

Mr. GREGG. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I will speak on the port security conference report we are just passing. I am a conferee on that bill and this conference has been a sham. It is shameful because the Democratic members of the conference committee have not been allowed to offer amendments to the conference report. We were sitting on our hands for virtually an hour while the chairman of the conference committee was absent, without a piece of paper in front of us about what was in the port security bill. Nothing. There was no indication of what was there. No guide, nothing—just sitting there wiling away the time.

Why, we asked, did the Republican leadership in the House and the Senate allow this perversion of the democratic process? Why make promises we would have a chance to offer amendments but never be able to do so?

They wanted this conference to be a plain backroom deal. Their agenda is to strip from this bill important provisions on rail security, transit security and aviation security and replace them with legislation that has nothing to do with our homeland security at all, our port security.

I would like to understand from the majority what it is they were trying to tell the American people. What was so objectionable about the provisions Democratic conferees wanted to offer to bolster aviation, transit, rail, truck, bus, and pipeline security?

The Senate has agreed to the rail security legislation and twice the Senate has approved transit security legislation. Twice the Senate agreed to my amendment to remove the arbitrary cap on the number of airport screeners that can be hired, but each time these measures died due to the inaction by the House of Representatives. Now Republican leaders, once again, want to kill them.

Last night, the Republican chairman assured the Democratic conferees that they could offer amendments to the conference report, but they put obstacles in the way to permit it from happening. Republicans were fearful of showing votes against common sense for rail, transit and aviation security measures. This challenges logic beyond belief.

Last night, the House had actually approved, had voted 281-140, to instruct their conferees to support the Senate provisions on rail, transit and aviation security. Transit systems have always been terrorist targets. They are open, accessible and teeming with innocent people. Since we have not done what we need to do to protect them, they are vulnerable.

Recent attacks in Madrid, London and Mumbai have shown just how dev-

astating these attacks can be. Hundreds of people have been killed just commuting to and from their jobs in those cities.

The Senate rail security provision mandated measures to help protect 25 million Amtrak riders each year, but the House leadership dismissed recent attacks on the rail systems as not significant enough to guard against. It would protect millions more who live near rail tracks where trains carrying hazardous materials pass by, with some very close to this facility, on nearby tracks. Once again, logic failed.

The aviation security provision dealing with airport screeners was approved in the Senate by a vote of 85-12. It would have removed the arbitrary caps on hiring TSA airport screeners. I repeat, the Senate, by a vote of 85-12, would have removed the arbitrary cap on hiring TSA airport screeners even though burgeoning numbers of passengers are flooding our airports. Lifting the cap could have made air travel safer. And it would have reduced the amount of time passengers have to wait in line at terminals to pass through security lines.

It is important for the American people to understand the enormous opportunity taken away from them to protect themselves. It is important for our people to understand the leadership in the Congress stood against rail security, transit security or shorter airport-airline passenger security.

We did not finish the conference on the port security bill. We finished a sham. The majority ought to be embarrassed by their thoughtless abandonment of essential security protection for the American people as they travel.

The leadership stripped out—in the conference that never took place—rail transit and aviation security but made sure that Texas Hold'em Poker games are illegal to play on your computer.

I regret this took place. I hope America does not see in its near future that they were foolishly careless in not protecting our citizens as much as they could.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine is recognized for 3 minutes.

Ms. COLLINS. Mr. President, I ask unanimous consent since the Senator from Alaska yields back his 5 minutes that I be permitted to speak for up to 10 minutes.

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

#### SAFE PORT ACT

Ms. COLLINS. Mr. President, shortly this evening, the Senate will adopt the conference report on the SAFE PORT Act. This conference report includes all of the major port security improvements that were included in the Port Security Improvement Act of 2006 that passed the Senate just 2 weeks ago. It has been strengthened by including some of the provisions in the companion House bill.

This is a major accomplishment for this Congress that will help to strengthen our Homeland Security in ways that really matter. The original template for the SAFE Port Act was the GreenLane Maritime Cargo Security Act I introduced with Senator MURRAY, Senator COLEMAN and Senator LIEBERMAN almost a year ago.

I commend Senator MURRAY for her steadfast commitment to strengthening port security. I also thank the Presiding Officer, Senator COLEMAN, for his leadership. He has chaired three hearings on cargo security that helped identify the vulnerabilities and shortfalls in the current systems. That investigation by the Permanent Subcommittee on Investigations, in fact, helped inform our legislation and, indeed, all of the problems that the Presiding Officer identified in his hearings have been addressed in this landmark legislation.

I also commend the ranking member of the Homeland Security Committee, Senator LIEBERMAN, who helped to shepherd this bill through our committee. This has truly been a bipartisan bicameral effort. It represents the Senate at its best. As a result, we have been able to produce significant legislation.

America's 361 seaports are vital elements in our Nation's transportation network. Last year, some 11 million shipping containers came into this country. Now, when we look at the shipping containers, we hope they simply contain consumer goods or parts or other useful objects. But, in fact, every one of these 11 million shipping containers has the potential to be the Trojan horse of the 21st century.

The vulnerability of our cargo is perhaps best illustrated by an incident that happened in Seattle earlier this year. In April, 22 Chinese nationals were caught as they attempted to leave a shipping container. Those illegal aliens transited in a shipping container all the way from China to our shores to the port of Seattle. This container could have just as easily have contained not people seeking a better way of life but people seeking to destroy our way of life. There could have been a squad of terrorists in that container. There could have been the makings of a dirty bomb. There could have even been a small nuclear device. That is the vulnerability of the current system.

In fact, the containers have been called the poor man's missile because a low budget terrorist could ship one across our oceans to a United States port for only a few thousand dollars. The stakes are very high.

If you visit a port like Seattle, as I have, you see that the port is located in the midst of a large urban population, with two stadiums close by, with ferries bringing thousands of visitors. The loss of life would be devastating.

But there is another impact of a possible attack on our ports; that is, the

economic loss that would ensue. We are aware that many plants and retailers now rely on just-in-time inventories that bring goods to their stores.

I think we should look back at 9/11 and look at what happened to our system of commercial aircraft when we had the attacks on our airplanes. In fact, commercial aircraft were grounded for a number of days. And just as that happened 5 years ago, an attack on any one of our ports would most likely result in the closure of all ports, and the economic consequences would be devastating. It would affect the farmers in the Midwest, who would be unable to ship their crops. It would affect retailers across the country, who would soon have empty shelves. It would affect factories that would be forced to shut down and lay off workers because of the loss of vital parts.

The best example I can give you of what the economic impact would be is to look back at the west coast dock strike of 2002. Unlike any terror attack, that was both peaceful and anticipated, and yet it cost the economy \$1 billion a day for each of the 10 days it lasted.

Since the attacks on our country 5 years ago, there have been some actions taken to improve security at our seaports. For example, the Department of Homeland Security instituted several important port security programs such as the Container Security Initiative and what is known as C-TPAT, the Customs-Trade Partnership Against Terrorism Program. Unfortunately, the investigation led by the Senator from Minnesota has demonstrated that those programs have been very unevenly implemented. Some have lagged, and some have not been effective because there has not been the proper verification that has been needed.

What our legislation would do is provide the structures and the resources to strengthen those programs. The legislation before us is a comprehensive approach that addresses all levels and all major aspects of maritime cargo security.

It will require the Department of Homeland Security to develop a comprehensive strategic plan for all transportation modes by which cargo moves into, within, and out of U.S. ports.

It requires the Department of Homeland Security to develop protocols for restarting our ports if there were an incident, which we certainly hope this legislation will prevent or help prevent any attack on our seaports, but if one does occur, it is essential the Federal Government have a plan for reopening the ports and releasing cargo as soon as possible. Unfortunately, and in my opinion amazingly, we do not have such a plan today. So we will require the Department of Homeland Security to develop such a plan.

We authorize \$400 million for each of the next 5 years in risk-based port security grants. We also authorize training and exercises that we know are key to preparedness and effective response.

We improve and expand several security programs, such as the Container Security Initiative, the C-TPAT Program, and we establish deadlines for action on these programs.

We provide additional incentives for shippers and importers to meet the highest level of cargo-security standards. We also make sure the Department is meeting deadlines for such essential programs as the TWIC Program.

Another critical provision in this bill is the requirement that all containers at our 22 largest ports be scanned for radiation by the end of next year. All the 22 largest ports, which handle 98 percent or virtually all cargo, would be required to have radiation detection devices in place by the end of next year. We also expand the radiation scanning that is done at foreign ports through the CSI program and the Megaports program. Obviously, our goal is to push off our shores and keep the danger from ever getting to our shores in the first place.

Another security measure is the vital transportation Worker Identification Credential, or the so-called TWIC, Program. It has languished for years, and it should not have because the TWIC Program is necessary to control access to port facilities and vessels, and it is a vital program.

We also—I know this has been of great interest to the Presiding Officer—establish a pilot program with real deadlines and real results at three foreign ports to test the feasibility of doing a nonintrusive scan; in other words, sort of an x ray of every container, have that scan actually analyzed, and combine it with a radiation scan.

That is going to allow us, eventually, to get to the goal, once the technology is there, of a 100-percent integrated scanning program.

There is still work to be done to address security for other modes of transportation, such as rail and mass transit. But tonight we should take great pride in the great progress we have made in strengthening the security of our seaports.

Thank you, Mr. President.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H. Con. Res. 483, which the clerk will report by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 483) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The Senate proceeded to consider the concurrent resolution.

The PRESIDING OFFICER. Under the previous order, the Senator from Michigan is recognized for 10 minutes.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that I yield 2 minutes to our friend from Delaware.

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

The Senator from Delaware.

SAFE PORT ACT

Mr. CARPER. Mr. President, I thank my friend for yielding to me.

While Senator COLLINS is still on the floor, I want to take a moment to say, Mr. President, if you go back 5 years ago and consider the tragedies that befell our Nation on September 11, it opened our eyes to the kind of threats we face with respect to the security of our air travel. It served to open our eyes, subsequently, with respect to the security of our ports, with the security of our chemical plants and the communities that are located around them. I think we have had our eyes opened to security threats that maybe face people who travel on our trains and our commuter rail systems.

We have seen all too well how inadequately—inaptly, really—FEMA responded to the Katrina and the gulf coast part of our country. I think most of us agree today we are better equipped now to fend off threats to the security of our air travel. And I think with respect to the security of our ports, with this legislation Senator COLLINS and Senator MURRAY have shepherded, which the Presiding Officer has contributed greatly to, we have made real progress; some would say maybe not enough, but I think everybody would say measurable, palpable progress.

I know there are folks who have been critical of the fact that we have not included the rail and transit provisions in this final conference report, which were included in our Senate-passed version. I wish they were there. We have a lot of people who travel on the rail and transit systems, with, I think, about 9 billion trips this year, and there is a threat to many of them—not all of them but to many of them.

But there is good work that has been done with respect to chemical security. FEMA has been overhauled, and I think maybe not transformed but I think significantly improved.

One of the constant threads within all of that has been Senator COLLINS, as the chairman of the Homeland Security and Governmental Affairs Committee. I just want to stand here tonight and say that this is yet another conference she has helped to direct and steer, as it comes to a conclusion. I commend her, and certainly Senator MURRAY, who has worked closely with her. I commend them and the Presiding Officer and others for the good work they have done.

I acknowledge we have some more work to do with rail and transit security. My hope is we will do that when we return next January.

Thank you very much. And I again thank my friend for yielding.