

9       SPEAKER DENNIS HASTERT: Thank you very much. Again  
10       it's great to be with you this morning, and if you were  
11       here for the earlier session, we kind of laid out what  
12       happened in 2001 after the 9/11 incident and our markets  
13       were down, we couldn't do business in the United States,  
14       nobody could fly. And if you're familiar with the  
15       United States, you can't hardly get to one end of the  
16       country to the other without use of airplanes. And so  
17       we were just basically paralyzed. Our problem was how  
18       do you get things back to -- how do you get the planes  
19       back in the air? How do you guarantee American Airlines  
20       and United Airlines that just had their plans destroyed  
21       and all these pending legal cases that were piling up  
22       outside their door, how do you get them incentivized or  
23       give them protection to get their planes back in the  
24       air? So these were problems that we had to face in the  
25       Congress. And let me take you back eight years before  
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1 9/11 in February of 1991 when the first World Trade  
2 tower attack happened. The ensuing lawsuits that came  
3 out of that, the courts in New York held the terrorists  
4 33 percent liable and the landlord 68 percent liable.  
5 So when you start to think about that, who would want to  
6 be a landlord? So the incredible liability or risk that  
7 somebody took building a building or owning a building  
8 that was liable to be a focus of terrorism. If you're  
9 in downtown Manhattan or Chicago or Los Angeles or New  
10 Orleans, or wherever you happened to be, you were  
11 vulnerable to this type of liability. But the real  
12 problem happened after 9/11. Only a month after 9/11, a  
13 month and three days, to be exact, on October 15, the  
14 U.S. Capitol became the focus for an anthrax attack. So  
15 this piled on top of 9/11 said that we needed to find  
16 new innovations, new ideas, and as we were starting to  
17 put the act together to try to bring all the departments  
18 under one head and trying to unify the whole national  
19 security issue or homeland security issue, we had people  
20 coming in literally lined up outside my door saying, I  
21 have this device, I have this widget, we can detect  
22 anthrax. Well, why don't you do it. We don't want to  
23 do it because we have a liability. If for instance our  
24 product is 98 times in a hundred successful, what's the  
25 liability if it's not successful two times or doesn't  
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1 detect that two percent? What is our liability? And we  
2 found that we couldn't get American companies to come  
3 forward with new ideas, new technologies, new R&D to  
4 protect our people. So we had to find some solution to  
5 protect those companies and entities from basically our  
6 court system. And so the Safety Act, that was the  
7 purpose of the Safety Act. That's exactly what we did.  
8 You heard the young lady giving the technical side, the  
9 lawyer's side, but on a very practical side, I guess on  
10 a politician's point of view, we did two things. First  
11 of all, we allowed people to go forward and to invent  
12 and to bring forward and to create the implements to  
13 create a safer environment, to be able to find something  
14 you put on the ceiling in a subway station so if there  
15 was some detection of a gas or anthrax or whatever it  
16 happened to be, you could find it. There was a  
17 detection. And, secondly, you started to create an  
18 environment that you not only brought these ideas  
19 forward, but those people that implemented these  
20 protections were also protected. So not only within the  
21 confines of the United States, but if you're a United  
22 States entity that has a hotel or a market overseas, you  
23 can protect yourself at least from the U.S. courts,  
24 which are probably the most -- the toughest to deal  
25 with, because you have implemented this regimen of  
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1 either protections or devices to protect your people.  
2 If you are the NFL and have 100,000 people in a football  
3 stadium every weekend or you're the NCAA, National  
4 Collegiate Athletic Association, you have events in  
5 basketball games and football games across the country,  
6 and you're the end user or you're the person who  
7 sponsored it, it gives you some protection if you follow  
8 a certain regimen. So that's what this is all about.  
9 The tricky thing is how do you qualify, how do you  
10 interface with Homeland Security to make sure that you  
11 are qualified, that you do meet those responsibilities?  
12 And I'm going to defer to my colleague Brian Finch to  
13 talk about this issue and basically how that happens.  
14 Brian?