

bought up all of the radio stations—all 6 of them. All six commercial stations were bought by one company from Texas. Does that make sense? It does not to me. The FCC said it was just fine. So what happens with respect to news-gathering in that town? Well, you end up with fewer newspeople because when one company owns all the stations, they just consolidate it all.

There is a real dispute about the story I'm about to tell you and I do not know that anybody has ever gotten to the bottom of it. I have seen so many different stories. Late at night—at 2 in the morning—a train came through Minot, ND, and with anhydrous ammonia cars, derailed, went off the tracks, split some anhydrous ammonia cars, and this deadly plume enveloped the city at 2 a.m. It caused a death, and caused many injuries. Many went to the hospital. It caused great fright among the population, not knowing what was happening. We discovered later it was a great danger to the population. Well, the emergency broadcast function somehow did not work. But notwithstanding the fact the system did not work, the townspeople could not get anybody to answer the telephone at the local radio station. All the commercial stations were owned by the same company from another State. One wonders, what if those stations were owned by individual operators who lived in town? Do you think they would be able to track somebody down? I think so.

Now, the Chairman of the Federal Communications Commission is galloping off to relax media ownership rules because he thinks that is really what is necessary. I met with him today, and I said: What is really necessary—he knows this because Senator LOTT and I have both told him—is to do first things first; one, do a proceeding on localism to find out: How has all of this concentration affected localism? That is, we provide free licenses to use the airwaves for television and radio, in exchange for which they are responsible to serve local interests.

So do we know what they are doing? No. The Chairman of the Federal Communications Commission has admitted to me they do not know how many stations are using a service called voice-tracking. I will give you an example of voice tracking:

You are driving down the road on a bright Tuesday morning in Salt Lake City, UT, and you have the radio on and after the song ends, the disc jockey comes on and says, "It is a great morning here in Salt Lake City. We have the Sun coming up over the mountains. We have a blue sky. We have a light 5-mile-an-hour wind. We are going to have a wonderful day, aren't we?"

It turns out the guy is broadcasting from a basement studio in Baltimore, MD, pretending he is in Salt Lake City, simply ripping information from the Internet to say: It is a bright, sunny day here in Salt Lake City. That is called voice tracking. Does that serve

local interests? It sure does not. So how many stations do this? How prevalent is that practice? Don't know. Neither does the FCC.

How about starting a proceeding on localism to find out whether those who are using the public airwaves, free of charge—airwaves that belong to the American public, not the licensees—how about finding out how they are serving local interests? Or how about a proceeding dealing with public interest standards because there are public interest requirements for the holding of a license for television and radio broadcasting?

How about first things first? Why the rush to provide more concentration allowing cross-ownership of television stations with newspapers? The Chairman would say: Well, I am not trying to do more concentration in radio and television; I am trying to allow newspapers now to begin buying television stations. Why? Well, he said the newspapers are not doing very well. I said: When did it become the job of the Federal Communications Commission to be the bookkeeper for newspapers? My understanding about newspapers is they used to have a higher profit margin. Now it has dropped to 16 to 18 percent profit margins—pretty good profit compared to all other industries. All of a sudden, the FCC thinks the newspapers are having financial trouble and so they should relax the rules to allow cross-ownership? I just think it is wrong.

Senator LOTT and I offered the Media Ownership Act of 2007 today in the Commerce Committee. That bill was agreed to unanimously.

My hope is that the Chairman of the Federal Communications Commission is watching and listening because this Congress, on a bipartisan basis, says no to further relaxing the controls on cross-ownership. And this Congress, on a bipartisan basis, I feel, strongly believes we have too much concentration in the media. The Chairman of the Federal Communications Commission believes, apparently, we need more. He is just dead wrong.

My hope is that in the coming couple of weeks he will understand that it would not be the best course for the Federal Communications Commission. It would be wise for the Chairman to decide not to advance to a December 18 final vote on the rule he is proposing. It is not in the public interest. It is not doing what the FCC should do. My hope is he will instead open a public-interest proceeding and open a localism proceeding and finish them to their conclusion and do a good job on them. That would be a public service for this country.

Mr. President, I yield the floor and make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL INTELLIGENCE ESTIMATE

Mr. DORGAN. Mr. President, this morning I had an opportunity, which I rarely have, to watch the entire press conference of President Bush at the White House. The press conference dealt largely with the subject of the National Intelligence Estimate that came out yesterday about the issue of a nuclear weapons program in Iran. The NIE that came out indicated that—to the surprise of certainly myself and many others—the country of Iran abandoned its nuclear weapons program 4 years ago, in 2003. I was surprised, and many others were, because we have heard from this administration repeatedly about the threat posed by Iran's nuclear weapons program including some weeks ago when President Bush raised the specter of a "World War III."

Now we learn the nuclear weapons program they indicated Iran was involved in was discontinued 4 years ago. That comes from our National Intelligence Estimate, which is a cumulative assessment of all our intelligence agencies.

It raises, I think, some very important and troubling questions. The questions are not new questions, actually. It is: What did this administration know? What did they understand? What did they find out and when? The American people, and certainly this Congress, has been treated to a very generous conversation by the President and his administration about the specter of the nuclear weapons program in Iran and how it must be stopped. I don't disagree at all with the contention that the behavior of Ahmadinejad and of some of the terrorist elements in Iran and others is far outside the norm and is troublesome to this country. But that is not what I am talking about.

I am talking about the question of a nuclear weapons program and the relentless language by this administration about the nuclear weapons program that was being pursued by the country of Iran.

The intelligence community now says that is not the case and has not been the case since 2003. I wonder if the administration knew, if Mr. Hadley knew—I heard his briefing—did the President know about this new assessment when 5 or 6 weeks ago he was giving another of his speeches and raising the specter of World War III in connection with a presumed or alleged nuclear weapons program by the country of Iran. The American people certainly didn't know what the National Intelligence Estimate had disclosed to us. We are told the Intelligence Community came to this conclusion sometime

around this summer. Mr. Hadley originally said the intelligence folks alerted the White House and indicated that the President should back off a bit. He certainly did not back off.

The reason I raise these issues is because I remember back about 5 years ago going to a room in which top-secret briefings were offered to Members of Congress as a leadup to the war in Iraq. I remember directly the Vice President, the National Security Chief, now the Secretary of State, Condoleezza Rice, I remember the discussion by the head of the CIA, I remember the top-secret material that was told us, which turns out not to have been accurate as a leadup to the Iraq war.

I remember when Secretary Powell, then-Secretary of State, went to the United Nations and made the case describing things we had previously been told about in many cases in top-secret briefings.

For example Powell talked about the danger of the mobile biological weapons labs that supposedly existed in the country of Iraq.

It turns out the mobile biological weapons labs did not exist. It turns out the mobile biological weapons laboratory story was from a fabricator from the country of Iraq, a former taxicab driver in Baghdad, as a matter of fact, someone who was telling this to the German intelligence community. And someone in the German intelligence community wondered whether this person was credible and expressed doubts about the person's credibility to the American intelligence service. They nicknamed this man "Curve Ball."

So from a single source, a man named Curve Ball who, among other things, used to drive a taxicab in Baghdad, the world is treated by Secretary Powell to a presentation at the United Nations saying Iraq has mobile biological weapons laboratories which are a danger to all of us. It turns out not to have been true, a fabrication based on a single source without credibility.

None of us were told that at the time, of course. The world wasn't told that. We were just told that Iraq had mobile biological weapons laboratories. We were told Iraq was buying aluminum tubes for the purpose of reconstituting their nuclear capability. The world was told that by Secretary Powell. It turns out that was false as well. And it also turns out that even as we were told that information, the administration knew there were others inside the administration who did not believe it, and yet that information was imparted to us as a set of facts that represented the danger coming from the country of Iraq.

We were told that Iraq was attempting to purchase yellowcake from Niger for the purpose of reconstituting a nuclear capability. We discovered only later that the documents on that were fraudulent. We discovered they were forgeries. Again, the information given the Congress was inaccurate.

Yellowcake from Niger, aluminum tubes, mobile biological weapons laboratories—not accurate, not true. It was presented to the Congress as fact, presented to the American people as fact prior to the Iraq war.

There has been a great deal of discussion and also concern in the country, in this Chamber, about whether this administration is preparing to do something with respect to the country of Iran, and that has been heightened by the language President Bush used recently, including language that said "World War III" in the context of the danger of a nuclear weapons program in the country of Iran. That statement was about 5 or 6 weeks ago.

We now know that the National Intelligence Estimate, representing all of the intelligence agencies in this country, has indicated that the nuclear weapons program of Iran that has been discussed so much by the administration was discontinued in 2003.

I think there are serious credibility questions. The President held a press conference today that seemed to suggest that, well, there is no real issue here. There is a very big issue, I say to the President, a very big issue. This country needs to take action internationally to develop strategies based on what we know to be the truth, not what someone alleges to be true. This country needs to have good information, information that is not fabricated by a man named Curve Ball who used to drive a taxicab. This country deserves better than that.

In my judgment, this country has been failed in many ways, some by the intelligence community, some by the administration, perhaps some by Congress. But we certainly deserve straight answers. We deserve the best intelligence that is available.

Look, the fact is we face a challenging and difficult world. One part of that world is the country of Iran. I do not by being here tonight suggest that Iran's behavior is not troublesome, or that they are not a danger in their neighborhood. They are. But I have always believed that the constructive approach to dealing with Iran and, yes, other circumstances around the world is through diplomacy and negotiation and aggressive diplomacy at that. This administration does not believe that is the right course. But I do believe that facing the world that we face, a very challenging world, a war against terrorism, this country will be protected by good intelligence, by an intelligence community that works.

I appreciate the fact that yesterday we were told finally that the Iranians are not at the moment engaging in a nuclear weapons program. They discontinued that in 2003. They say they have high reliability with respect to that conclusion. I appreciate the fact that we are getting that conclusion at this point. And if that is a valid conclusion, if that is the result of good intelligence—and I certainly hope our intelligence service has improved because

they got it wrong about 5 years ago. We need to be well served by the best intelligence service we can be capable of producing.

I know today there are men and women risking their lives as members of our intelligence community. My thoughts are with them. I want the best they can give us. And if yesterday's National Intelligence Estimate gives us opportunities to better understand what is happening in that region, then that advances our knowledge.

I will say this: I think this Congress and this administration need to have some straight talk about credibility because there are serious credibility issues with respect to this issue that at this point have not been answered at all, certainly were not answered in the President's news conference today.

The safety of this country hinges on our ability to have good intelligence. This war on terrorism is not a bunch of words, it is real, and there are too many victims out there in this country today who understand that reality. The way to protect our country in the future is to have a good understanding of what is going on in the world, have good intelligence, have good information, and take steps to protect ourselves. But it does not serve this country's interest by ratcheting up the rhetoric and talking about World War III with respect to a country that the administration has alleged up to now has had a nuclear weapons program, only to find out that nuclear weapons program was discontinued 4 years ago.

This Congress and this administration needs to have an aggressive conversation about credibility. We actually represent the same country. I am sure we want the same result. We want to protect this country. We want a foreign policy that deals with reality and a foreign policy that deals with truths that exist out there in a very challenging world.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

SERGEANT KENNETH R. BOOKER

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave soldier from Vevay, IN. SGT Kenneth Raymond Booker, 25 years old, died November 14th in Mukhisa, Iraq. Sergeant Booker died of injuries he sustained when an improvised explosive device detonated near his vehicle. With an optimistic future before him, Kenneth risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.