

Congressional Closeup by Carl Osgood

Loy Expresses Optimism On Transport Security

Adm. James Loy, who replaced John MaGaw as head of the Transportation Security Administration (TSA) in July, gave a rosy picture of the progress the agency is making in implementing the 2001 Aviation Transportation Security Act—although he did not claim that there are no problems. Loy told the Senate Commerce, Science, and Transportation Committee on Sept. 10, that fewer than 10% of the nation's commercial airports will be unable to meet the passenger and baggage screening deadlines in the act. His testimony was in contrast to that of Transportation Secretary Norman Mineta, who told the House Aviation Subcommittee on July 23, that Congress was to blame for the difficulties in setting up the new administration.

Nonetheless, some members of the committee expressed unhappiness with the pace of work in the TSA. Committee Chairman Ernest Hollings (D-S.C.) said that while the news is better than it was, 90% of airports meeting the deadlines "is not good enough for this committee." Ron Wyden (D-Ore.) said that "to send the message that key airline security deadlines are going to be set aside, I think would be tremendously unfortunate." Kay Bailey Hutchison (R-Tex.) added that "it would be ludicrous to change the deadline for a year or two out for every airport, even when the vast majority can make the deadline."

For his part, Loy asked for more money and some legislative changes. The administration has requested an additional \$546 million for the agency, on top of its \$4.8 billion fiscal 2003 budget. He also asked the committee to support lifting the cap of 45,000 employees imposed in the fiscal 2002 supplemental appropriations bill. As for the airports that will not

meet the deadlines for baggage screening, Loy chalked that up to the engineering difficulties of installing explosive-detection machines, and asked the committee to support legislative changes that would take those problems into account.

Schumer: Seaports Are Vulnerable To Terrorism

Sen. Charles Schumer (D-N.Y.), speaking to reporters on Sept. 12, warned that while attention is focussed on Iraq, American seaports are as vulnerable as ever to terrorists who might want to smuggle a nuclear device into the United States. Referencing an ABC News report from the night before, he said, "We are virtually defenseless against a nuclear weapon being shipped here to America." He said that a nuclear bomb placed in a shipping container would be virtually undetectable, for two reasons. First, the Customs Service only inspects 1% of shipping containers that come into the country. Second, commonly available radiation detectors have to be within two feet of the source in order to work. On the second issue, he said that he and Sen. John Warner (R-Va.) were co-sponsoring an amendment to the Homeland Security bill, to provide radiation detection machines that can be attached to cargo-handling cranes at ports; but "it's greeted by the administration and by too many of our colleagues with a yawn." As for the inspection of cargo containers, Schumer sent a letter to Robert Bonner, commissioner of the Customs Service, calling on him to raise cargo inspection standards.

Schumer motivated support for his legislation by comparing the cost of port security to the cost of a war with Iraq. "We're spending all this time and

energy to go into Iraq to stop them from producing enough weapons-grade uranium to produce a bomb, and we're doing nothing to prevent that bomb from being smuggled into this country," he said.

Meanwhile, other legislation intended to deal with after-effects of the Sept. 11, 2001 terror attacks continues to languish. Legislation to increase port security has stalled in conference committee over a proposal by Senate Commerce, Science, and Transportation Committee Chairman Ernest Hollings (D-S.C.) to impose a user fee to cover security costs. Legislation to provide a government guarantee for terrorism insurance has also been hung up in conference, but House Financial Services Committee Chairman Mike Oxley (R-Ohio) told the House on Sept. 10 that he had had discussions with Senate conferees, and that they seemed "prepared and ready to move."

Drive for War With Iraq Accelerates

The drive for war against Iraq hardly took notice of UN General Secretary Kofi Annan's Sept. 16 announcement that Iraq had agreed to the unconditional return of UN weapons inspectors. Leaders of both parties in the Senate indicated that the vote on a resolution sponsored by the Bush Administration could take place before the Nov. 5 elections.

Senate Minority Leader Trent Lott (R-Miss.) told reporters on Sept. 17 that the Iraqi announcement will not "take the urgency out of" work on a resolution. Senate Majority Leader Tom Daschle (D-S.D.) indicated that he and House Minority Leader Dick Gephardt (D-Mo.) were working with the White House on a resolution "that

we could bring before the Senate and House some time reasonably soon.”

Bush, GOP Slam Dems for Homeland Security Delay

Senate debate on the Homeland Security bill entered its third week on Sept. 17, with no end in sight. That morning, Homeland Security Director Tom Ridge appeared with Senate GOP leaders, to demand that Democrats speed action on the bill. He claimed that “the best way that we can maximize our effort as a country to protect our people, to protect our way of life, is to give the President the tools to reorganize the Executive branch, particularly those agencies who have such a critical role in defending our homeland.”

House GOP leaders had earlier criticized the Senate for its glacial pace. House Speaker Dennis Hastert (R-Ill.) told reporters on Sept. 12, that because the Senate has not acted, “We can’t give the President the abilities that he needs to protect this country against terrorism.” Majority Leader Dick Armey (R-Tex.) noted that the bill is under the jurisdiction of Senate Governmental Affairs Committee Chairman Joseph Lieberman (D-Conn.), “a man who would have been Vice President and has not, to our knowledge, vacated his ambitions for national public office since then.” He added that Senate Democrats “allowed politics within their body to hamstring [Lieberman’s] ability to produce a bill before the August recess.”

Senate Majority Leader Tom Daschle (D-S.D.) responded by saying that he found the fact that the House rammed their bill through in 24 hours “appalling.” “This is the biggest single reorganization of the Federal govern-

ment in my lifetime,” he said, “and I think it deserves the careful attention the Senate has given it.”

Despite the fact that the Senate has been working on the bill every day, only one major vote occurred in the week previous to Ridge’s plea. That came on Sept. 13, when the Senate failed to table an amendment sponsored by Sens. Fred Thompson (R-Tenn.) and John Warner (R-Va.), which would strike provisions in the bill creating a White House Office for Combating Terrorism and mandating a national strategy to combat terrorism. Warner had told the Senate that such an office would be redundant and that the President ought to have the “maximum flexibility . . . to best serve his style of discharging the obligations of the Office of President.” Senator Lieberman, who wrote the provisions at issue, tried to argue that the White House office was necessary to ensure that agencies that will not be brought into the new Homeland Security department, be coordinated under a single strategy.

Budget Process in Congressional Gridlock

The House had managed to pass five out of 13 of the annual appropriations bills as of Sept. 17, whereas the Senate had acted on three, and was working on a fourth. Of the three that both Houses had passed, two—the defense and military construction bills—are not even in conference yet. Sen. Arlen Specter (R-Penn.) complained to reporters on Sept. 17, “In the 22 years that I have been here, I have never seen the appropriations process broken down as it is now.” He noted that the Senate, for the first time since the passage of the 1974 Budget Act, has not even passed a budget resolution.

Because so much work remains to be done, there is talk of a lengthy Continuing Resolution and a possible lame duck session after the elections. Specter said that a CR might go until February. “If that happens,” he warned, “there are a great many items which will not be appropriated,” such as a \$3.4 billion increase for the National Institutes of Health. The preoccupation with Iraq and the Senate’s being bogged down on the Homeland Security bill make it unlikely that anything more than the defense and military construction bills will be passed before the Congress recesses in October. Specter, however, expressed concern that action even on those two bills was in jeopardy. “Those bills are indispensable for the war effort against terrorism and perhaps against Iraq, and nothing is happening,” he said.

President Bush complained, during a fundraiser in Iowa on Sept. 16, that “there has been no budget out of the United States Senate. . . . If you have no budget, it means there’s no discipline, and if there’s no discipline, it’s likely that the Senate will overspend.” Democrats have not forgiven Bush for refusing to spend \$5.1 billion in emergency funding in the fiscal 2002 Supplemental Appropriations bill, and complain, as do some Republicans, that some funding levels Bush wants for 2003, are too low.

Party bickering intensified on Sept. 17, when the Senate failed to invoke cloture on the Interior Department Appropriations bill. Democrats accused the Republicans of trying to block drought relief in the bill, and Republicans accused the Democrats of trying to prevent a vote on their amendment to make it easier for logging companies to thin overgrown forests on 10 million acres of Federal land, much of which has been scorched by wildfires this year.