

Member of Congress praise New York City's first responders for their heroism, and mourn them for the high price that they paid.

But now Congress has the opportunity to put these words of praise and gratitude into action. We have the opportunity to provide our first responders with the state-of-the-art tools that they need to perform their jobs, save others, and survive themselves.

On September 11 there was a breakdown in the communications equipment of our fire department, communications equipment that, if working as it should have been, could have alerted many of these firefighters and police officers of the impending collapse of the towers, the World Trade Center. Would they have left their position and fled? I doubt it, knowing the firefighters as I do. But at least they would have had the tools at their disposal to best protect themselves and to save others that day.

While every firefighter is now equipped with new digital radios, there is still not a system of "repeaters" in place throughout the city which help radio signals penetrate skyscraper walls. This means these radios really would not be any different than the ones that failed on September 11 of 2001.

Additionally, there is still no shared radio frequency between the police department and the fire departments, thereby forcing them to rely upon commanders for communication and coordination, a system that has failed in the past with tragic consequences. Additionally, New York State troopers still cannot communicate with New York City officers or Federal agents, causing yet another communications breakdown of our first line of domestic defense.

If we remember September 11, and we can never forget it, we should also never forget the sacrifices that these men and women made. We should take this opportunity in the supplemental budget to make sure they have everything they need to do their jobs properly in the way that they need to do it.

□ 1800

INQUIRIES OF MEMBERS OF DEFENSE POLICY BOARD AND REQUEST FOR INVESTIGATION OF MISCONDUCT INVOLVING RICHARD N. PERLE

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE of Florida). Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Madam Speaker, I rise today to put into the RECORD a letter that I have sent to the Office of the Inspector General of the Department of Defense asking that we investigate or have investigated the allegations of conflict of interest and other possible misconduct involving Mr. Richard N. Perle, formerly chairman of the Pentagon's Defense Policy Board.

As a special government employee, he is caught by all the ethics rules that preclude and severely limit his ability to operate with businesses connected with the military.

Madam Speaker, I include for the RECORD this letter.

The material referred to is as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 24, 2003.

Hon. JOSEPH E. SCHMITZ,
Office of the Inspector General, Department of Defense, The Pentagon, Washington, DC.

DEAR GENERAL SCHMITZ: I am writing to request that your office immediately open an investigation into allegations of conflict of interest and other misconduct involving Richard N. Perle, Chairman of the Pentagon's Defense Policy Board. As a result of this position, Mr. Perle is considered a "special government employee," and is subject to government ethics prohibition—both regulatory and criminal—on using public office for private gain. As you know, under the Inspector General statute, your office is authorized to conduct investigations into any abuse or misconduct by senior officials.

I am aware of several potential conflicts that warrant your immediate review. First, Mr. Perle has contracted with bankrupt telecommunications company Global Crossing Ltd. to try to win U.S. government approval of its \$250 million sale to two Asian companies over the objections of the FBI and the Department of Justice. Perle is being paid \$125,000 for his advice and stands to reap a highly unusual \$600,000 bonus if the sale is approved by the U.S. Committee for Foreign Investment in the United States (CFIUS), a government group that includes representatives from the Defense Department.

Although Perle has denied that he has sought to use his government position to benefit Global Crossing, he has reportedly signed an affidavit which directly contradicts this contention. According to the New York Times, in a March 7, 2003 affidavit, Perle stated, "As the chairman of the Defense Policy Board, I have a unique perspective on and intimate knowledge of the national defense and security issues that will be raised by the CFIUS review process that is not and could not be available to the other CFIUS professionals." According to this article, Perle has even acknowledged contacting at least one government official on Global Crossing's behalf, though Perle refuses to identify this person. The fact that Mr. Perle may be reconsidering filing the affidavit does not alter the existence of the alleged conflict.

Second, Perle's position on the Board of Directors of software developer Autonomy, a data mining company that lists the Defense Department and the Homeland Security Department as customers would appear to present a significant conflict with his Defense Department. While Perle has drawn no salary, he has received more than 120,000 share options from Autonomy. Perle's award of these share options gives him a direct financial stake in the success of this company. Indeed, the National Association of Pension Funds recently recommended that shareholders "abstain" when Perle comes up for reappointment this summer because the group feels that share options "compromise the independent status" of independent directors such as Perle.

Third, Mr. Perle serves as managing partner of a private venture capital firm called Trireme Partners that invests primarily in companies that deal in goods and services related to national security. Again, this would seem to present a conflict of interest with

his position as Chairman of the Defense Policy Board. In this regard, Pulitzer Prize-winning journalist Seymour Hersh recently reported that on January 3, 2003, that Mr. Perle met with Saudi businessmen, including arms dealer Adnan Kashoggi, in Marseilles, France, to secure their investment in Perle's company. The article contains a highly disturbing quote from Prince Bandar bin Sultan, the Saudi ambassador to the U.S.: "There were elements of the appearance of blackmail—'If we get in business, he'll back off on Saudi Arabia'—as I have been informed by participants in the meeting."

Finally, I would note that it has been reported that on March 19, 2003, Perle spoke in a conference call sponsored by Goldman Sachs, in which he advised participants on possible investment opportunities arising from the war in Iraq. The conference's title was "Implication of an Imminent War: Iraq Now, North Korea Next?". Again, I would submit that it is a conflict of interest for a high ranking government official to be proffering advice on how to profit from the war.

As the Ranking Member of the House Judiciary Committee, which has jurisdiction over conflict of interest rules, I have a strong interest in ensuring that our laws are being complied with, particularly those which touch on the integrity of our ethical requirements at a time of war.

Please respond to me through the House Judiciary Committee Democratic Staff, B 351-C Rayburn House Office Building, Attn: Perry Apelbaum/Ted Kalo, tel. 202-225-6504, fax 202-225-7680.

Sincerely,

JOHN CONYERS, JR.,
Ranking Member.

Also, I will place into the RECORD a letter to the Honorable Secretary of Defense, Donald H. Rumsfeld, which requests that copies of financial disclosure be submitted by the members of the Defense Policy Board to be made public. This is an effort to short-circuit the investigations of the Inspector General, and also accommodate Mr. Perle and other members of this board that might be involved in questionable business dealings with military contractors.

The document referred to is as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 1, 2003.

Hon. DONALD H. RUMSFELD,
Secretary of Defense, 1000 Defense Pentagon, Washington, DC.

DEAR MR. SECRETARY: I am writing to request copies of the financial disclosure forms submitted by the members of the Defense Policy Board as well as the minutes of all past Board meetings.

As the Ranking Member of the House Judiciary Committee, which has jurisdiction over conflict of interest rules, I have a strong interest in insuring that our laws are being complied with, particularly those which touch on the integrity of our ethical requirements at a time of war. I therefore believe it is critical that this material be provided to help us assess the degree to which members of the Defense Policy Board face real or perceived conflicts of interest which would impede their ability to advise the Defense Department.

I believe such disclosure would be in the best interests of both the Department and the members of the Defense Policy Board. Richard Perle himself just wrote in yesterday's Wall Street Journal that "the first rule is full disclosure of financial interests of the adviser . . . the second rule is . . . if the

discussions or advice of the board should involve matters that have a direct and predictable effect on an adviser's financial interests, he is recused from taking part." The problem is that currently, only your ethics officer receives the disclosure forms, so only he or she is in a position to assess whether the rules and safeguards being laid down by Mr. Perle are being followed. Increased scrutiny and review of these filings would no doubt lead to greater public trust and confidence in your Defense Policy Board.

The alternative is to face a continuing and damaging disclosure of the potential business conflicts of the Board Members. Just yesterday, my own investigation revealed that Perle is on the board of directors for Onset Technology. Onset is the world's leading provider of message conversion technology. The company's customers include Bechtel—a government contractor widely considered the leading candidate for rebuilding the Iraqi infrastructure and Raytheon Company which is a provider of defense electronics including the patriot and tomahawk missiles. I also found out that Perle holds a directorship in DigitalNet, a Virginia-based communications company with Army and Defense Department contracts.

To the extent you are concerned about public disclosure of this material, I would be willing to develop a procedure whereby it is reviewed in confidence. As a matter of fact, several members of my staff have obtained a security clearance.

I would appreciate your office responding to this letter at your earliest convenience. Please respond through the House Judiciary Committee Democratic Staff, B-351-C Rayburn House Office Building, Attn: Perry Apelbaum/Ted Kalo, tel. 202-225-6504, fax 202-225-7680.

Sincerely,

JOHN CONYERS, JR.,
Ranking Member.

Madam Speaker, this may serve to end the ongoing e-mails and other information that I am getting asking me to ask about this, that, and the other thing. In other words, Madam Speaker, if they were to make voluntary disclosure, this would put an end to all of this, the public could be restored in their confidence, and we could move ahead with our business.

The one matter that is a little puzzling is why Mr. Perle would resign as chairman but remain as a member of the board, as if the same ethics requirements do not apply to every member of the board as well as the chairman. If he feels inclined to explain what motivated him to step down as chairman but remain on the board, I would love to be edified by what led to that kind of action.

What we are doing is trying to move this along. The Secretary of Defense, who nominated Mr. Perle, can expedite this by making these kinds of disclosures, as well as Mr. Perle himself. So it is in the spirit of cooperation and responsibility as the ranking member of the Committee on the Judiciary that I urge my friends in the Defense Department to accommodate this humble request.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks)

PRESSING ISSUES IN AMERICA'S WAR ON TERROR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Texas (Mr. TURNER) is recognized for 60 minutes as the designee of the minority leader.

Mr. TURNER. Madam Speaker, I am joined on the floor tonight by a group of Democrats who feel very strongly about the need to be sure that our Nation is prepared to defend against terrorist attacks and to respond in the event we have a terrorist attack on our soil.

As we speak tonight, we know that our young men and women in uniform are risking their lives fighting for our freedoms and liberty in and around Iraq. They make us very proud by the sacrifices they are making on behalf of our Nation, and we are proud of each of them and the commitment that they are making on our behalf.

None of us on this floor would dare suggest that we not provide them with the very best in equipment, the very best in training as they enter into that battle. We know that our men and women in uniform shall do the duties that we have asked them to do.

We know that we fight a war tonight in Iraq, but we also know that we are engaged in another battle here at home, the war against terrorism. We became acutely aware of that battle on September 11 of 2001, and in the 18 months since al Qaeda struck in the shadows, or from the shadows, and declared war on America, we know that we have a changed world.

Just as we prepare for battle in Iraq and arm our young men and women with the very best in equipment and training, we know that it is important for us as Americans to arm those who will fight the battle here at home against terrorism with the very best in equipment and the very best of training. Tonight we will address some of the issues that we think are pressing on our Nation in order to prevail in the battle against terror.

On this floor tomorrow we will debate a \$78 billion appropriation supplemental bill to fund the war and to prepare America to fight the war against terror at home. Tonight we will hear several Members from the Democratic side of the aisle share what we believe to be deficiencies in the proposal that will be debated tomorrow, because we firmly believe that our Nation must be prepared not only to defend against terror, but to prevail against terror. The Democratic Members of the House have a plan, a plan to win the war on terror.

It is my pleasure, Madam Speaker, to yield to the gentlewoman from New York (Mrs. LOWEY), who serves on the Committee on Homeland Security, to

speak to one of the issues that is so critically important, the issue of nuclear power plant security.

Mrs. LOWEY. Madam Speaker, I want to thank the distinguished ranking member from Texas, who has the same laryngitis I do, for yielding to me. I appreciate his leadership on this very important issue.

Madam Speaker, I rise to discuss my continued concerns about security at the Nation's commercial nuclear reactors. Since September 11, 2001, intelligence officials have amassed a critical body of evidence suggesting terrorists intend to strike our nuclear infrastructure. Plans of U.S. nuclear facilities discovered in al Qaeda caves during U.S. military operations in Afghanistan provided perhaps the earliest indication that terrorists had not just casually contemplated, but rather assiduously, studied the option of sabotaging a nuclear reactor.

In early March, fresh intelligence confirmed our worst fears: Terrorists continued to plot attacks against nuclear and other critical infrastructure. Recent reports of a terrorist plan to sabotage the Palo Verde nuclear power plant in Arizona were sufficiently serious that the National Guard was immediately deployed to secure the plant.

As disturbing as these revelations is the Nuclear Regulatory Commission's failure to coherently address them. Indeed, the NRC, the agency responsible for ensuring the safety and security of the country's 103 commercial reactors, has shown a remarkable unwillingness to recognize post-September 11 terrorist threats.

The commission flatly denied petitions by citizen groups for reinforcement of the spent fuel pools at Millstone Nuclear Power Station, stating "the possibility of a terrorist attack is speculative . . . and simply too far removed from the natural or expected consequences of agency action."

Over 18 months after the attacks of September 11, 2001, the same old assumptions about the size, tactics, and weapons used by an attacking force, referred to as the Design Basis Threat, guides serious security policies.

The NRC continues to presume a terrorist force of no more than three individuals, with one passive insider who would relay information to the outside force, but not manipulate any controls or even attempt to incapacitate plant operators. The NRC further assumes that the attacking force would not utilize a vehicle larger than a Jeep to transport and detonate explosives. The Design Basis Threat is also built on the premise that sophisticated weaponry, including grenade launchers and shaped charges, is well beyond the reach of terrorists.

These flawed assumptions define the conditions for NRC-supervised force-on-force exams, in which security personnel must defend the reactors against mock terrorists. They also govern NRC standards with respect to the size, training, and capability of the guard force.