

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2250.

□ 1838

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, with Mr. DUFFY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, October 11, 2011, amendment No. 3 printed in the CONGRESSIONAL RECORD by the gentleman from Texas (Mr. JACKSON LEE) had been disposed of.

#### AMENDMENT NO. 22 OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 18, strike “and” after the semicolon.

Page 7, line 19, strike “impacts.” and insert “impacts; and”.

Page 7, after line 19, insert the following subparagraph:

(F) potential reductions in the number of illness-related absences from work due to respiratory or other illnesses.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Thank you, Mr. Chairman.

My amendment is a very simple amendment. It should get unanimous support here. It simply requires the Environmental Protection Agency administrator to consider increases in illness-related absences from work when establishing a compliance date for the boiler rule.

Last week, I offered similar language as an amendment to the Cement Sector Regulatory Relief Act, which, unfortunately, didn't pass. I don't think it was clearly understood by both sides of the aisle. However, I believe my amendment is more applicable to this legislation since boilers and incinerators pose an even greater health threat to the American people. In fact, EPA's analysis demonstrates that for every year this rule will be in effect, it would prevent up to 320,000 missed work- or schooldays.

During the debate on my amendment last week, the majority conceded, which I appreciated, that the amendment would do no harm because the majority thought that the language was already in the bill and that it would be duplicative and unnecessary.

□ 1840

The reality is that there's nothing in the underlying legislation that re-

quires the administrator to consider illness-related absences from work when setting a compliance date. Now, indeed, it should have been in there—and I can understand why the other side thought it would be in there because it should have been in there—but it wasn't in there, and that's why I offered this amendment. But this factor is critical, and any establishment of a compliance date that does not consider the health of the American workforce is fundamentally flawed and inadequate.

As the majority correctly stated last week, the EPA already knows how many work days will be missed as a result of delaying the boiler rule, so my amendment will not hinder the EPA's decisionmaking process. Additionally, as the majority admitted last week, at worst, my amendment does no harm—or, as kind of the NBA rule, no harm, no foul. However, at best, my amendment ensures that EPA's decision is based on a more complete analysis of the economic impacts of the rule. And given the economic consequences of 320,000 days of missed work or school a year, it's imperative that EPA factor this information into its compliance date decision.

I ask the majority to recognize that if the United States is going to retain its status as the world's economic engine, then we need to have the world's healthiest and most productive workforce—and children. But that will not happen if we continue to let polluting boilers and incinerators undermine the health and well-being of millions of American workers and children.

I encourage my colleagues to understand the importance of a healthy workforce and support my amendment. On behalf of the millions of American workers and schoolchildren who have been forced to miss work or school because of sickness incurred by breathing toxic pollutants from boilers and incinerators—mercury, no less, which interferes with young people's abilities to think—I ask that you support my amendment. It's time to put partisanship aside and work together to strengthen the American worker and the American school child.

I urge passage of my amendment, and I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I want to thank the gentleman from Tennessee for offering this amendment. He always does a great job of articulating his position on these issues, some of which are pretty complicated.

In this amendment, he would add illness-related work absences to the considerations when EPA is setting the compliance deadline. And of course that's one of the main purposes of H.R. 2250, to allow additional time for universities, hospitals, and industries in complying with these rather com-

plicated Boiler MACT rules. And in the legislation, we set out six or seven specific items that EPA must consider in setting the compliance deadline. They do have to set it no sooner than within 5 years, but the EPA administrator has additional time after that. And the section of the bill that I'm talking about identifies specific issues relevant to a facility's ability to comply and simply ensures that in setting these compliance dates, plant-focused considerations are taken into account.

Now, EPA already has the responsibility for considering health impacts in setting its standards. And its unclear exactly how this amendment would be implemented different from what the act already requires the EPA to do. So I'm going to respectfully oppose the amendment and ask that it be defeated. However, if we end up having a vote on this and if it is defeated, either by voice vote or by record vote, if we are successful in getting this into a conference with the Senate, I would specifically make the commitment to the gentleman from Tennessee that I would work with him sincerely in trying to address his concern. And I might say that we've had a lot of amendments, and this is, I guess, the only time we said we would really be willing to do that. I know you're trying to address an issue that's of concern to you. And while I oppose the amendment here, if we are successful in getting to conference, I'd look forward to working with the gentlemen at that time. For that reason, I would formally, at this time, oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

Mr. WHITFIELD. I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRIFFITH of Virginia) having assumed the chair, Mr. DUFFY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, had come to no resolution thereon.

#### IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas

(Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, I've been appearing on the floor of this House now for quite a while talking about regulations, but information has come to my attention from a report that was prepared by a group of people in the Texas government about problems that are way beyond anything that many people are perceiving concerning what's going on on the border between Texas and Mexico in this ongoing immigration crisis that we have in America. And quite honestly, it's so concerning that tonight we're going to talk about—I'm going to talk about it, and I hope we will be joined by some of my colleagues—the actual crisis that is going on with the criminal element that has gathered across the border from Texas with the drug cartels in Mexico.

I'm going to have some posters here in a few minutes to talk about some of these things. But I think that everybody is well aware of the fact that we have an issue that is going to have to be addressed by this Congress. And that issue is not only that legal immigration needs to be worked on and fixed so that we can have an immigration policy that actually works in this country, rather than one that seems to be haphazard and in many ways subject to the whims of people's personal opinions rather than the laws that should be established under the rule of immigration law for our country, but this whole issue of illegal immigration is compounded and geometrically compounded by the fact that massive illegal drug cartels have gathered on our border.

First, remember—and I think all people that have dealt with criminology anywhere, anytime will tell you that when you create a criminal environment, you have to expect that environment to grow. At some point in time in the recent past, the cartels that deliver drugs to basically the entire Western World decided to move their operation from South America right to the border of the United States, across the border in Mexico. And these cartels have been battling each other in literally warfare to determine what cartels will dominate the illegal importation of drugs and people into this country—and those people brought in, in many instances, for illicit purposes, such as prostitution.

□ 1850

The most recent count that I have heard is approximately 44,000 Mexicans across the border have lost their lives in this war that's going on in Mexico. That is a number that, when you look at the 10 years of warfare our country has been involved in in other places around the world, is astronomical. And to think that that's happening.

I live in Round Rock, Texas, which is approximately close to 200 miles from the Mexican border. And to think that

there's a war going on in an area where most Texans have, when there was peace upon the border, most Texans visited that area many times during their lifetime because those were our friends across that border. Now they're no longer our friends, they're our enemies, and not only the enemies of all law-abiding people, but they're enemies of mankind because they are bringing poison into our Nation in every form and fashion; and they're killing each other for the right to do so.

One of the things that has concerned members of our Texas delegation and members of other delegations in this Congress has been, will that lawlessness spill over into the United States of America.

The report that was done by Todd Staples and the Texas Department of Public Safety and others in Texas tells us that not only will it spill over into our country, but it has spilled over into our country, and that there is an evil plan by these cartels to actually come in and try to seize control of every border county in Texas that borders on the Rio Grande. Now, that's a big project that they are—and, actually, I would say it is a plan for the invasion of the United States of America.

This is something we honestly have to address in a serious manner. We have a lot of legislation pending. One of the bills that I have that connects to this talk today is a bill that will add further assistance to the border sheriffs in their war against the illegal element on the border.

Our Border Patrol has grown to an enormous body, and they are involved in this war on the border. Currently, the Texas Rangers have a task force on the border. They are the elite law enforcement officers of Texas, and they have a task force which is working up a, hopefully, a counter-plan to stand up to this plan that's coming out of Mexico to start to infiltrate our counties along the border and ultimately, through intimidation, kidnapping, beheading, murdering and bribing and all other types of illegal activity, they are going to try to both buy and intimidate their way into a position of control of these counties.

Some of these counties have large populations, but some of these counties have very small populations and a lot of land mass along the Texas border. And it is a real concern when you're talking about 1,200 miles of border between the United States and Mexico, that someone would have a plan to invade our country and take control of those border counties that are bordering on Mexico.

The first question you would say is, with them fighting to establish their base in Mexico, why would they cross the border?

The report that was given, and when I get that report I'll talk to you about some of the people that were involved in it, but I don't have it in front of me. It was done with the aid of two former

United States military generals who looked at it from the standpoint of strategic and tactical planning that you would have in the case of any other kind of military invasion, to look at what countermeasures we would take in this country and others.

One of the countermeasures that would fall upon the people of Texas would be that we would need to be using every law enforcement officer we could to their maximum benefit; and therefore we have done things to enhance border sheriffs in the past. We're going to do things to enhance border sheriffs in the future; but we have a bill that will add to that enhancement, and I would think that's just the tip of the spear of what's going to be needed if these people get serious about trying to come across the border and create criminal counties along the Texas/Mexican border on the Texas side of the border.

It's almost beyond our belief. And here's the man with my materials. Bring them over here.

That's almost beyond our conception of what will truly happen. But this is a copy of the plan. You want to hand one up there to Judge POE and let him, he's read it, but he might want to have it as a reference. It's "Texas Border Security Strategic Military Assessment," prepared in September of 2011. And some of the funds were provided by Todd Staples, the commissioner of the Texas Department of Agriculture, assisted by the Texas Department of Public Safety, and four star Retired General Barry McCaffrey and Retired Army Major General Robert Scales, both of whom looked at this from a unique and strategic assessment as they would do with a military project.

General McCaffrey is the former director of the Office of National Drug Control Policy under President Bill Clinton and a former commander of all U.S. troops in Central and South America. Major General Robert Scales is a former commander, United States Army War College.

These two gentlemen have taken the intelligence that has been gathered by the Texas Department of Public Safety, the Border Patrol, special group called the Texas Rangers, and others, to discuss this criminal element on the border.

Now, why would we do this today? Well, it's because of what's on this poster right here. We have had an event in our country where these blatant criminals from the cartels have at least attempted to be—they have been solicited by enemies of our country from Iran to commit an assassination bombing here in Washington, D.C. on behalf of Iran. And they tried to hire Mexican cartel members to do this heinous event here to attack the Saudi Arabian—and I believe potentially the Israeli embassies here in Washington, D.C. in an attempt to kill those ambassadors from those countries.

Now, I have a particular interest in this, above the interest I would have

anyway, having dealt with law enforcement for many, many years now, in that one of these guys that tried to make the deal has a home in my hometown of Round Rock, Texas. This has just come out recently. I haven't seen what neighborhood it's in yet because I haven't seen it on television. But I'm going to call my son as soon as I get through talking here, and he knows everything that goes on in Round Rock because he's the coach, and he'll know where it is.

But this is serious business when you start realizing that there are people trying to set up assassination plots that live in your hometown. And we are one of the most law-abiding—I would argue we are the most law-abiding county in the State of Texas and one of the most law-abiding counties in the entire Nation. And to think that someone would be stupid enough to choose Williamson County as a place for operations for terrorist behavior is almost beyond my belief. But it seems to be, from the indications that are being reported in the news, at least one of these people owned a home in Williamson County.

It shocks me to come up here on the floor and admit that about my hometown; but I can promise you, if we can find anything we can do to him in Williamson County, we'll take care of the boy. I can give you my assurance of that. But that's another story.

But look at these characters and realize we live 200 miles from the Mexican border, and yet operations are being planned by people from a foreign country, Iran, an enemy of our Nation, part of the axis of evil that former President Bush talked about. These guys are trying to make a deal with this criminal element across the border.

So that, coupled with this Texas Border Security Act, is a huge eye-opener, that this issue that we have talked about now for the entire almost 10 years I have been here in Congress is a lot more serious issue, from a national security standpoint, than anything we ever imagined; and I think that's something we really need to start thinking about.

□ 1900

I am joined by another very law-and-order former judge from the State of Texas, my good friend, TED POE. Judge POE and I both served on the bench. We both did our best to put bad guys where they belong, and I think we did more than our share.

I will just yield to Congressman POE whatever time he may wish to consume to discuss this matter.

Mr. POE of Texas. Thank you, Judge CARTER.

The reason Williamson County doesn't have any criminals in it is you sent them all to the Texas State penitentiary when you were judge. But I think this event that has occurred should tell us a lot of things. One, that the country of Iran is so bold they be-

lieve that they can commit a crime of terror on the soil of the United States and get away with it, that the United States wouldn't do anything, or there wouldn't be any consequences, whatever. But the government, and I believe the Government of Iran was in the middle of this, was so arrogant to hurt and kill Americans that they were willing to do this on our homeland.

I think that we have the responsibility to treat this just like it had actually occurred, had they carried out the assault on the Embassy here, killed the Ambassador at a restaurant, apparently, killed the Israeli Ambassador, killed the two Ambassadors of the same countries in Argentina, which was discussed. We should be very concerned about that and not give it a pass because our law enforcement did a good job.

But also, they're willing to recruit the Zeta cartel to bring explosives into the United States. I wonder whether this is the first time they thought they were dealing with the Zeta cartels. We don't know. But the Zetas, to me, are the worst of the worst drug cartels. It reminds me of the old show on television back years ago, "Paladin," where his business card read "Have gun—will travel." And that's what the Zetas are. They've got guns, and they'll travel anywhere to assassinate people to make a little money.

So you've got Iran on one side of the world and the drug cartels in Mexico, two criminal enterprises working together—one for political reasons, one for money reasons—to cause harm to the United States.

Now, that brings us to a question of the real problem, which is the border. The U.S. border with Mexico and its porousness is a national security issue. It is not an immigration issue. That is a completely different issue. It's a border security, national security issue.

Last year, from the, I believe the same report that you have provided, there were 663 individuals from special interest countries that were captured by our law enforcement. Now, special interest countries are countries where terror organizations originate—Saudi Arabia, Pakistan, Sri Lanka, and Afghanistan. That's where these 663 people were from that were captured by our law enforcement trying to come into the United States. And they weren't coming in here looking for work that Americans won't do. They were coming over here for mischief reasons. And that's because the border is open. The world knows if you can get to Mexico, you can get to the United States. And that was the plan in this bold endeavor to commit terror in the United States.

Recently, we did a border forum in Brownsville where we had primarily law enforcement and people who lived on the border testified about violence on the border. There are some places on the border that aren't violent on the United States side. But there are other places that are. It's not all peaceful,

and it's not all violent. It depends on the area of the border.

One of the cattlemen that is a ranger for the Cattlemen's Association testified that he was so concerned about cross-border travel and crime coming into the United States on ranches and nothing was being done about the crime that was being committed on these ranches by people crossing into the United States, primarily drug cartels, that the cattlemen, since they don't feel protected, may end up taking the law into their own hands. And we don't want to get into that situation.

You mentioned trafficking, human trafficking. That's another tremendous problem that the United States needs to be aware of, that young people, young women and girls from all over the world are being smuggled to Mexico, then smuggled into the United States, and then trafficked throughout the United States for sexual crimes. And it's an awful, awful scourge, but they cross the border because it's open in so many places.

In our Judiciary Committee a couple weeks ago, we had testimony that the number one threat to national security of the United States is not al Qaeda but the criminal drug cartels that operate in Mexico. The number one national security threat is the criminal drug cartels that operate in Mexico. That should give us, really, a warning that we really do have a tremendous crisis on our hands, because those people are at war not only with Mexico, but they're at war with the United States.

Lastly, I wanted to point out that there are several things that are being done, but the problem still exists—people are crossing into the United States. Border Patrol is doing the best they can. Of course, local law enforcement, the sheriffs, are doing as good a job as they can, and they mentioned the problem that you have talked about, about how the drug cartels want to infiltrate this side of the border and actually control regions. It's pretty simple what they do. They own land on one side of the Rio Grande River in Mexico, and they want to buy or steal or confiscate land on the Texas side of the Rio Grande River. That way they can move their drugs and smuggling operation from one land they own to another land they own across the river.

And when we get in that situation where the drug cartels are owning land on both sides of the border, we've got ourselves a real problem. And it's not just drugs; it's this problem right here. It seems to me that we need more people to protect the security of the United States. That's one of the things the Federal Government is actually supposed to do is to protect us.

And one piece of legislation I've offered is to put the National Guard on the border, not behind the border, but on the border, 10,000 troops, at the request of the Governors, supervised by the Governors, paid by the Federal Government, but put them on the border. Right now our policy seems to be,

since we can't have enough people on the border, we have them behind the border, and we try to catch them if you can, that's people coming into the United States, everybody, the good, the bad, and the ugly. And once we catch them, they become our problem, our financial problem, and then we have to deal with them and try to send as many as we can back.

If we have the National Guard on the border, they're not going to cross into the United States if we have that presence. And I think it's come to that, where we actually need to do that and talk about the role of the Federal Government is national security.

With that, I thank my friend for yielding.

Mr. CARTER. Reclaiming the time, thank you, Judge. I also have a bill, and I'm a cosponsor of your bill.

I also believe that we need the National Guard on the border. As this report indicates, you fight wars tactically and strategically. Strategically are big, big issue plans. Tactically is how you do the fighting. Well, they seem to have a plan that has been worked out strategically to seize the Texas border, as much of it as they can get; and then tactically, how to go about doing this with all sorts of criminal activity so they control some of these very rural, very large rural counties. But I'm sure they're even going to try for some of those urban and quasi-urban counties that are along the border with a whole intent that it would enhance their ability to move their products.

There's an anecdote in this bill, and I think I need to read it. This is what one rancher observed: "But the Border Patrol, I can tell you that their hands are tied about a lot of stuff. They have to call Washington. Even if they're having a gunfight down at the river, they're on the phone. They have to call Washington. The Border Patrol have boats on the river. They patrol the river, but they are not allowed to pick up anybody that is in the water unless they are dead."

□ 1910

"If the drug guys are loading drugs, all they have to do is wade out into the water, and the Border Patrol can't touch them. They are not allowed to go into the water. They can't do anything about it."

If that's the policy of the country and if that's what's going on, then they're looking at ways to avoid law enforcement—this is what this plan goes on to say—on both sides of the border. If the Texas authorities are chasing a carload of drugs in Texas, then drive out into the river, and they can't come after you. If the Mexicans are chasing you, then drive out into the river on the Mexican side. It gives them a getaway to get into that international zone.

I'm not sure of the legal ramifications of that policy. It has always been my understanding that the State of

Texas owns to the middle of the river; but there seems to be some policy that says, once you're in the water, you can't make an arrest of these people unless you get your hands on them without going into the water. I don't know how you do that. If that's the policy, then that's a getaway zone on both sides of the river. They can run right back in.

If they get this control of law enforcement and other things—and I'm not in any way besmirching these guys who are working nights, weekends and holidays down there who are trying to stop this invasion; but look what they've done to law enforcement across the border. I mean, I think the life expectancy of a chief of police in Nuevo Laredo, Mexico, is about 6 hours before they either kill you or behead you, set you on fire, burn up your family or do something to you.

These are evil people; and the Zetas, they're the worst of the gathering of the evil people over there. They do it for money. They'll do anything for money. Almost anything. Obviously, they didn't do this, but it's only by the grace of God and good intelligence and, quite honestly, good law enforcement work down there that we prevented this. It's almost, arguably, that we got lucky, because there are so many people they could have contacted; and then we wouldn't have known about this. It's kind of frightening.

Another comment by another person who lives on the border: "We see a lot of things, but we keep our mouths shut about it. We just don't want to be on anybody's hit list. I keep to myself. The people who are doing what they're doing; they keep to themselves. If I see something, I ignore it—I look the other way—but there is a problem. It's really bad. Here on the river, you see a lot of stuff, and you don't pay attention to it. You walk away, and you try to stay in an area where they don't see you, so if somebody gets caught they don't say, 'Well, somebody called.' So you try to blend in and not create any waves." This is a citizen.

I can tell you that one of our citizens owns land on the border, and he has told stories of 50-caliber machine gun-armed, mounted Toyota pickups—I don't mean to besmirch Toyota, but that's what they are—that drive all loaded up, with the cartel members telling deer hunters to get off the ranch because they're hunting there that day, which means they're bringing a big load of drugs across the river. There is anecdote after anecdote from the citizens of Texas.

One of the things, I think, that's very important that we explain to people and to everybody who might be paying attention to this is that there is one big difference between Texas, New Mexico, Arizona, and California, which is: in Texas, we retained our public lands when we came into the United States under treaty.

So the land that they cross the river onto is not Federal land. It's individual

human beings' land. People water their cattle in the Rio Grande off of their ranches, and that Rio Grande is one border of their ranches. They own the land right up to the river. It's different in Arizona, and it's different in California. In most instances, they butt up against federally owned land because, in the other States, all land not owned by the individuals is owned by the Federal Government as part of Federal lands. In our State, we have no Federal lands. We have only State-owned lands and lands owned by individuals. So it's actually State-owned land or it's individual land with the exception of Big Bend National Park. That's the only exception that we have.

Mr. POE of Texas. I just wanted to point out another statement made by Texas ranchers. I think the Texas ranchers are the finest law enforcement organization in the world next to Scotland Yard—the two of them.

Lieutenant Arthur Barrera, whom I met when I was down there about 3 weeks ago, grew up on the border and knows how the life has changed. Here is what he says about what has taken place on the Texas-Mexico border. The people in Washington, D.C., who live in never-never land, thinking there are no problems down on the border, need to listen to some law enforcement officer who has been there for a long time.

Lieutenant Arthur Barrera says: "We are in a war. We are in a war, and I'm not going to sugarcoat it by any means. We are in a war, and it is a war, and we need to understand that." That's exactly what has taken place on the border.

Mr. CARTER. Quite honestly, if they have a plan to seize American soil, I think that's as close to an invasion plan as I can think of, and that concerns me greatly. If it's going to happen in Texas, it's going to happen in other States.

I've had the pleasure twice now to go to the border of the great State of Arizona. To be very honest, at least we've got a river between us and them. With the exception of some of the fences being built in Arizona—and I've seen the old fence. It was a two-strand, barbed wire fence that a young heifer calf could walk through without any problem at all.

Tonight, we're joined by Congressman FRANKS from Arizona. He wants to tell us a little bit about his view of this serious problem on our border with our cartels from the standpoint of our friends in Arizona. I yield to the gentleman whatever time he may wish to use here tonight.

Mr. FRANKS of Arizona. I certainly thank the gentleman very much. I know that Texas and Arizona are kin in a lot of different ways, and I appreciate all the good work that you do; and I certainly thank Mr. POE.

I suppose it's important for us first to just restate the obvious, that the President's most fundamental duty is to protect our country. This recent attempted attack, which could have resulted in an act of war if they'd been

successful, I think reveals two very glaring examples of President Obama's abject failure to adequately fulfill his responsibility to protect our southern borders and the failure to respond to a terrorist regime on the verge of obtaining nuclear weapons.

The main terrorist attempting to organize these attacks on our soil sought to hire members of the Mexican drug cartel known as the Zetas—I'm sure you folks have discussed that already—partly because of their seemingly unfettered access to weaponry. It's an astonishing irony to me, Mr. CARTER, that it was the Obama Department of Justice that was involved in allowing just such weaponry to be walked across the border into the waiting arms of Mexican drug cartels like the Zetas.

Yesterday's foiled plot underscores the serious nature of the allegations surrounding Operation Fast and Furious; and, of course, I think it's very appropriate that Attorney General Holder has now been rightly subpoenaed. Beyond any shadow of a doubt, this momentous event establishes that Iran is committed enough to try to foment an attack upon the United States.

There are really only two fundamental components to any threat to our national security. One is intent. The second is capacity. If this doesn't clarify once again in the starkest terms Iran's intent, I don't know what it will take to wake this administration up. The frightening part about it is that this same regime has gone on unabated for years now, inexorably and inevitably pursuing a nuclear weapons capability. This administration has been asleep at the wheel, and I can't express to you how dangerous I believe that is.

Last year, General David Petraeus announced that Iran was directly assisting al Qaeda. Shortly thereafter, General Raymond Odierno, now Chief of Staff of the Army, said Iran was funding and training insurgent groups in Iraq. Furthermore, in a report last September, he indicated that Iran was also funding Taliban efforts to kill American troops in Afghanistan.

□ 1920

This is a pattern here; and if they are committed enough to try to foment an attack here and literally try to blow up the Israeli embassy here or to kill the Saudi Arabian ambassador to the U.S., let me suggest to you that the intent is so clear that our entire focus now should be upon dealing with the capacity.

And this administration should have the courage now to take this moment to stand up and say to the whole world that America will not let Iran gain nuclear weapons with which to threaten the entire human family, even if it means a military response on the part of the United States.

They need to make that very clear, and this is the moment to do that, because I would suggest to you that there is an effort by Iran to create a hegemon

only in the Middle East that's causing a lot of the Middle Eastern countries now to flock to Iran's side out of absolute sniveling terror that Iran will gain a nuclear weapons capability.

I would just say to you that if Iran does do this, not only will it change the history of humanity, not only will we all be stepping into the shadow of nuclear terrorism, but history will record that this President was the one that stood by and allowed that to happen. I would suggest to you that that is a complete abrogation of Presidential duty.

Perhaps this President would do better if he were able to focus on the threats of our Nation without being so busy apologizing for America at every opportunity. It's been reported the State Department under Secretary of State Hillary Clinton, that they called to express condolences to the family of al Qaeda propagandist Samir Khan, who was killed in the same attack that took out Anwar Awlaki.

It's a difficult thing to say or ask, but I just wonder if the Obama State Department called all of the families of the victims of the terrorism that these two men fomented in the world, especially those perhaps who died at Fort Hood. I am just astonished that this President is so busy apologizing to the families of terrorists that I wonder if he has time to defend this country.

We have an administration that not only refuses to enforce our immigration laws, but then allows weapons to pass to the very criminals from whom they are given charge to protect Americans from, and then they sue the States who step in, like Arizona, and try to enforce immigration laws themselves.

Meanwhile, Mr. CARTER, I just suggest to you that it is just astonishing that we have to sit here and have this conversation while the world's largest state sponsor of terrorism, Iran, is drawing closer and closer to building a functional nuclear weapons capability that they could pass on to their terrorist proxies, some of which are believed to be operating near the same unsecured southern border.

Just the fact that Iran was willing to try to bring in the Mexican drug lords, the Zeta gangs, is proof that they're willing to try to pass some of their deeds off to proxies. Now, if that becomes a nuclear weapons capability, then the world's in trouble and there's just no way I can conjure words strong enough to describe the insanity of this administration's lackadaisical, irresponsible approach to national defense. I wish I could.

Mr. CARTER. You paint a pretty severe picture, which I agree with. Think about this. Part of the contract they were trying to make with the Zetas was to bring into this country explosives, supposedly to set a plant, a bomb, in a favorite eating place here in Washington, D.C. and blow up that place in order to kill the ambassador.

Now, just let's assume for the sake of argument that something like C-4 that

was smuggled in here, if they can smuggle C-4 across the border in from Mexico and transport it across the country to Washington, D.C., once they develop a tactical nuclear weapon in Iran, what's to prevent them from smuggling a tactical nuclear weapon into the United States. I would argue, nothing.

Mr. FRANKS of Arizona. If the gentleman would yield, I serve on the Strategic Forces Committee and am familiar with some of the designs of our nuclear warheads, and this is certainly open-source material.

But the fact is that a couple of people in a large red wagon can pull a W88 nuclear warhead across the border if they wanted to. Then people say, well, how could they ever do that? How could they ever bring a nuclear warhead across the border? The remark that I think clearly illustrates the significance of the possibility is maybe they could just hide it in a bale of marijuana. That would help them get it across.

So the fact that terrorists are beginning to move in this direction where they're getting so bold that they're willing to try to foment attacks on American soil, let me suggest to you that it's very late in the day, Mr. CARTER, and I think maybe we missed one other point, that is, that in blowing up the Israeli embassy, that would be an act of war against Israel, because that would be Israeli soil in terms of our entire architecture for diplomacy.

Yet there was no hesitancy on the part of these terrorists to try to foment exactly that outcome and, again, if it had occurred, if they had been successful, it would have been nothing short of an act of war on the United States. Yet this administration is strangely quiet, and I wonder what this body should do to try to wake up this administration.

Mr. CARTER. I think that what we will hear is this, as what we have heard before in the past, this is a law enforcement matter being handled by the FBI and law enforcement, and it will be handled accordingly. That's what I think we will hear from the administration.

But this is a threat to the national sovereignty of this country, potentially the national sovereignty of our friends from Israel and our friends from Saudi Arabia. This could have been the major incident that set off a chain reaction that could have done who knows what to the future of mankind, and these crazy people would do that using a criminal element that is smuggling horrible drugs and people for illicit purposes into our country every day.

And you're talking about the marijuana loads. They pack hundreds of backpacks across the border loaded with marijuana almost daily, and they march right on into Texas and Arizona. In your case, they go off into the Federal lands, into the reservations and up to the highway and off to the east coast and the west coast. In our case,

they come across the border, off the ranches, get up to the highway, east coast and west coast.

We are the major dispersal route for all this illegal and illicit poison that they're selling, and that's who they would hire to deliver a blow against two of our allies. That's frightening, what could have occurred.

Mr. FRANKS of Arizona. Yes, sir, I agree. Speaking of our allies, I was just in Israel not long ago, and I have to say to you, you understand that a lot of us—and I know including you, Congressman CARTER—believe that Israel is our most reliable, most vital ally in the world.

Mr. CARTER. Yes, sir.

Mr. FRANKS of Arizona. Yet they feel under siege right now because they don't sense that this administration truly has their best interest in mind, partly because the Obama administration has reserved more open rebuke for Israel building homes in its own capital city than it has reserved for people like Mahmoud Ahmadinejad for building nuclear weapons to threaten the entire human family. And I find that lack of priority beyond my ability to articulate.

Mr. CARTER. I agree. And that's the purpose for us being here tonight. There is no reason to scare people. They can make them draw their own conclusions.

But if you're hiring, if you're contracting, this guy who represents Iran is contracting with this creep, who represents the Zetas, that's frightening to think lawlessness being directed by a nation-state to attack innocent people in our country. And when you blow up an area in Washington, D.C., how many Americans are going to get killed besides the Israelis or the Saudi Arabians that are attacked? We don't know.

And then we thought of nuclear, nuclear elements. It's frightening.

Mr. FRANKS of Arizona. I just think that sometimes it's very easy for all of us as Americans. We've grown so used to being the most secure Nation in the world, and we owe that to the greatest military and the greatest men and women wearing the uniform that any nation could ever have.

But we've grown complacent and we, I think, have forgotten the seriousness and the reality of nuclear weapons. And we're living in a world now where countries like Pakistan have a major arsenal. If there is some sort of breakdown in the hierarchy in Pakistan or if Iran gains nuclear weapons, there's a lot of very dangerous circumstances facing this country.

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I just think that somehow the lack of priority frightens me because this administration seems so focused on so many other things rather than doing what's necessary.

I haven't heard the outrage from this administration even related to this Iran-Mexican drug cartel effort. I haven't heard the strident outrage that

you hear on a lot of other issues that they put forth. I just suggest to you, Congressman CARTER, I hope that the people of this country will somehow let their Members of Congress and their President understand that the first responsibility we all have to offer them is security.

I know we're all focused on the economy of this country and jobs, and I certainly recognize the significance of that and the importance of it. But do we realize what would happen to our civil laws, to our liberties, do we realize what would happen to our economy if we had a major nuclear weapons attack on this country by terrorists? I mean, I don't think any of us would ever sleep again. The damage that could be caused is almost beyond my imagination, and yet again this administration seems focused on other things.

Mr. CARTER. Reclaiming my time, in fact if that happened, I would argue that we would have the same kind of mental strain that the people of Israel have been living with since the creation of their country. That any day, any minute of any day could be the day a rocket lands in your house, or when a terrorist blows your house up or shoots you. We'd have the same feeling in this country. You think we have economy problems now, who's out there to pick us up? We picked up countries around the world after wars and put them back on their feet for no other reason than because it made good sense. But there is no country that will pick us up and put us on our feet, so it's a crisis.

I don't know if you're aware of this, but there has been a study made, a Texas border security study, a strategic military assessment, and here's an executive summary of the 150 pages. It is much more detailed, but just to read this very quickly: During the past 2 years, the State of Texas has become increasingly threatened by the spread of Mexican cartel organized crime. The threat reflects the change in the strategic intent of the cartels to move their operation into the United States. In effect, the cartels seek to create a sanitary zone inside the Texas border one county deep that will provide sanctuary from Mexican law enforcement, at the same time allow the Mexican cartels to transform the Texas border counties into narcotics transshipment points for continued transport and distribution into the continental United States. To achieve their objective, the cartels are relying increasingly on organized gangs to provide expendable and unaccountable manpower to do their dirty work. These gangs are recruited on the streets of Texas cities and inside Texas prisons by top-tier gangs who work in conjunction with these cartels.

So in addition to this threat from Iran, I mean if you have a plan to seize a part of the United States of America by force, I would call that invasion. And I would argue that if that is a true

statement, Texas has already put together a task force under the leadership of the Texas Rangers. They are setting up stations along the border with a goal of setting up an intense communication system to be prepared for what may be coming from across the river. But they are just a small body of very effective law enforcement people. This could be a major, major intrusion on the United States. Add that to their partners, Iran, trying to make a deal with these criminals, the Zetas, it's frightening.

We learned a long time ago in law enforcement that when you create an environment of lawlessness, it breeds more lawlessness. Quite honestly, that theory is what cleaned up New York City under Rudy Giuliani. Using that theory, they said we're going to go into neighborhoods and we're going to take the street lawlessness out of the neighborhoods so that the big lawlessness will move somewhere else, because if they're in a lawless environment, it just enhances lawlessness. And it worked. And they cleaned up the streets of New York, and it's a much safer place for people to go these days than it was 20 years ago. And it's all because of the concept lawlessness breeds lawlessness.

Because we were allowing laws to be violated on our border, from Brownsville all of the way to San Diego, we basically created, by our own efforts by not enforcing immigration laws and the sovereignty of our country, we created a lawlessness area before the cartels got there. So when lawlessness breeds lawlessness, why wouldn't they go there. There are already people not obeying the laws in that area, why not go in and make it official. And they did. It's frightening.

I yield to my friend.

Mr. FRANKS of Arizona. Well, you know, I couldn't agree with you more. We have to realize that the criminal element reads our intent. They know how serious we are. And terrorists across the world don't really believe that Barack Obama is serious about doing what's necessary, not only to identify clearly the difference between freedom and terrorism. I mean, they're calling the war on terror now overseas contingencies. They're using all these euphemisms. You know, I wonder, maybe now they'll say the drug cartels are merely unlicensed pharmacists. When we use words that don't reflect the truth and reflect the reality, we are undermined from the very beginning.

My concern is that Iran doesn't take this President seriously. They have put explosive form penetrators in the war in Iraq that have killed many of our soldiers. They've sent weapons to Afghanistan. And now they're trying to send drug cartels into our country to help blow up our embassies, and this administration allows them to continue on this inexorable march to gaining nuclear weapons.

And I just want to tell you, I'm afraid of something tonight. Again, it



frightens me, like a lot of other things that we've talked about tonight, and that is that I'm afraid that this administration has embraced the notion that it's too late to stop Iran from gaining nuclear weapons, and that they're going to go ahead and allow them to do that and then pursue a policy of containment when they do. I cannot find the words to express how dangerous that policy is and how it will damn this and future generations if we allow that policy to take hold.

If Iran gains nuclear weapons capability, history itself is divided because for the first time a jihadist rogue nation will have its finger on the nuclear button. And whatever challenges we face to prevent Iran from gaining nuclear weapons, whatever they are, and I know that they are myriad and significant, but they will pale in insignificance compared to the problems we'll have after Iran gains nuclear weapons. It will change the world for all of us.

And I would just join with you and call upon the administration to refocus their efforts on the central duty of the President of the United States and upon this government, which is to protect the lives and constitutional rights of our citizens, and that starts with national security. And whether it's a porous border or whether it's allowing a country like Iran whose leaders have made it clear that they intend to do everything they can to destroy Israel and ultimately the United States, we need to do everything that's necessary again, including military response, to prevent Iran from gaining nuclear weapons. The sooner the President makes that clear, the better chance that we won't have to have a military response. But right now the Iranian administration, the Iranian leaders are simply not convinced that this President intends to hold them accountable and keep them from gaining nuclear weapons capability, and I think it's one of the most dangerous things that we face in the world for that reason.

Mr. CARTER. Reclaiming my time, I agree with everything that you say, and I want to say this further: it's the duty of the President of the United States and the executive branch to enforce the laws of the United States, to protect the borders of the United States against intrusion. It's their duty to protect our Nation from those who would wreak havoc and harm upon our Nation wherever they may be located, Iran being the primary example on the face of the earth today as a threat to our country.

And, quite honestly, jobs are very important in our country, and once we get the government out of the way we'll get some jobs started, but it's time for this administration to do something on the border of this country to protect the citizens on the border. There's no reason why a landowner who lives on the border has to get assassinated like the landowner in Arizona, or has to get run off his land by armed men, as our landowners in Texas

are doing, without the protection of the Federal Government. We are the United States of America, and when they attack one State, they attack all of the States of our Union.

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When they attack our border, they attack every State in this Union. By the way, there are many Americans who realize that today. I had sheriffs from the State of North Carolina and the State of Maryland and maybe one other State, I don't remember where it was, but those two I know were in my office telling me, Hey, this violence is all the way in Maryland, it's all the way in North Carolina. They showed me pictures of an assassinated cartel member shot in the back of the head found right outside of a town in North Carolina.

So these guys in their terror tactics come from across that border and are all the way up here on the East Coast dealing terror in smaller doses but just as serious for the future of this country. Meanwhile, we've got Iran contracting with this criminal element, which is a ruthless criminal element, and saying, We want you to do our bidding on our behalf, and here's the money. As Judge POE says, Have gun, will travel. And you'll travel and kill whoever we want you to kill and blow up whoever we want you to blow up in any form or fashion that we see fit. How about a deal? And they were making a deal.

That ought to scare the pants off of everybody, and it ought to wake the Obama administration up that there are serious things being overlooked by their cavalier idea that everything America does is bad and everything other countries do is excusable. That seems to be our policy, to the point where they're willing to let an agency of the United States Government become the biggest gun runner in the history of Mexico in Fast and Furious, which we are investigating right now in the Halls of this Congress. These are things that people ought to wake up and say, My Lord, this is insane. What is wrong with us? Where are those people who stood up for Americans and stood up for freedom and fought for the right ideas? They seem to have disappeared.

I yield to my friend.

Mr. FRANKS of Arizona. Mr. CARTER, I think we forget when we talk about the economy and jobs that the most important thing we can do for the economy and jobs is to make sure that this country is secure and that productivity is allowed unfettered; that it has a secure environment in which to flourish. If the government will get out of the way, this economy will flourish. It will go forward. But if we fail as a government to do what is our duty, which is national security, there's nothing that could damage our economy more.

I remind everyone that we lost \$2 trillion in our economy when two airplanes hit two buildings. It's very easy

to forget the cost of war. Someone said that war devours everything that peace gives. And we need to make sure that we defend this country and make sure that the people who are investing in this country and are trying to work in this country and be productive know that they can do so in a fully secure environment. It is the most important thing that we can do for our national economy.

And I would suggest to you that it's important for us to start asking this administration some key questions. The number one question is: Where do they put the national security of the United States on their priority list? Secondly: What are they willing to do to clarify this dangerous jihadist ideology in stark terms where everyone can understand what we're dealing with and that we're willing to do whatever is necessary to prevent terrorism in this country and protect the American people? And third: What is Mr. Obama willing to do? What is he willing to do to prevent Iran from gaining nuclear weapons with which to threaten the peace of mankind?

With that, I thank my friend for yielding.

Mr. CARTER. I appreciate you being here, TRENT. You're a good friend, and I value your opinions that you have given here tonight.

This is a problem that has risen its head because of this event. We could talk for days about this because it is so serious to the future and welfare of every American citizen. And to think that any enemy of our country is contracting with a criminal element that has a track record thus far of killing 44,000 people, many of whom were just bystanders, just in an ongoing event of driving their illegal operation. If they get involved in international terrorism, heaven help us. I hope that heaven will. And I hope this administration will take a hard look at where they're going to be willing to draw the line and say, We're not taking this any more. And I would argue at least it ought to be at the borders of our country and at those who would develop a nuclear weapon that could devastate mankind.

I thank both of my friends for joining me tonight, and I yield back the balance of my time.

#### PUTTING AMERICANS BACK TO WORK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. For our hard-working stenographers, it's late into the evening, and we thank you for all the work that you do recording our words, many of which are worth listening to and having written down and some of which are probably not.

I want to thank my colleagues from across the aisle for bringing the issue