

Statement of

The Honorable Orrin Hatch.

United States Senator
Utah
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Statement of Sen. Orrin G. Hatch

Before the United States Senate Judiciary Committee

Hearing on

"Keeping America's Mass Transportation System Safe: Are the Laws Adequate?"

Good afternoon. I want to thank the witnesses for taking time out of their busy schedules to testify before us today. As I am sure you all are aware, the coordinated bombing of three rail stations in Madrid, Spain on March 11, 2004 killed 191 people and injured almost 1,500 others. It is believed that a multinational cell of Al Qaeda loyalists are responsible for this attack as they threatened to turn Madrid into an inferno if Spain did not withdraw its support in Iraq and Afghanistan. This tragic incident was reminiscent of the cowardly act of terrorists on our homeland and renewed in all of us, a sense of fear and foreboding that similar acts could occur on our soil.

We are not the only ones who feel this way. Just last week, police in London arrested eight men and seized more than half a ton of potential explosives from a self-storage container less than five miles from Heathrow Airport. These recent European incidents raise yet again the question of whether we are doing all we can to prevent criminals from terrorizing the American public.

As we recognize from our daily commutes, buses, railroads and subways present unique challenges because they are often located in areas that are densely populated. They are designed for convenience to the traveler of both short and long journeys. The rail and bus stations are open in nature and these journeys often entail frequent stops after short periods of time, making it easier for terrorists to evade detection. Two days ago, Union Station was evacuated and train service on AMTRAK and Metro lines were briefly suspended while police examined a suspicious backpack which contained lighter fluid in the station's main hall. This threat is not going away.

The war on terrorism is an ongoing one. Although we passed legislation last year creating a new crime for mass transportation systems in 18 U.S.C. § 1993, it behooves all of us to make sure that our criminal laws are up to date-- that they are amended as necessary to keep up with new technologies and new methods of spreading terror. We must also ensure that any loopholes or inappropriate inconsistencies be eliminated. To that end, I am an original co-sponsor of S. 1608, "Anti-Terrorism Protection of Mass Transportation and Railroad Carriers Act of 2003," which would replace 18 U.S.C. §§ 1992 and 1993 and create a new section 18 U.S.C. § 1992 outlining criminal prohibitions against terrorist attacks and other acts of violence against mass transportation systems on land, on water, or through the air, and against railroad carriers. I look forward to hearing from our witnesses about whether further legislation is necessary in this area to protect our rail systems.

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