

SENATE—Friday, September 8, 2006

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, ruler of our nature, hallowed be Your Name. Today, we pray for those in the forefront of world events: for Government leaders, as well as all those whose words and insights influence the course of human history. Give them the courage not to tolerate injustice or resort to violence as a first option. Remind them that You bless peacemakers and call them Your children.

Guide our Senators as they use the immense resources of this land to bring relief to the oppressed. Make them good stewards of your manifold grace and may their lives magnify Your name. Today, use them to establish peace and justice in our land.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we return to session for the consideration of the port security bill. Last night we were able to complete work on the Defense appropriations bill, with a final vote of 98 to 0 on passage.

Following that vote, we began consideration of port security, with opening statements which began last night and continue this morning.

I stated last night that we will not be voting on amendments today, but we do anticipate Members will come forward and offer and debate amendments over the course of business today and Monday. The two leaders will then

work with the managers and begin stacked votes on those pending amendments for Tuesday morning.

Having said that, I ask Senators to make themselves available today and Monday to debate their amendments.

I again remind my colleagues of the joint leadership event on Monday which will observe the fifth anniversary of the terrorist attacks on September 11. We will have a brief ceremony beginning at 6 p.m. on Monday on the east front of the Capitol. All Senators are invited to participate.

Mr. President, I turn to my colleague from Missouri. I have a short statement on port security, but I know the Senator has other scheduling issues today. I will defer to him and then make my statement on port security following his remarks.

The PRESIDENT pro tempore. The Senator from Missouri is recognized.

ANNIVERSARY OF SEPTEMBER 11, 2001

Mr. BOND. I thank the Chair, I thank the majority leader.

Mr. President, 5 years ago Monday, we witnessed the murder of 3,000 Americans in the largest terrorist attack on American soil in the Nation's history.

September 11 was a day of loss but also a day of lessons. On September 11, 2001, the American people learned there exists a group of killers, fueled by a twisted version of Islam, who want to destroy America. But we also witnessed how a group of passengers in one hijacked plane, United flight 93, banded together, fought back, and saved countless lives in a simple, selfless act of heroism.

Today, we continue to fight the same group of killers not on an airplane over America but in a country in their own neighborhood, Iraq, and elsewhere in the Middle East and around the world.

It is the same enemy, the same determination, the same goal. But today we are fighting the radical Islamists on their own turf because we have a President who knows if America doesn't fight back, another September 11 is inevitable.

Although the central front on the war in terror is Iraq, we have taken the fight to every corner of the globe. We have improved our intelligence capabilities. We have programs in place to help watch what the bad guys are doing, gather intelligence and disrupt their plans.

We have made progress. We passed the PATRIOT Act, developed effective terrorist surveillance programs, created the Department of Homeland Se-

curity, established the Director of National Intelligence, and tore down the wall built by previous administrations which blocked critical communications between agencies.

That work has paid off. There has been no attack in the United States since September 11. Afghanistan and Iraq are now free. They have held elections. They are taking control of their own security forces.

Yet while the threat level remains high, some in this country, and regrettably in this Senate, want to let our guard down. Some talk of giving up the fight in Iraq. Let's not talk of "troop redeployment" and other such euphemisms. If America pulls out of Iraq now, it signals to our enemies we have given up.

On that day, the United States and the world will embark on a future of fear and violence unlike what we have ever seen. It will be a black day for freedom and democracy. It would embolden and encourage every religious extremist and other enemies of the United States.

Letting our guard down is not a choice. It is an invitation to disaster. The alternative to naysayers is to continue our efforts. America must support the democratic governments in Iraq and elsewhere in their efforts to disarm militias and deter regional countries from undermining security there. We can't allow a minority of criminal extremists to intimidate Iraqi citizens.

While some talk of giving up the fight in the central front on the war on terror, others leak sensitive details of legal classified intelligence programs to the media to further their political agendas. We have seen our most important intelligence-gathering methods splashed across the front pages of our newspapers for the world, including our enemies, to see. Leaks expose our methods of apprehending the enemy and erode the confidence of our allies.

Over the past year, there has arisen an apparent absence of fear of punishment in regard to the arbitrary divulging of highly classified information. That needs to change. Each of these leaks gravely threatens our national security and makes it easier for our enemies to achieve their murderous and destructive plans.

The critics of this administration and our efforts to go after the enemies fail to understand the nature of our enemies, but they understand politics. I am afraid politics is what is driving some of our friends on the other side.

In the Intelligence Committee, the Democrats decided in 2003 they could

prove that the administration misled the people of America, misused intelligence, and pressured the intelligence-gathering activities. We had 2 years of discussion and debate and thorough review. We concluded, the Intelligence Committee, as did the Silverman-Robb Commission and others that there was no pressure, that there was no misuse of intelligence. In fact, the intelligence was bad. But some continue to hold that view, even though the facts do not support those conclusions.

This is a long, hard battle. The people are being challenged and tested. Many are weary of war. My Democratic colleagues want to play on the weary public, trying to convince them if the United States withdraws from the rest of the world, our enemies will leave us alone. They are tougher on our Secretary of Defense than they are on the enemy. They spent a whole lot of time on Wednesday talking not about how to defeat terrorists in Iraq and elsewhere, rather, how to bring down the Secretary of Defense. Thankfully, the President and the Secretary know the truth; that is, that our enemy will not stop, and any sign of weakness on America's part will be exploited fully.

Throwing in the towel on the war on terror is not an option. But the Democrats—some—would have us believe that. Iraq's Ambassador to the United States said recently:

Plan B—abandoning the region to the religious fanatics and Baathist terrorists—is nothing but a definition of defeat dressed up to look like a vision for the future.

He continues:

A retreat on Iraq would encourage all the enemies of the United States—and they are many—to be bolder and more ready to challenge its interests everywhere. A radicalized, totalitarian, fragmented Iraq, sitting on a lake of oil, would become the center of a new and dangerous bloc threatening the United States and world peace.

Not only would abandoning Iraq to its fate now be irresponsible, it would almost certainly lead to disintegration and dictatorship, with a high risk of a wide regional conflict—a catastrophe for not just Iraq but also for the United States and for world peace.

The Iraqis understand what is at stake. The administration understands what is at stake. Those on this side of the aisle do, but, unfortunately, some in the minority do not. For political reasons, they will not acknowledge the reality.

So we may expect to see they will continue to play the war on terror as a political game. This is not the first time, for sure. They have long argued for a cut-and-run strategy and have blocked our efforts time and again to fight this war. The minority voiced opposition to the NSA surveillance program. They blocked reauthorization of the PATRIOT Act for months, with the minority leader proudly boasting, "We killed the PATRIOT Act."

Sadly, the political games will continue at least until November. But the

war on terror against radical Islam will last for generations. The choices we make today will shape the world we live in, the world our children live in.

Republicans have worked to make America safer. Action by the President and the Republican Congress, through the use of military intelligence and law enforcement resources, has led to the capture of many of al-Qaida's top leaders and degraded the capabilities of a terror network.

More needs to be done, both here at home and abroad. Accomplishment will take resolve and determination and a long-term commitment, not abandoning our efforts at the first sign of hardship.

As I said at the beginning, the passengers of United Flight 93 banded together, fought back, and died to save countless lives in a simple, selfless act of determination. It is that kind of determination that will serve us well as we confront the challenges ahead.

I ask unanimous consent that the statement of Iraqi Ambassador Samir Sumaidaie be printed in the RECORD after my remarks.

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

WHAT IRAQ NEEDS
(By Samir Sumaidaie)

AUGUST 28, 2006.—As the debate on Iraq rages on, more and more American voices call for throwing in the towel and leaving the mess to the Iraqis to sort out.

The controversy over the decision by the United States to remove the Saddam Hussein regime should not prevent an honest assessment of the situation in Iraq today. That the post-Hussein period was not well managed is now widely acknowledged. But we are where we are, and there is a future for all our children to secure. Plan B—abandoning the region to religious fanatics and Baathist terrorists—is nothing but a declaration of defeat dressed up to look like a vision for the future.

Our enemies' strategy has never changed: creating mayhem and making Iraq ungovernable, thereby driving the Americans and their allies out, and installing a Saddam Hussein look-alike to "make peace." In pursuing this strategy, they have forged many alliances and changed course and tactics many times.

Just as they have kept to their strategy and adapted, we should do the same. In this context, staying the course must mean adapting our approach while still standing firm for democracy and for a new vision for the country and the region. If we abandon our effort, our enemies win by default.

Those in the new government and leaders of civil society in Iraq are putting their lives on the line every day to advance a democratic society. And it is this that our enemies are most afraid of—not U.S. forces but a real democracy in the Middle East that would showcase human rights, women in politics and the rule of law. And they fear that this worst-case scenario could prove to be contagious.

What has made the last three years hugely more difficult and complicated is the fact that we all underestimated the determination of our opponents—and some of our neighbors—to undermine this new project. In

the context of a global confrontation, this has pitched our fledgling democracy onto the front line of a monumental struggle. It is these outside forces, allied with Saddamists, other terrorists and regular criminals, that threaten to overwhelm us.

A retreat on Iraq would encourage all the enemies of the United States—and they are many—to be bolder and readier to challenge its interests everywhere. A radicalized, totalitarian, fragmented Iraq, sitting on a lake of oil, would become the center of a new and dangerous bloc threatening the United States and world peace.

Some argue that the very presence of the foreign forces is a source of tension and that their departure would remove a prime source of violence. This claim is without merit. Consider precisely who is ready to fight to drive foreign forces out: It is only the Saddamists and the religious extremists (al Qaeda and the like). If U.S. forces are in fact withdrawn, these people will consider it a victory and go on fighting even harder to achieve control over the country.

The majority of Iraqis may be irritated by the presence of foreign forces, but most realize that a premature withdrawal would create hideous problems for the country. This majority includes Sunnis as well as Shiites and Kurds.

The real question is: What to do now in the face of the combined onslaught of insurgents, terrorists, criminal gangs and sectarian militias.

A policy for success should include:

- * Developing, with the Iraqi government, workable measures for reforming the security forces and making available the necessary resources to implement them.

- * Supporting the government of Prime Minister Nouri al-Maliki in its efforts to disarm the militias. What is needed is a detailed, multifaceted approach that encompasses political, economic and public-information considerations as well as conventional force.

- * Applying maximum pressure on regional powers to stop undermining security in Iraq and start helping to stabilize it.

- * Mobilizing the Iraqi people to oppose the extremists in their midst.

Those who say that Iraqis are at each other's throats and should be left to fight it out are wrong. A minority of sectarian extremists and Saddamists is causing and promoting sectarian violence. These resisters have been successful in intimidating the rest of the population, which abhors them. When they are challenged, as they should be, the great majority of Iraqi men and women will be very supportive.

- * Taking the initiative from our enemies by acting boldly and aggressively. Our posture should not be defensive. That is a recipe for defeat.

- * Working out a bipartisan U.S. domestic consensus in favor of winning this war for America, Iraq and democracy. (This item is for American leaders to achieve; the others are collaborative U.S.-Iraqi endeavors.)

All this is achievable. Iraqis are resilient. They thirst for normality and a chance to build a future in freedom and dignity. They are fighting and dying for it every day. Witness the numbers enlisting in the security forces despite horrific losses. Witness the support Iraqi women are providing for the political process and the potential of their emancipation.

The United States cannot escape responsibility for the current situation in Iraq. Not only would abandoning Iraq to its fate now be irresponsible, it would almost certainly

lead to disintegration and dictatorship, with a high risk of a wide regional conflict—a catastrophe for not just Iraq but also for the United States and for world peace and stability for decades to come. On the other hand, winning this war would be one of the best gifts the United States could make to the world and to its own people.

Mr. BOND. I yield the floor.

The PRESIDENT pro tempore. The majority leader is recognized.

SECURITY

Mr. FRIST. Mr. President, with passage of the Department of Defense appropriations yesterday, we took another major step forward making America safer and more secure. We hit a few bumps and distractions along the way, but the end result was passing the Defense appropriations bill. Under the tremendous leadership of the President pro tempore, who is occupying the chair, we passed a bill that makes America, and continues to make America, safer and more secure. We helped to bring to our troops the cutting-edge technologies and resources that they need and will continue to need in fighting the war against terror.

It is important to share with our colleagues and the American people that in these appropriations bills, pending bills that are coming to the Senate, we are addressing a lot of issues that are not the principal focus of the bill but are very important issues to address, issues of concern and focus of the American people. I refer to an element of border security.

Most Members, as we traveled around the country and through our States over the last several weeks and during August, heard again and again that the American people expect us to focus on security at our perimeter, at our border, and at our ports. We are on the port security bill today.

In addition, it is important to note, for border security interests, over the past 2 years we have made huge progress in funding initiatives along our border, as reflected in the bills, the Homeland Security appropriations bill and the bill we passed yesterday, the Department of Defense appropriations bill. If we examine the last 2 years, we see how much progress, indeed, has been made for the border. We have added 3,736 new Border Patrol agents, for a total of 14,555. We have added in these bills 9,150 new detention beds, for a total of 27,500.

We have added, in these bills, 370 miles of border security fencing and added 461 miles of vehicle barriers along that Southwest border. We have added \$682 million for border tactical infrastructure and facilities construction.

As for detention personnel, we have added 1,373 detention personnel, for a total of over 5,500. People ask about Customs and Border Protection officers. Indeed, we have added 460 new

Customs and Border Protection officers for seaport inspections, for a total of 18,321 officers at ports of entry.

For the Coast Guard, in these bills, we have added \$7.5 billion for the Coast Guard maritime border security, including \$4 billion for Coast Guard port security and \$2.1 billion for deepwater assets.

I mention these figures and this data because that is what we have done over the last 2 years in the supplemental bill, the Homeland Security bill, and the Department of Defense appropriations bill.

In fact, spending on border and immigration enforcement has increased from less than \$4 billion prior to 9/11 to over \$16 billion today—a fourfold increase. Catch and release has been ended. Apprehensions are up along the border by 45 percent. We are acting. We are funding. We are controlling the borders. We have a long way to go, but we are delivering on border security.

Security and safety are not static states. They are dynamic, which means we must constantly take steps, which we are doing on the floor to bolster them.

Earlier this year, I took a trip to the west coast and toured the Long Beach Port in southern California. It was amazing. I took an aerial tour, talked to all of the people there from security to the people handling the containers. Over 13,000—13,000—containers come through that one port every day. It is the largest port in the country. It is the third largest in the world.

It is not far from Los Angeles or LAX where 62 million passengers pass through annually. To say the least, this part of the country is a major front on the battle to protect our ports from terrorist attacks.

I am delighted we did turn to the port security bill last night. We have much to do over the next several days—with opening statements made last night and over the course of the day.

The bill before us now will provide the structure and resources necessary to strengthen our seaport vulnerabilities and better protect the American people from attack that might occur through those ports. It addresses security throughout the international cargo supply chain—from factory gate in a foreign country to screening in the U.S. port of final destination.

The U.S. maritime system includes more than 300 sea and river ports, with more than 3,700 cargo and passenger terminals. More than 95 percent of all U.S. overseas trade, excluding trade with Mexico and Canada, arrives by ship. The top 50 ports in the United States account for about 90 percent of all cargo tonnage, and 25 U.S. ports account for 98 percent of all container shipments.

Most of the 60,000 U.S. port calls made each year are foreign owned and

crewed. Less than 3 percent of U.S. overseas trade is carried on U.S.-flagged vessels.

What all this means is that ports are a significant choke point for an enormous amount of economic activity for this country. In and of themselves, they, therefore, represent an attractive target for terrorists.

Equally significant is that ports clearly facilitate the transportation of something from one place to another. Goods arrive at and depart through these ports—by ship, by rail, by truck—so it is not inconceivable that terrorists could use ports as a conduit to smuggle into this country.

Just imagine the damage if a terrorist smuggled a dirty bomb in a cargo container off a ship calling on a U.S. port. Once unloaded, it could be transferred to a waiting tractor-trailer or train and from there target anywhere in this country.

Just imagine if terrorists seized control of a large commercial cargo ship and used it as a collision weapon for destroying a bridge or refinery on the waterfront.

Imagine the damage if terrorists sank a large commercial cargo ship in a major shipping channel, thereby blocking all traffic to and from that port.

These are not pipedreams. They are legitimate threats. Remember when the USS *Cole* was attacked by a bomb-laden boat during a refueling stop in Yemen? Had that occurred in a U.S. port, not only would the port of calling be shut down but very likely officials would halt the entire U.S. maritime transportation system, as they did in the days immediately following 9/11. Studies suggest that such a disruption in trade would reverberate throughout the country, costing billions of dollars.

The 9/11 Commission—if we look back at their recommendations—concluded that “opportunities to do harm are as great, or greater, in maritime and surface transportation” as in commercial aviation. That is why we have elected to bring this bill to the floor of the Senate. That is why the bill before us is so very important. It provides the Department of Homeland Security with the additional authorities and vital tools necessary to improve maritime security and to foil plots to injure or destroy our ports, to the detriment of our people and to the detriment of our economy.

Effective port security is a critical component of national security. And the bill before us now is a critical component of effective port security.

I look forward to a thoughtful and engaging debate over the next several days and do hope my colleagues will join me in supporting this very important piece of legislation.