

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

#### SCHEDULE

Mr. FRIST. Mr. President, this morning, after 30 minutes of morning business, the Senate will resume consideration of the PATRIOT Act conference report. At approximately 11 a.m., the Senate will vote on the motion to invoke cloture on the PATRIOT Act. It is my hope cloture will be invoked and that we could then adopt the conference report during today's session. Senators should anticipate additional votes on legislative and executive items we must complete action on before breaking for the holidays, including a number of judges and other nominations. As all of our colleagues know, we have a lot of work to do and a lot to accomplish over the next several days before we break for the holidays.

I thank our colleagues for their patience and their hard work. We are working in a bicameral way. As our colleagues know, much of this legislation has to originate now and pass through the House before coming to us. We are working with the House to get that legislation appropriately.

#### THE PATRIOT ACT

Mr. FRIST. Mr. President, later this morning the Senate will vote on the issue of whether to limit debate on the USA PATRIOT Act. I urge my colleagues to support the cloture motion. The PATRIOT Act passed with near unanimous support 4 years ago. Since its passage, this commonsense law has proved to be one of the most useful, important tools we have in our antiterror arsenal. If we can take ourselves back to that morning on September 11, many people were at work, many others on the way to work when we all heard and soon saw that shocking news that 19 young men had hijacked four passenger planes and slammed them into the World Trade Center and into the Pentagon, 3 or 4 miles away. A fourth plane was en route, and its fate was unknown.

The oceans separating us from them suddenly vanished and America was struck with a horrific force we had never seen before. Three thousand innocent Americans lost their lives, and we learned on that dark day that out there, hiding in the shadows, is a patient and brutal enemy, determined to inflict colossal violence on our shores.

This enemy does not wear a uniform or march under a national banner. It hides among us as neighbors and coworkers, at subway shops and at cyber cafes. It hides in plain sight, plotting and planning until the moment comes to inflict its massive and terrible cruelty.

On 9/11, our enemy declared war on the American people, and war is what

they got. We toppled the Taliban in Afghanistan. We brought down Saddam Hussein and dismantled his tyranny. Yesterday, under the protection of brave American and Iraqi soldiers, 11 million Iraqi people streamed to the polls to freely choose, for the first time in the country's modern history, a permanent, democratically elected government of and by the people. It was a historic milestone for the Iraqi people. It was a historic milestone for freedom. It proved once again that every day we are making progress.

We are fighting the terrorist enemy at home and in the mountains of Afghanistan, on the worldwide Web and in the streets of Baghdad. We are coordinating our efforts both inside and outside our borders so that we never have to suffer another terrorist attack.

In the days following 9/11, we learned that the enemy had been able to elude law enforcement, in part because our agencies were not able to share key investigative information. Once we understood this awful reality, we swiftly took action. Within 6 weeks of the attacks on America, the Congress passed the USA PATRIOT Act with overwhelming bipartisan support. The Senate vote was near unanimous, with 98 Senators voting in favor. The PATRIOT Act went to work tearing down the information wall between agencies and allowed the intelligence community and law enforcement to work more closely in pursuit of terrorist suspects.

Since then, it has been highly effective in tracking down terrorists and making our country safer. Because of the PATRIOT Act, the United States has charged over 400 suspected terrorists. More than half of them have already been convicted. Because of the PATRIOT Act, law enforcement has broken up terrorist cells all across the country, from New York to California, Oregon, Virginia, and Florida.

In San Diego, officials were able to use the PATRIOT Act to investigate and prosecute several suspects in an al-Qaida drug-for-weapons plot. The investigation led to several guilty pleas.

The PATRIOT Act also allowed prosecutors and investigators to crack the Virginia Jihad case, involving 11 men who had trained for Jihad in northern Virginia, Pakistan, and Afghanistan. It specifically encourages information sharing among the many branches of Government so that our crime-fighting officials can adapt and respond more effectively to the terrorist threat. It also levels the playing field, so that law enforcement utilizes the tools they already have in other kinds of criminal cases, such as drug trafficking and mob activity. It is now easier for law enforcement at all levels to appropriately investigate and track suspected terrorists already in the United States.

The conference report to reauthorize the PATRIOT Act includes all of these provisions and goes further to strengthen and improve America's security. It enhances vital safeguards to

protect our civil liberties and privacy, and it contains new provisions to combat terrorist financing and money laundering, to protect our mass transportation systems and railways from attacks such as the ones on the London subway last summer, secure our seaports, and fight methamphetamine drug abuse, America's No. 1 drug problem.

The clock is ticking. We do need to take action now. In just 15 days—December 31—nearly all of the provisions of the PATRIOT Act expire. If they do, we are right back to where we were pre-9/11. The information walls go right back up. We cannot let this happen. We cannot lose ground.

The House, as we all know, acted last week. They passed a conference report with a bipartisan vote of 251 to 174. Now is the time for the Senate to follow suit.

The choice is clear. Should we take a step forward in making America safer or should we go back to the pre-9/11 days when terrorists slipped through the cracks? I believe the answer is clear, and I believe we have only one choice.

I ask my colleagues who are threatening to filibuster to take a closer look at that PATRIOT Act conference report. This reasonable compromise reached by Senate and House negotiators may not contain everything that each and every Member in this body would like, but it is much closer to the Senate bill that passed unanimously than it is to the House bill. It includes 4-year sunsets on the most controversial provisions, just as in the Senate version. And like the Senate version, it includes extensive privacy and civil liberty safeguards, as well as enhanced congressional oversight.

As we prepare to vote on cloture later this morning, I urge my colleagues to join in support of this essential legislation.

The FBI, the intelligence community, and our law enforcement need us to act. The American people want us to act. American national security demands that we act. A nation in fear cannot be a nation that is free.

I urge my colleagues to stand up for freedom and security for the United States of America.

I yield the floor.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. MARTINEZ). The minority leader is recognized.

#### THE PATRIOT ACT

Mr. REID. Mr. President, in approximately an hour and a half, there will be a vote on the motion to invoke cloture on the PATRIOT Act conference report. Rather than terminate debate on this flawed piece of legislation, the Senate should work harder to achieve a strong, bipartisan PATRIOT Act that