

could be brought to this floor; and with the President's support, it would pass overwhelmingly.

So what is the problem? The problem is the President is on the wrong side of these two issues. He is on the wrong side of other issues as well regarding this bill, but especially on the issue of importing cheaper drugs from Canada, something that most Americans want. Americans cannot understand, they just simply cannot understand why a drug can be sold in Canada at a profit, at a profit. The drug companies are not losing money when they sell these drugs in Canada. So the American people ask, how can a drug company sell a drug in Canada and make a profit and then sell that same drug in this country for two or three or four times as much as they are charging in Canada? What is right about that, when we have older people on fixed incomes who are desperate?

□ 2215

I do not know if the President, as he is out and about the country campaigning, encounters the same kind of people that I do, but every time I go back to my southeastern and southern Ohio district, I encounter older people who are desperate. They simply do not know how they are going to make it.

It would be so simple. We could accomplish this in a few hours' time if the President would simply take the leadership and do it, but thus far, he is leading in the opposite direction. I think the American people need to know that, that if they are concerned about high drug costs and they are concerned about Canada and France and all these other countries getting the drugs more cheaply, they need to know that the President is one of the reasons for that, because he refuses to speak up and speak out and to provide the leadership.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend, the gentleman from Ohio (Mr. STRICKLAND) and the gentleman from New Jersey (Mr. PALLONE) for joining me and the gentleman from Illinois (Mr. EMANUEL) earlier tonight.

Again, as the gentleman from Ohio (Mr. STRICKLAND) pointed out, we know what has not worked. We know this bill has been an absolute payoff to the drug and insurance industries. We know how this bill became law. We also know what we could do to fix it, and we would offer again tonight, because we should not come down to the floor and only criticize, we really should offer constructive solutions.

The gentleman from Ohio (Mr. STRICKLAND) is exactly right. We should have reimportation. We should run the Medicare prescription drug bill through traditional Medicare, not farm it out to insurance companies, and then have to subsidize those insurance companies to "incentivize" them to offer the prescription drug benefit.

With reimportation, we also ought to be able to use the buying power of the Federal Government on behalf of 41

million Medicare beneficiaries to get the price down so that people could simply open up their purse or their billfold and pull out their Medicare card and go to the local drug mart in Elyria, Ohio and get a price that is 50 or 60 or 70 percent less than we have today.

We can do this if we have the political will. We could do this if the Republican leadership and the President would wean themselves off of drug company and insurance company contributions. That is what we need to continue to push in our country so that seniors are finally treated equitably by their Federal Government.

I thank my friends from New Jersey and Ohio.

#### 9/11 COMMISSION RECOMMENDATIONS

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under the Speaker's announced policy of January 7, 2003, the gentleman from Indiana (Mr. SOUDER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SOUDER. Madam Speaker, tomorrow starts an historic process as we move through the 9/11 Commission recommendations and other actions by this Congress in committee to try to address many of the terrorist concerns and how we are going to handle those terrorist concerns with new legislation.

We have already taken many actions in this Congress, we have already taken many actions in the executive branch, but tomorrow we start a committee process where we are going to implement many other historic pieces of legislation.

Madam Speaker, I would now yield to my colleague the gentleman from Illinois (Mr. SHIMKUS) who is going to address a number of the aspects that we will be starting in our deliberations this week.

Mr. SHIMKUS. Madam Speaker, I would like to thank my colleague for yielding to me.

I am going to focus on two issues dealing with the telecommunications arena, and these are very, very important, as we have found since September 11, especially in the arena of communicating between all the different levels of the first responders. This is something the Committee on Energy and Commerce has been focused on for the last few years, especially, as I said, since the terrorist attacks.

We have begun debating legislation that will implement many of the recommendations from the 9/11 Commission report. A number of these recommendations focus on public safety communications. The 9/11 Commission noted in its report that the inability of first responders to talk to each other at the World Trade Center, at the attack on the Pentagon, and at the crash site in Pennsylvania were a critical element in impeding rescue work.

A recent report by the GAO said that the Federal Government still does not

know how extensive the lack of effective emergency communication is, mostly because there is no comprehensive policy within the Federal Government that addresses spectrum assignments and plans for interoperable communications technology for public safety.

Homeland Security Secretary Tom Ridge just announced that his department was establishing an office to set national standards for emergency communications so first responders can talk to each other. This office will receive the wide range of public safety interoperability programs and efforts currently spread across Homeland Security. These programs address critical interoperability issues relating to public safety and emergency response, including communications, equipment, training and other areas as needs are identified.

The term "interoperable communications" means the ability of emergency response providers and the relevant Federal, State and local government agencies to communicate with each other. Oftentimes, this is a very difficult task. More and more often, when a public safety officer responds to a call, he or she will arrive at the call site and find out their radio does not work because a private wireless carrier operating in the same spectrum band has a tower close to the call site. The interference is generally a result of the carrier's signal either overpowering or mutating public safety's signal.

The 9/11 report recommends that Congress expedite the increased assignment of radio spectrum for public safety purposes. I believe, as do other Members, that full public safety communications interoperability within the decade should be a national goal. H.R. 10 requires the Secretary of Homeland Security, working with the Secretary of Commerce and the Chairman of the FCC, to establish a program to enhance public safety interoperable communications at all levels of government and to establish a comprehensive national approach to achieve public safety interoperable communications.

There are some 60,000 first responder organizations in the United States, and each one purchases its own equipment. These organizations control more than 40,000 spectrum licenses. Neighboring communities that need to communicate in an emergency often start out with vastly different communication systems and different capacities to fund new equipment, but this is a difficult problem to correct. Many localities are not willing to give up their system so they can have the same one as a neighboring community. They feel the systems they have work best for them in an emergency and feel the cost of switching to a new system is too high. Some first responders worry that a fully integrated system could compromise command-and-control in an emergency by fostering a confusing set of instructions.

States are looking for low-cost solutions that will enable better communication, while avoiding the danger in which the chain of command breaks down in emergencies. We do not want everyone talking to everyone else all the time.

One key is to set a date for the availability of new spectrum. It gives States and cities an incentive to move more quickly on the investments in new equipment needed for interoperability, especially in urban areas where the volume of users can quickly overload the system in an emergency, as it did in New York and the Pentagon on September 11.

There is a lot of uncertainty out there about how Congress and the FCC should acquire this spectrum. Congress passed legislation that included providing some of the needed frequencies. Congress mandated that channels used to broadcast analog television were to be clear, and spectrum at 700 megahertz was to be reallocated for wireless communications, including public safety.

In the Balanced Budget Act of 1997, Congress established 85 percent as the threshold for the percentage of households, by market, that must be able to receive digital signals in order for the FCC to end the licenses for analog over-the-air broadcast and then use those analog licenses for public safety. In this scenario, the 15 percent that lacked digital equipment would, presumably some 16 million homes, quickly lose access to all television programs.

A proposal by the FCC media bureau chief, Kenneth Ferree, known as the Ferree Plan, would include cable and satellite set-top boxes that can accept digital signals and evaluate whether at least 85 percent of a TV market has either digital TV or converters. Such an action would make it possible for the FCC to begin reclaiming spectrum from broadcasters as early as January 2009, but this has been met with some criticism by broadcasters across the country. To date, over 1,400 of the 1,600 plus over-the-air broadcast stations are broadcasting a digital signal.

Another issue I wish to address is the communication problems we are having when people need to call 911 in an emergency, especially on their cell phones. The critical numbers 9-1-1 is our first link to getting lifesaving help or thwarting a terrorist attack. Only a small percentage of the Nation's PSAPs are capable of processing wireless 9/11 calls. Those are public service answering points; most of us know them as the 911 call centers. They are really the government-run answering locations for public safety. An estimated 130 million wireless phones are in use, generating an average of 150,000 calls to 911 each day. Our Nation's communications technology has changed, but our emergency response infrastructure has not been updated. Too many remain needlessly at risk.

The most significant remaining hurdle to ubiquitous E-911 services is

PSAP readiness. However, most of the remaining PSAPs lack the funding necessary to upgrade their systems, and many States, like my home State of Illinois, have aggravated the situation by using the subscriber fees collected on phone bills for E-911 services to help cover budget shortfalls.

To address this growing problem, I joined with my colleague in the House, the gentlewoman from California (Ms. ESHOO), she is a Democrat from California, and two U.S. senators, Senator CONRAD BURNS from Montana and Senator CLINTON from New York, to form the Congressional E-911 Caucus. Together, we have pushed legislation that will enhance coordination of E-911 implementation in each State, discouraging the raiding of E-911 funds, and give local PSAPs additional funding to help them finally achieve enhanced 9/11 capability.

I joined the gentlewoman from California (Ms. ESHOO) in introducing H.R. 2898, the E-911 Implementation Act of 2003. The bill passed the House last November and is currently waiting action in the Senate. I believe the 9/11 Commission report legislation would be the perfect vehicle to attach this legislation. The legislation will do four major things to advance E-911 deployment.

First, it authorizes \$100 million for 5 years to provide PSAPs with matching grants to help them with much-needed upgrades.

Two, it penalizes States for diverting their E-911 funds. Under the legislation, PSAPs will not be eligible for matching grants until their States certify that they have stopped using their E-911 moneys for other purposes.

To make a long story short, what States are doing are taxing our phone bills, and that money is supposed to be going to implement 911 call services and now enhanced 9/11. States are raiding that fund to pay for budget shortfalls. If the States do not clean up their act, they are not going to be eligible for any grants to help them meet the E-911 requirements.

A third thing it does is creates an E-911 office at the National Telecommunication Information Administration that will serve as a clearinghouse for best practices in the deployment of E-911 and administer the grant program.

Number 4, it also directs the FCC to review its E-911 accuracy requirements for rural areas to determine if they adequately address the complexities associated with providing E-911 services.

E-911 stands for enhanced, and what we are trying to do is make sure that when you use your cell phone and you call 911, people know where you are at, that you can identify yourself or they can be identified on a map. There are countless stories of people not doing that. How it translates into the 9/11 Commission report is that what we have also found is the ability to forward calls from cell phones so that if you had a major terrorist attack and if

it was a weaponized anthrax or if it was a radiological, a dirty bomb, and we knew the disbursement area and we knew the wind direction, you could plot that, and then, in essence, use cell phones and call people who are, in essence, downwind and say, go this direction or go that direction and get out of the path of the cloud which is coming your way. That is how this is all tied to the 9/11 Commission report.

□ 2230

And accuracy is very, very important. Accuracy in urban areas is a challenge with high rises. Accuracy in rural areas is a challenge because you have long distances with isolated sectors of the population. So in a rural area you may get away with being accurate up to 100 feet, but in an urban area you may need a more specific and precise location.

What I am highlighting here tonight is a need for Congress and the SEC to act on public safety communication problems. H.R. 10 starts that process moving. There are other fixes like E-911 legislation that could help first responders respond quicker to emergencies and possible terrorist attacks.

These solutions are not easy. Congress and industry are going to have to make difficult decisions, but our goal should be to improve public safety communication systems and ensure that first responders are equipped with the necessary tools to respond to terrorist attacks and other emergency situations.

This is an important time in our country as we are moving forward to address numerous concerns. I really personally applaud the 9/11 Commission report. I think they have done a good job outlining many of the needs that we have to address to make sure that, as the commission so precisely put it, we are as a Nation safer today than we were on September 11; but we are still not safe. So we have to make needed improvements.

I have just talked about the communication aspects and dealing with some of the vague issues of spectrum and then how first line responders can free up spectrum for them to be able to communicate, and also how in using telecommunications we can help the individual citizens as more of our country moves to cell phone communications.

With that, I wish to thank my colleague, the gentleman from Indiana, for yielding to me; and I look forward to following his discussion on this issue.

Mr. SOUDER. Madam Speaker, reclaiming my time, I thank the gentleman from Illinois (Mr. SHIMKUS). There are so many aspects to the 9/11 Commission report and all the many day-to-day activities in fighting terrorism that it is hard to even begin to fathom the number of issues that we have to deal with as we move through the committee process.

Before I continue, I want to make sure that I point out to the gentlewoman from Michigan that I meant no

offense by my Notre Dame tie, just because Notre Dame is the champion of Michigan this year, both Michigan and Michigan State. I actually wore my Notre Dame shirt after they lost to Brigham Young at a State park in Michigan when I thought we were in a dismal year. I am a Notre Dame hot dog regardless of the time.

I hope no offense was taken by this wonderful Fighting Irish tie.

Madam Speaker, I would like to talk about another aspect of the 9/11 Commission, but first I would like to say a little bit about how we got here.

I know there are some Members in this body over the next few days, and they have been saying it in the news media, that think that just because there was a commission that somehow we have now checked our voting cards at the door and we are supposed to adopt this report lock, stock and barrel.

I was one who actually opposed this commission at the start, because I was afraid it was going to be overly political. In fact, there were times in the commission hearings that I felt that. For example, in Dick Clarke's self-serving testimony, it became very critical and was more focused on attacking the President than trying to move forward. I felt that not addressing the values of the PATRIOT Act was something that was kind of a gross omission of something we have actually done that has worked extremely well in this country in helping thwart future terrorist attacks.

Overall, however, it is not only an excellent document, but one of the best written government reports you will ever read. It is actually interesting; it is compelling as it goes through the testimony. The fact remains, however, that it is the opinion of a few individuals.

Now, a number of those individuals served in Congress, not many but at least three; and all of them were from the other party. The Republicans appointed to the commission were largely executive branch people at the State or the Federal level. Each of them had their own biases as they came in and had their own committee backgrounds as they came.

So while they have many excellent recommendations, we have to now work through a committee process by elected representatives, people in the House and Senate, who have many other opinions in addition to this commission. But the one thing this commission absolutely accomplished was it forced us to deal with this yet this fall. And it kept the pressure up such that tomorrow we are actually starting markups in multiple committees to try to move through as many things as we can without moving so hastily that we make major mistakes.

One problem with just rushing to judgment in an area as comprehensive as telecommunications and border security and individual liberties and privacy and travel visas, and all sorts of,

just an incredible number of issues potentially here, relations with individual countries around the world, how we reorganize defense intelligence, narcotics intelligence, border intelligence, domestic and international intelligence, how you put different bureaucracies together when we are still struggling in the Department of Homeland Security, it is unclear how we absolutely merge Defense Intelligence, the CIA, and the FBI. Their cultures are even more pronouncedly different than the cultures that were merged inside DHS, which is taking quite a bit of time. Nevertheless, we need to continue to move ahead.

Let me reiterate one other thing. It is not as though Congress has not been doing anything, not only after 9/11 but before 9/11. On the Committee on Government Reform and Oversight, when I was vice chairman of the subcommittee that now Speaker HASTERT chaired, we went over to Saudi Arabia after Khobar Towers. We heard from the counterintelligence people in many classified as well as public hearings about the increasing attacks on our military and our civilians around the world. Although they had not attacked us, although they had attempted to attack us at the World Trade Center, they had not successfully had a disaster like happened on 9/11. We were already moving to improve and to consolidate, but there was not as much consensus on how to do it.

Then, after 9/11, we went and wiped out terrorist bases in Afghanistan and deprived them of one of the major funding sources and routes to terrorism for al Qaeda through the Taliban. We moved into Iraq, which was not only attempting, if not absolutely having developed, weapons of mass destruction with which to attack us. They not only provided some tangential assistance to al Qaeda and other terrorist networks in "the enemy of my enemy is my friend" theory, but more directly were preparing to be an even bigger threat than al Qaeda itself.

Because we went into Iraq, Mohamar Qadafi decided he did not want to be in a spider hole, and all of a sudden he is fingering Pakistan, that they are providing him with nuclear parts. Then Pakistan moves over and provides some help to us.

As we now look at the potential terrorist nations of Iran and Korea, one of the questions we had when we looked at Iran was, where would you even base Americans. Until we moved into Iraq and Afghanistan and had a change in attitude at least of Pakistan, it was not clear how we would be able to deal with Iran.

So we have to take steps and look at this in a historical perspective of it was not like 9/11 occurred and nothing happened until there was a 9/11 Commission, they do a report, and suddenly there is panic. No, we have been dealing with this steadily and consistently.

My subcommittee, which predominantly deals with narcotics but also

deals with immigration and all sorts of criminal justice things, and particularly on the border, spent 2 years focusing on our borders. We did multiple hearings and in July of 2002 issued this border report, which then we used partly as an information base as the Subcommittee on Infrastructure and Border Security of the Select Committee on Homeland Security was organized, because this was the first comprehensive document where we pulled together information on which border crossings are the major truck crossings, which ones are the major car crossings, where do individuals cross, where do we have multiple people putting pressure on our borders, and what things do we need to do to improve our security clearance systems, what things do we do to move the port security away from the U.S. but do the clearances farther out, whether it be Singapore or over in Europe at Rotterdam, for example. How can we preclear these things before they get to our borders?

It is fine to say we are going to add border patrol agents, but we are having trouble recruiting for the existing slots we have. What do we need to do internally to make sure we have an adequate supply of people who are willing to serve in the Department of Homeland Security, at the border and other things? How do we not lose other missions as we work on the border?

So there were a lot of things we were already progressing on at the legislative side. The executive branch has been working diligently to improve, for example, the border security. Let me give some examples related to border security.

It does not do any good to try to have all sorts of different approaches and have electronic systems that can talk to each other, and everybody wants to strengthen emergency response, and I am on the Subcommittee on Emergency Preparedness and Response of the Select Committee on Homeland Security, but that is all dealing with after disasters happen. The goal is to try to prevent a disaster from occurring. To do that, you have to make sure the terrorists do not get into our country; and when they come in, you have to make sure you have some means to track them.

This means that, A, we have to get our borders more secure, both north and south; B, we have to have information systems at the border that can identify the people and give us the ability to track them. That also means that if you are going to have an ID, and this is one of the things that will be moving through this week, you need to have some kind of thing that makes the identification secure.

If we do not have secure IDs, whether it is the U.S. visit program, whether it is from U.S. citizens, whether it is from noncitizens living in the United States, whether it is from people from Mexico or Canada or other countries that are coming in, we are only as safe as the ID

system they have. We are only as safe as our birth certificate system is.

If you can forge a birth certificate or a Social Security number and then get a legal ID, the whole system is broken. There is no tracking of money. It does not do us any good to have banking laws. It does not do us any good to have wiretap laws. It does not do us any good to be tracking people who have false IDs. So clearly, we have to get better systems of identification and more secure systems.

Secondly, we need to have machines that talk to each other. You cannot have somebody on the north border with one kind of machine over at the Detroit-Windsor crossing, and somebody with another kind of machine down there at the El Paso-Juarez crossing and find they cannot talk to each other; and if people cross different points, the machines cannot read the same information going into the same information bank.

If somebody gets on at an airport in Europe to come in and we want to pre-check them, and somebody is coming in at the Los Angeles airport and our systems cannot cross-check or read each other, what is the point of doing all this? So we have to have better integration. These will be expensive systems, and so we will have to make decisions on which ones will work, and we are testing.

This does not happen real fast. You do not walk into Wal-Mart and say, by the way, we would like 2,000 of these systems tomorrow. They are not there. We have to make some basic decisions, then you have to produce on those decisions, and that is the process we are working through.

We have a multitude of other things. I have two small companies in Angola, Indiana, that are part of the two largest companies that make the container seals. We talk about port security. One of the vulnerabilities we have to nuclear weapons, chemical, and biological weapons is port security.

When something comes into the Los Angeles area or into the New York area, the question is do we know for sure whether there are nuclear, chemical or biological weapons in that container before it blows up the city? The answer is, well, we are preclearing and we are checking the IDs and so on. But if the container seal can be broken, so what if the bill of lading matches? All they do is pull the little sealant loose, put something in, and replace it at whatever point we have precleared.

One of the problems we have, for example, is no international standards on these container seals. Well, why? Partly, bluntly put, China has taken intellectual property rights and are mass producing these seals and they do not want to have anybody check for international standards because what they are making is illegal because they stole somebody's license. So that means that most of the container seals being used right now, are actually pirated and there is no security or way to

check to see if those container seals can be modified or changed, or whether the number of seals is out there or whether they have rigged the market where some are on the black market and somebody could change the container seals.

So we can do all this other stuff, but if the container is not sealed and does not have protection, it does not do any good. That is why we talk about layered security. You have preclearance. You even need eventually to move downstream from preclearance, because the things coming in from Singapore are coming in from China and India and other places. You then need to be able to check them on the ship. You need to know that the sealant is there. You need to check the people who are moving these things at the harbor where it is loaded, on the ship as it is moving through, in the harbor as it is unloaded, and on the train.

For example, some stuff comes from China to Singapore to Vancouver, British Columbia, crosses at North Dakota on a train, the seventh biggest crossing is in North Dakota, headed down to Chicago and the Midwest. If it gets precleared in Singapore, think how many places that container could be modified if we do not have checks and have a secured container. So there are lots of different small aspects of this.

Now, let me mention a couple of other things that are difficult. There is a lot of criticism about merging all the different agencies. I do not sit on the Subcommittee on Defense of the Committee on Appropriations, but I want to suggest that there are things that are unique in the different branches of government that make this harder than the simplistic let us consolidate everything.

□ 2245

There are some missions that are more military, some missions that are more antiterrorist. Let me give an example of a couple of other things, and this has been a very bitter controversy in the Committee on Homeland Security as we fight over jurisdiction, and there are reasons we are having fights for jurisdiction. For example, the Coast Guard. The Coast Guard is one of the major ways that we fight narcotics.

If you are from Alaska, the Coast Guard provides some narcotics protection and pipeline protection and harbor protection, but the number one thing is fisheries. If the Coast Guard is not guarding the international waters, the Russian trawlers, among other countries, would take the salmon that do a circular route and they would net those salmon and destroy the salmon industry in the United States. So to Alaska, it is a lot of fisheries.

On the Great Lakes when we think of the Coast Guard, we think to some degree homeland security, to some degree narcotics; but you think search and rescue. The same thing off Florida. It is fine to say I think that those boats ought to be focused on homeland secu-

rity, but do not let the overturned sailboat people drown. Do not let the narcotics come in. There are multiple missions to the Coast Guard.

We hear all politics are local. No one wants to die. Obviously, if we have a nuclear bomb and we are all destroyed, jobs do not matter much. But ultimately, jobs are the number one local issue. So let us talk about the legacy customs department inside homeland security. Their number one priority is homeland security, but if they allow goods in, I remember one case when I was a staffer, there was a dumping case in Seattle where they were going to dump enough lawn mower motors below the cost of production. It would have put a major company in Indiana out of business. It would have taken 2 years of market.

The goal was to say you cannot illegally dump. If the Customs people had not stopped the ship from unloading, then the unemployment rate in that area would have soared and people would have said to the then-Congressman, it is jobs. How could you let this company go?

Partly in fighting on international customs questions, as well as narcotics questions, the Department of Homeland Security has duties beyond just homeland security. We cannot just by a broad statement of saying oh well, let us just do homeland security, forget there are many reasons that these agencies exist beyond just homeland security. For example, we do not want the FBI just to do homeland security and forget about racketeering, which may or may not be related to al Qaeda, but may in fact result in lots of different deaths in the United States or driving people out of business or terrorizing people. There are other functions for these agencies. This is not going to be worked out in 30 days, but a lot of it is.

What we are seeing is progress in trying to work out a national intelligence director, progress on some new international initiatives, progress on cutting off financial support to terrorists, and isolating different terrorists. There will be bills passed this week in parts of this package regarding border security, international cooperation, government restructuring, and first responders. Much of what is in this report will be moving. The parts that are not moving are things that we have internally through the elected process in the United States said do not make a mistake that is more costly even than the current system.

One other brief point, and then I want to conclude with some remarks on drugs and terrorism.

The weekend before last, I went with the gentleman from Florida (Mr. WELDON) and the gentleman from Arizona (Mr. FRANKS) to Russia. We went to the city of Beslan; and it was the most awful single experience that I have seen. In that school, 32 terrorists attacked a school on the second day of school. They came up on the school

yard and drove approximately 1,500 teachers, students, and parents into the school building. Apparently they had planted bombs earlier to go off in different parts of the school if they needed to. Initially, they pushed the kids in.

Immediately, the 22 people they felt most likely to resist, young men and male teachers, were killed and thrown out of a second story window. We were the first Americans. The gentleman from Colorado (Mr. TANCREDO) went a couple days later, and he visited the people in the hospitals and said it was the most emotional experience he had been through because of the brutality of terrorists who seized children and shot them. Many parents were killed and the teachers were killed, and many of the kids were wounded with head wounds and different things as the parents tried to cover them up, and they could not get them covered. They deprived them of water and food for 3 days. At the site in this picture are all of the bottles of water, thousands of bottles of water, because those kids were deprived of water and if they complained, they shot them.

In this burned-out gym, the kids were crying. One man lost his wife and five children. The emotionalism, we felt it was important for us to stand with them. I have been to new graves, but never to a whole new graveyard, 300 some graves, mostly children spread over a big field. We felt it was important to say as Americans, and all of us broke down because it was so emotional.

This man, Speaker of the House, he had a 7-year-old son and a 10-year-old daughter inside. They put one of his children on the telephone. The boy said, "Daddy, if you storm this, they are going to kill me and my sister."

They stalled for a number of days. A bomb went off. A number of people got killed. They put his little boy on the telephone. Meanwhile kids, many were dead, some started to run out of the building. The terrorists started gunning down the children as they left. The parents outside decided to storm as well as the police outside, and they went in.

It was important for us as Americans to stand there and say, look, terrorism is evil wherever it occurs in the world, and we are in this fight together. This might have started as a local battle in Chechnya, but the proclaimed leader went to Afghanistan and he was trained by al Qaeda, and he came back a different man. Instead of fighting for freedom in Chechnya, he decide to murder children and parents and teachers and parent-volunteers in the second day of school, and to kill as many as 500, 600 kids.

Do you think Russia after having two planes go down and this school bombed, after hitting a theater, after hitting a subway, they do not understand the battle we are in right now? One of the things that the gentleman from Pennsylvania (Mr. WELDON) was talking to

them about was having a homeland security conference over there and over here as we all look for new technologies to fight this battle because these crazed people who think they can do these suicide attacks on anybody at any time are a different breed. We have to take strong actions.

I want to make sure I make these points tonight that are the connections between narcotics and terrorism. I chair the narcotics committee and have for the last 4 years. And as the 9/11 Commission has pointed out and President Bush has pointed out, there are huge profits through drug trafficking that will continue to finance terrorism throughout the world. As President Bush pointed out in September 2001, "The traffic in drugs finances the work of terror, sustaining terrorists. Terrorists use drug profits to fund their cells to commit acts of murder."

Furthermore, as the U.S. steps up its efforts against more legitimate sources of funding, terrorist organizations will increasingly turn to drugs and similar illegal sources. As the 9/11 Commission has noted, the Federal Government, including DHS, must be able to adapt to these shifting strategies of the terrorists. "Instead of facing a few very dangerous adversaries, the United States confronts a number of less visible challenges that surpass the boundaries of traditional nation-states and call for quick, quick imaginative, and agile responses." That is page 399.

Recognizing the central importance of stopping terrorist financing, the 9/11 Commission reported: "Vigorous efforts to track terrorist financing must remain front and center in U.S. counterterrorism efforts. The government has recognized that information about terrorist money helps us to understand their networks, search them out, and disrupt their operations." Page 382.

The connections between drugs and terrorism are well-documented.

In Afghanistan, our subcommittee was told February 26, 2004, the State Department provided declassified information, which is just the tip of the iceberg, showing in Afghanistan two terrorist insurgent groups are financed by drug money and most likely are provided with logistical support by drug traffickers. Two other groups, al Qaeda and the IMU, probably receive at least logistical support from drug traffickers, and some reports suggest that they receive funds from drug trafficking as well.

Drugs and al Qaeda, in November 2002, Attorney General Ashcroft announced the arrest of three al Qaeda operatives who offered 600 kilograms of heroin and five metric tons of hashish in exchange for four Stinger shoulder anti-aircraft missiles.

With respect to terrorist groups in Colombia, the State Department has noted that the main terrorist organizations are heavily dependent on the funds derived from drug trafficking.

Worldwide, testimony before our subcommittee on May 11, 2004, Donald Semesky, DEA Chief of Financial Operations, stated that drug income is among the sources of revenue for some international terrorist groups, and the Department of Justice has highlighted links between groups and individuals under investigation for drug violations and terrorist organizations. In fact, 47 percent of the 36 foreign terrorist organizations identified and updated by the Department of State in October 2003 are on record with DEA as having possible ties to the drug trade.

Strong DHS action against drug trafficking is vital to overall efforts to stop the financing of terrorist activities. It was for this reason that Congress specifically provided that the primary mission of the Department included the responsibility to "monitor connections between illegal drug trafficking and terrorism, coordinate efforts to sever such connections, and otherwise contribute to efforts to interdict illegal drug trafficking."

For example, the Coast Guard, part of DHS, has seized a record 240,518 pounds of cocaine in fiscal year 2004, shattering the previous record of 138,393 pounds set in 2001. That is nearly double. That is \$7.7 billion that will not go into the hands of the narcoterrorists.

Just this month, Federal agencies joined together to make a record seizure of an estimated 27 tons of cocaine on board three fishing vessels in the vicinity of the Galapagos Islands.

These record-breaking seizures, coupled with the record-breaking year, are an excellent example of what can be accomplished if DHS continues to improve intelligence-sharing and inter-agency cooperation.

As chairman of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, I would like to highlight two provisions of the bill that we are doing this week that address the importance of stopping drug trafficking to homeland security.

The first strengthens and clarifies the role of the counternarcotics officer at the Department of Homeland Security. The second requires that drug enforcement activities be one of the benchmarks for relevant employee performance appraisals at DHS.

I proposed both of these reforms which will improve the Department's anti-drug efforts.

The two provisions promote two key objectives, to deprive terrorists of their means of financing their operations: first, strengthening the effectiveness of the Department's narcotics interdiction efforts; and, second, improving coordination and cooperation among the Department's subdivisions and between the Department and other agencies with counterterrorism missions. As the 9/11 Commission reported: "We recommend significant changes in the organization of the government. Good people can overcome bad structures. They should not have to."

The Counternarcotics Office at DHS, this proviso was added. This office was not in the original draft of the President's bill. Thanks to the gentleman from Illinois (Mr. HASTERT), we were able to put this in the original reorganization of the Department of Homeland Security. This provision will modify that. The first provision, section 5025 of the Speaker's bill, and that could be changed, but that is where it is right now, would add a new section 878 to the Homeland Security Act of 2002, which created the new Department.

□ 2300

The new section replaces the current position of counternarcotics officer that was contained in the original 2002 act with an Office of Counternarcotics Enforcement headed by a director. At present, the counternarcotics officer, which we worked hard to get in, is nevertheless not actually an employee of DHS. Instead, he is a detailee employed by the Office of National Drug Control Policy, ONDCP. Furthermore, he has no authority to hire staff to assist him. The current law also fails to clearly define how the counternarcotics officer is to carry out his responsibilities. The new section 878 would rectify this problem by replacing the CNO with a director of counternarcotics enforcement, subject to Senate confirmation and reporting directly to the Secretary; assigning specific responsibilities to the new director, including oversight of DHS counterdrug activities and the submission of reports to Congress; and authorizing permanent staff assigned to an Office of Counternarcotics Enforcement as well as detailees from relevant agencies to assist the director.

In other words, we need a department with teeth. Quite frankly, there is no antidrug effort if we don't have legacy Customs, legacy Coast Guard, legacy Border Patrol fighting narcotics. We have no protection. Thirty thousand people died last year from narcotics, none from international terrorism, inside the United States. We have to remember, don't throw out the baby with the bath water and when we are doing reorganization, let us stay focused on multiple missions.

Secondly, the use of counternarcotics performance for certain DHS personnel evaluations. The second provision, section 5026 of the Speaker's bill, would add a new section 843 to the 2002 act, ensuring that employees involved in counternarcotics activities will be evaluated in part on the basis of such activities. It is vital that DHS encourage its law enforcement personnel to continue their efforts to stop illegal drug trafficking. Unfortunately, it is unclear whether drug enforcement is being given sufficient consideration by the department in developing its employee performance management system. A word search of the department's proposed new personnel rules, including those for performance management, 69 Federal Registry 8030-01, Feb-

ruary 20, 2004 shows that the words "narcotics" and "drugs" do not appear at all. This, in the number one agency that is supposed to protect us.

New section 843 would require DHS to include as one of its criteria in a performance appraisal system for relevant employees performance of counternarcotics duties. In order to encourage such personnel to cooperate and coordinate efforts with other agencies, the new section also requires that this be a factor for consideration in performance appraisals as well.

I was hoping that we could address two things that are critical to our border efforts. One is, we have made some movement on and we are continuing to negotiate with the executive branch on what to do with the air marine division of the legacy Customs. The second is with the shadow wolves. If we cannot get control of the border at the Tohono O'odham or up on the north border in upstate New York where we have Indian nations on those borders and we cannot use creative things like the shadow wolves to do it, we have no protection on the border.

We held a hearing at Sells, Arizona, inside the Tohono O'odham nation. I asked one question of the Border Patrol. I said, when you see the cars go by here, are any of these people here for legitimate purposes? They said, no, we could stop any car and arrest anybody because all of them are pretty much here unless they are a member of the Tohono O'odham nation. What does that mean? It means that at the national park on the border there, we have had a ranger killed, they have closed down some of the best hiking trails in the United States. The day we held our hearing, the previous year they had, I think, 250 or 500 pounds of drug seizure the first 3 months of the year because other parts of the border were sealed off. They had something like 1,000 pounds. And the day of our hearing, when we had all these government officials there, they picked up a load of 300 pounds, 500 pounds, a load of 400 pounds, then got another load of 500 pounds. They took down more in one day while the Federal agents happened to be there for our hearing than they had in the previous 3 months, which was more by double the previous year.

It is an open border in parts of Arizona and Texas right now. And particularly where you have a nation that borders that and you have a functional group, you cannot be so rigid in DHS parliamentary guidelines that you cannot have some flexibility to keep inside these independent nations a group that was working and one of the only things that was working in that area. We need a similar thing up at the Indian nation on the north border in New York.

We are making lots of steps this week. There are many things that I and many other Members of this body would like to have in this bill, but it is an important step, and in fact we are moving with major legislation in multiple committees that will make our

country even safer. We have made steady progress prior to 9/11, we have made dramatic progress since 9/11, and this week we are going to make even more dramatic progress working with this administration to make our country safer from terrorists.

Mr. FOSSELLA. Madam Speaker, I believe the ability for public safety officers to communicate to each other is one of the core principles in protecting this nation. Whether it is police officers and firefighters working together to save a child from a burning building or the FBI and local officials stopping terrorists before boarding a plane, the ability for local, State, and Federal public safety officers to communicate should be, and I believe is, one of the goals this Congress and administration diligently works to achieve.

Just Monday, Homeland Security Secretary Ridge announced the launching of an Office of Interoperability and Compatibility. This office will oversee the wide range of public safety interoperability programs and efforts currently spread across Homeland Security. These programs address critical interoperability issues relating to public safety and emergency response, including communications, equipment, training, and other areas as needs are identified.

I want to commend the Secretary for his leadership on this issue and would like to add that it is now Congress's duty to ensure this office has the resources and flexibility it will need to achieve its goals. Just as importantly as it is to ensure that State firefighters can, and do communicate with State police officers, it is equally important that Congress, through its committees, remains committed to working with Federal agencies in making sure that they not just set goals, but that they accomplish them.

As was discovered in a hearing before the Energy and Commerce subcommittee on Telecommunications and the Internet earlier this month, achieving true interoperability will be one of the more difficult tasks First Responders will encounter in coming years. Despite a clear desire to achieve interoperability, there remain a number of traps that have continued to slow down progress.

One of those traps has been the interference public safety officers receive from some wireless carriers. More and more often, when a public safety officer responds to a call, he or she will arrive at the call site and find out their radio doesn't work because a private wireless carrier operating in the same spectrum band has a tower close to the call site. The interference is generally a result of the carrier's signal either overpowering or muting public safety's signal.

For more than 3 years, the Federal Communications Commission studied the issue. It was clear that separating public safety spectrum from the interfering private wireless carrier's spectrum was the only solution. During this time, a number of my colleagues and I contacted the FCC to make it clear that whatever solution the FCC was to choose, it must cover all of the costs incurred by public safety. In July of this year, the FCC issued a ruling to address the problem. Since July, details of the proposal have been released and the FCC has continued communication with the interfering company. While it is good to see that the FCC is making progress on their proposal, I continue to believe that the only solution will



ensure that public safety no longer receive interference, and that all of their relocation costs are covered in full with no possibility for a funding shortfall.

The second trap that I previously spoke of involves public safety's need for additional spectrum. While Congress and the FCC could spend their time finding and allocating public safety new spectrum, I believe it would be more prudent to eliminate the digital divide and give public safety the 24 MHz of spectrum they've been allocated in the Balanced Budget Act of 1997. The Balanced Budget Act allocates an additional 24MHz of spectrum to public safety when broadcasters operating on their current analog spectrum transition to digital spectrum.

While many broadcasters have prepared for the transition, others have chosen to bet against congressional action and become spectrum squatters, holding hostage the very spectrum that public safety needs to protect this country. It is time for the broadcasters to vacate their analog spectrum, and I believe that under the leadership of Chairman BARTON and my colleagues at the Energy and Commerce Committee, we will be able to offer members the opportunity to vote on legislation that will eliminate the digital divide and get public safety the spectrum that they need to make our communities a safer place to live.

In closing I would like to recognize the public safety officials in our country for that work tirelessly to ensure that our families are safe and able to enjoy the freedoms that this country provides. While our troops abroad are working to ensure we don't see terrorism and war in our streets, it's our public safety officers that prevent and respond to events at home.

Mr. SOUDER. Madam Speaker, I yield back the balance of my time.

#### GENERAL LEAVE

Mr. SOUDER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my special order today.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. McCOTTER) is recognized until midnight.

Mr. McCOTTER. Madam Speaker, I would like today to give not a novel, certainly not a unique overview of what I think some of the things we need to do to help win the battle of Iraq constitute. Again many of these things are being done, but I just want to try to put it forward as a comprehensive exposition of what we need to do to win. I think that there are three key areas involved in this struggle along all fronts upon which we have to continue to press: democracy, the economy and, of course, the military.

In terms of diplomacy, I believe everyone understands that the key now is

the holding of free elections on time in Iraq. The U.N. has agreed with this, and while their support is welcome, it remains tenuous. We should encourage all member states of the U.N. to rise to the challenge of democracy in Iraq and provide the necessary personnel to defend the monitors and help these elections go forward. For as we know, what is going to happen is that the terrorist counterattack on democracy in Iraq will escalate. They will do everything they can to derail these elections. Yet that violence and terror in and of itself should not be enough to deter us and certainly should not deter the Iraqi people.

And as for the naysayers who claim that absent a perfect election in Iraq, it cannot be deemed a representative success, I would just like to ask those detractors to ask themselves why we demand more from the Iraqi people in a civil war than we demanded from ourselves in our own American civil war; because all one needs to do is to look at the map of 1864 to see that the States in rebellion did not participate in Abraham Lincoln's reelection. Yet I highly doubt that anyone today can say that it was not a representative election nor an election that was worthy of the American people.

In terms of the economy, one of the things that we face in Iraq clearly is the passive-aggressive resistance of the Iraqi people. After years of oppression, after years of being terrorized and after seeing so many international promises fall away, it is very difficult for them to stand up and fight on their own without the assurance that the United States and our coalition partners will be behind them. But it is also important to remember that while we provide them the possibility of a transformational change from tyranny to democracy, we must always remember that in any representative political system there is also a transactional element; for it is one thing to profess ideals to an oppressed people who have been newly liberated, it is another thing to provide concrete, tangible benefits to the populace to show them the investment in their future.

I think that one of the things that we have to do in Iraq is build on the town council model. We have to take a bottom-up approach, a grassroots approach to reconstruction in Iraq. We have to have and invest full decision-making authority into town councils, tribal leaders, religious leaders, and other community organizations that have been set up, let them determine what infrastructure projects in their area must be worked upon, let them figure out the processes by which they will come to these determinations and let them have control of the money to implement these decisions. These are very formative, basic steps along the road to a transition to democracy and to building lasting institutions upon which the Iraqi people can build.

I also think that in conjunction with the grassroots approach to the local

control of the decision-making and the implementation of those decisions is that we should adopt an Iraqi oil fund similar to the one that we have in the State of Alaska. The Iraqi oil fund would take portions of the proceeds from the sale of Iraq's oil, place it in a fund and distribute it per capita to the people of Iraq.

The benefits of such a model, which we have seen in Alaska, will be also readily apparent in Iraq. It will provide a direct economic benefit to the people of Iraq, showing them the stake in their future. It will provide an immediate jump-start to the Iraqi economy and get them up to the average per capita spending that is expected to start any semblance of a stable economy. I think we should also use it as spur to register adults to vote in the upcoming elections, for if one is not a registered voter, one cannot receive the benefits of the Iraqi oil fund.

I think that this will also prove to help uproot terrorists because no terrorist will be eligible to receive the per capita annual appropriation from the Iraqi oil fund. This will also, in turn, I believe help the Iraqi people further their efforts to defend their oil infrastructure and further their efforts to uproot the terrorists who would disturb it because the money would be being taken out of their mouths. It would be taken out of their children's mouths. In short, it would be an intolerable situation for them to allow to continue.

□ 2310

I think that we would also see a quelling of some of the sectionalism. I think we would begin to see that oil, rather than a divisive force amongst the regions of Iraq, could then be used as a means of unifying them and perhaps give them a greater semblance of an Iraqi national identity.

As we have seen throughout the history of Iraq, oil has often been used as the dictator's tool for fueling his oppression of his people. If this oil fund is written into the Iraqi constitution, not only will it hasten the adoption of an Iraqi constitution, it will safeguard against one individual being able to rise up and usurp control of the oil funds because truly the oil will belong to the people, and I believe the people will jealously guard this right under their new constitution.

I think it will also do one other thing: It will make the people less susceptible to any attempts by the terrorists or any future dictator to prey upon their impoverishment by offering them blandishments or other remunerative items in return for their loyalty to a new regime or to a new movement.

I think from the United States' point of view it will do something very important: It will belie the perception amongst much of the Middle Eastern population and amongst some of Western Europe and amongst some of our own population that the United States is there to take the oil, for we are not. The oil belongs to the Iraqi people.