conflict that lies ahead. To us, and we bear solemn testimony of this, death will not be the end. There is life beyond this as surely as there is life here. Through the great plan which became the very issue of the war in heaven, men shall go on living.

Job asked, "If a man die, shall he live again?" (Job 14:14).

He replied:

"For I know that my redeemer liveth, and that he shall stand at the latter day upon the earth:

"And though after my skin worms destroy this body, yet in my flesh shall I see God:

"Whom I shall see for myself, and mine eyes shall behold, and not another" (Job 19:25-27).

Now, brothers and sisters, we must do our duty whatever that duty might be. Peace may be denied for a season. Some of our liberties may be curtailed. We may be inconvenienced. We may even be called on to suffer in one way or another. But God our Eternal Father will watch over this nation and all of the civilized world who look to Him. He has declared: "Blessed is the nation whose God is the Lord" (Psalms 33:12). Our safety lies in repentance. Our strength comes of obedience to the commandments of God.

Let us be prayerful. Let us pray for righteousness. Let us pray for the forces of good. Let us reach out to help men and women of good will whatever their religious persuasion and wherever they live. Let us stand firm against evil, both at home and abroad. Let us live worthy of the blessings of heaven, reforming our lives where necessary, and looking to Him, the Father of us all. He has said: "Be still, and know that I am God" (Psalms 46:10).

Are these perilous times? They are. But there is no need to fear. We can have peace in our hearts and peace in our homes. We can be in influence for good in this world, every one of us.

May the God of heaven, the Almighty, bless us, help us, as we walk our various ways in the uncertain days that lie ahead. May we look to Him with unfailing faith. May we worthily place our reliance on His Beloved Son who is our great Redeemer, whether it be in life or in death, is my prayer in His Holy Name, even the name of Jesus Christ, Amen.

The PRESIDING OFFICER. The Senator from Montana.

#### AVIATION SECURITY ACT

Mr. BURNS. Mr. President, we have been talking about aviation security. While the chairman of the Commerce Committee is still in the Chamber, I want to get a few things straight. The amendment that is hanging out there for this piece of legislation has nothing to do with airport security—nothing. In all other parts of the debate, we are so close to agreement it is unbelievable. And those areas can be ironed out.

I am one, as the chairman knows, who has an amendment that would put the authority of airport security under the Justice Department. There is a very good reason for that. The model is already in front of us.

The Attorney General can either have the Marshals Service or the FBI, whichever, put them in charge of airport security, and then give them the leeway if they wanted to contract using their standards and their clearance, making sure, I would imagine, that the people who work as screeners or baggage handlers or with the cargo could stand the scrutiny of a security clearance.

The chairman of the Commerce Committee, and rightly so, invited members of El Al's security team in to visit with us. We sat there and listened to them. I was impressed with what they did. I think the Senator would have to admit that. But they only have 31 airplanes. They have 7,000 employees, and 1,500 of them are security people. They do nothing but security.

There is a bright line between those people who fly them, those people who load them, those people who refuel them, those people in checkout areas, or check-in areas, and baggage areas—they know what they are supposed to do—but there is a bright line on their security. One person is in charge of security.

Those areas the Senator mentioned a while ago—passenger lists and intelligence, the airport, the periphery outside, the check-in area, the departure gate, cargo, the aircraft—you get down to the little bottom part of it that says: Aircraft. Above that is where it parks. We know those areas. And they can be supervised by people who understand restricted areas, restricted cargo, the movement of contraband, and understand passenger lists and intelligence. And that is Justice. That is where it is at. So we can agree on that, I am sure, before it is all over.

But that is what we have to do. This debate is right on target, I say to the Senator. And I do not know what the House wants. I have no idea. They have not told anybody. I do not know what they want or what they do not want.

But I think it is incumbent on us and the chairman of the Commerce Committee, through his leadership, that we get a bill out of this Senate this week and also probably an antiterrorism bill, too. We can agree on those things.

But make no mistake about it; what is continuing this debate, which I doubt continues past tomorrow, is an amendment that is hanging out there that has nothing to do with airport security.

What we have to be very careful about—and I think there are a couple others, but those areas can be worked out. We can negotiate those out. I am satisfied with them because nobody understands justice any better than our chairman. He chairs the appropriations subcommittee that gives them their money. He understands that. And I am willing to work with my chairman to make sure that we make this as suitable as possible.

But what I think I want to do, I want to make a bright line of authority, accountability, and responsibility because we are in war. Why am I adamant about this? It is very simple. Approximately 6,000 people died September 11. That is an astounding figure to me, astounding. And the system we were using had a soft point. It did not work.

So what I am saying is this: Give authority where there is accountability and responsibility and also a presence that is trusted by the American people so they feel confident, safe, and secure when they fly.

Mr. HOLLINGS. Will the distinguished Senator yield?

Mr. BURNS. I certainly will.

Mr. HOLLINGS. Mr. President, I thank the Senator from Montana. He has been the most diligent of all. He has been to every one of the hearings, all the briefings with El Al, and has been a wonderful supporter to get responsibility fixed. That has been his theme. And whether we do it in Justice or whether we do it in Transportation, or wherever, I always tended toward trying to get it done. And the White House wanted it in Transportation. Transportation has a follow-on with respect to railroads and the seaports. So I thought the one entity of Transportation would be it.

But there is tremendous logic in what the Senator has pointed out. I cannot thank him enough for his support, so we can move to let the majority's will govern.

We ought to be embarrassed. Five weeks after September 11, and we are still dillying around, with an empty Senate Chamber, arguing about maybe benefits and maybe about the railroads and maybe about something else.

I am ready to move to this and have it done and then take up railroads. Let's take up the question of the seaports and take up counterterrorism and all these other measures. But I think in trying to engineer around and satisfy this Senator and satisfy that Senator, we have been doing that for 3 weeks, and we have gotten nowhere.

I thank the Senator for his leadership.

Mr. BURNS. Mr. President, I thank the Senator for his time and appreciate that we quit monkeying around and that we get it done. But in those areas that really concern us about airport security, we are pretty close. We can agree on that.

So I think we ought to keep our eyes on the ball, why we are here, what the legislation is supposed to do, and then let other issues come up as they shall. But I think the American people expect this piece of legislation.

Again, I cannot believe that people would venture into areas that have nothing to do with security when basically we are at war. Nobody understands that in this body today as well as the man who is the Presiding Officer, his losing friends, family—maybe not family but friends. Six thousand people died on that day. It is time to quit monkeying around. It is time to get on with our business.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT REQUEST— S. 1510

Mr. DASCHLE. Madam President, we have been negotiating in good faith on both sides of the aisle all day long. As you know, there have been Republican objections to moving directly to the airport security bill. We are still in that postcloture period where the 30 hours are being consumed as we attempt to address the need to move directly to the bill. Tomorrow at 5 o'clock, we will have that opportunity. It was my hope, in consultation with Senator LOTT, that we could move in the interim to the counterterrorism bill. So much work and effort and negotiation has gone into getting us to this point that it was my hope, in the interest of expediting consideration of this bill, that we would have the opportunity to take it up, and it would be my hope we could take it up tonight,

work through the day tomorrow, and then have a vote on final passage tomorrow.

I ask unanimous consent that at 10 o'clock tomorrow, the Senate turn to consideration of S. 1510, the antiterrorism bill; that the time between then and 5 o'clock be equally divided between Senator LEAHY and Senator HATCH; that the only amendment in order be a managers' amendment to be cleared by both managers, with 30 minutes of Republican time under the control of Senator SPECTER; that at 5 p.m. tomorrow, the bill be read the third time, and the Senate vote without any intervening action or debate on final passage. Further, upon disposition of S. 1510, the Senate immediately vote on the motion to proceed to S. 1447.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I understand and certainly appreciate the urgency of this bill. It is very important we give the Department of Justice and our intelligence agencies the tools they need to combat and prevent terrorism, but it is also crucial that civil liberties in this country be preserved. Otherwise, I am afraid the terrorists win this battle without firing another shot.

It is our constitutional duty in this body to preserve and protect the Constitution of the United States. Our freedoms in part are what the terrorists hate about us. We cannot be expected to limit those freedoms without careful study and debate, and I do know—and the majority leader, of course, is right—how hard the leaders, the chairman, and the ranking member of the Judiciary Committee have been working on this measure, and I appreciate all they have done. But there has not been an open process in the Judiciary Committee, much less the full Senate, for Senators to have an opportunity to raise concerns about how far this bill goes in giving powers to law enforcement to wiretap or investigate law-abiding U.S. citizens.

As of the end of last week, we were told the bill would probably come up on Thursday of this week. Today the request is made to bring it up immediately under extremely restrictive terms for debate that would not allow any opportunity for amendments other than the one the majority leader mentioned.

Senators must have the opportunity to read and debate this 200-plus page bill and offer amendments. It does not have to take weeks or even days, but it cannot be done before most Senators have even had a chance to read and understand the far-reaching changes this bill makes on our laws.

Madam President, I reserve the right to object. I do not wish to object, but

in order to give due attention to the serious constitutional issues before us, and in the interest of moving forward on this important legislation, I ask unanimous consent that the leader's request be modified to allow this Senator to offer four relevant amendments with each to be debated for an hour equally divided.

Mr. DASCHLE. Will the Senator from Wisconsin be prepared to insert the text of the amendments in the RECORD this evening?

Mr. FEINGOLD. I will not be able to do it this evening, but I will be able to do it tomorrow.

Mr. DASCHLE. Madam President, that is exactly the problem we have had with the Senator from Wisconsin and others over the course of the last several days. There is a desire on the part of Senators to amend the bill but no amendments are available. I cannot agree to amendments I have not seen, obviously, and I think it is asking a good deal of all the Senate that we reserve opportunities for him to offer amendments without having the opportunity to see the amendments themselves. Of course, I have to object to that.

I am very disappointed. This bill has been on the calendar now for some time. It has been available for all Senators to review. We have had the opportunity to discuss it in caucus now on several occasions.

It has been available for discussion, certainly for further consideration, as Senators have had the opportunity to talk to the distinguished Chair, with me, and with others. So I am understandably concerned about the request of the Senator from Wisconsin. Obviously, I am not able to agree to it.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

The Senator from Vermont.

Mr. LEAHY. Madam President, reserving the right to object, and I will not object to the request of the leader because I agree with it, but I want Senators to know an enormous amount of time has gone into this bill. We have been trying to consult with Senators on the Judiciary Committee and outside the Judiciary Committee as we have gone forward. We have consulted with Republicans, Democrats, the White House, and with the Department of Justice. I have tried to keep the distinguished majority leader informed each step of the way, and I know Senator Hatch has done the same with the distinguished Republican leader.

We put the bill in last week.

Mr. REID. Will the Senator yield for a question?

Mr. LEAHY. Of course.

Mr. REID. Is it not true that the Senator and Senator HATCH and the staffs have spent hundreds of hours on the bill in the last 5 weeks? Is that a fair statement, hundreds of hours?