

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 55 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1636

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHUSTER) at 4 o'clock and 36 minutes p.m.

#### PROFILING AND MISSILE DEFENSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I wanted to take a little time this afternoon and have an in-depth discussion on a couple of different issues that I think are very important with the current matters that we have facing us. The first matter I would like to discuss at some length would be profiling and the need for profiling for the national security of this country. I have some experience in security. I used to be a police officer. I have a pretty good idea of what we need to do to look out for suspects and how we can help and assist all citizens of this country, regardless of their background, in being sure that they are secure and safe as they walk the

streets of this country, or as they go up into a building.

The second thing I want to discuss at length this afternoon is missile defense. It is absolutely critical at this juncture in our Nation's history that we prepare, that we prepare a missile defense system for this Nation. Anything that falls short of a complete missile defense system for this Nation, in my opinion, would demonstrate dereliction of the duties that we have, the responsibilities that we accepted when we were sworn in to represent the people of this Nation.

Let me start with profiling. I have seen, and I have been very disappointed and discouraged recently, about some people playing what I would call the race card against profiling. We have to talk in a very serious tone and with thoughts of the consequences of doing things and not doing things, about tools of enforcement that we can utilize within the borders of our country and outside the borders of our country and for the people that want to cross the borders of our country and for the people that want to leave the borders of our country, tools that we can use to help secure the national security. One of those tools is profiling.

Now, let me distinguish at the very beginning the difference between what I describe and what I define as racial profiling, which most people in this country, including myself, are justified in opposing, and utilizing race as one of the components of a threat profile. We will see on this chart to my left, again, how do I define racial profiling. My colleagues will see I have obviously a red circle through racial profiling.

Racial profiling is where that is the only determinant factor that one utilizes in one's profile construction. Now, obviously, if race is one's only determinant factor, the only factor considered, it raises a balloon for a very legitimate argument that one is creating or causing discrimination.

Now, there are some cases where one may not have any other factors other than the person's ethnic background; and in that case, for example, one puts out a description only using the ethnic background because that is all the information one has. Let me give an example. One is called to the scene of a bank robbery and the witnesses at the bank robbery, within moments after the bank robbery is committed, when you arrive at the bank, all they can tell you is I do not know what size they were, I did not see their face, but it was a white man. It was a white male. Then, one is justified in saying, in immediately putting out an alert, look, we know that the suspect was a white male. That is all we have at this point in time. All units be advised, there is a white male that just committed a bank robbery.

I do not know anybody that says that is not a legitimate purpose or a legitimate means. But where one would run into problems and where one sees discrimination is if, for example, an Irish

person is getting ready to get on a plane or an Arab is getting on a plane and simply because of the fact that their ethnic background is Muslim or Arab you pull them aside and question them, simply because, and the only determining factor in making that decision is their nationality or their ethnic background. That is not enough to justify it under our Constitution, in my opinion. I think it is discrimination, but we have to weigh out these situations.

Now, I can tell my colleagues that my stand in utilizing ethnic, or not excluding, that is perhaps a better way to put it, my position is that we should not exclude ethnic background any more than we should exclude age or religion when we build a profile with a number of components.

Now, some of the people who have opposed this frankly are taking examples, extreme examples of abuse by law enforcement where, in fact, they may be right, the people, the critics may be right, that in those particular cases, ethnic or what we would call racial profiling took place and there was a clear demonstration of discrimination. But let me tell my colleagues, for example, the other day in my debate I said, look, we have bad arrests in this country. We have a cop who makes a bad arrest, poor judgment. We have a lot of good police officers out there; but every once in a while, a bad police officer or a good police officer even makes a bad judgment call. If we have a bad arrest, should you immediately jump from the conclusion that you have had one bad arrest and therefore, logically, you should have no more arrests so that we avoid all future bad arrests? Of course we would not draw that kind of conclusion. That is exactly the type of conclusion that my critics are attempting to draw when I speak of national security and a profiling system that will help us protect our national security.

What my critics try to do is they try to come out and say, look, here is a case. This person was detained as they wanted to board an airplane, only because of the fact that they were Arabic background. They are Arabs. That is the only reason they were detained. It is a clear case of discrimination. They go through all of these facts that of course make the case seem horrible. And maybe it was a bad, bad case. But that is not the situation that is occurring out there. I have said to people before, look, I realize that with the millions and millions of travelers that we have in this country every day, that there are going to be some select, some very select situations of discrimination. But it is very easy to overstate that number. It is very easy to criticize law enforcement. It is very easy to criticize airport security on this profile.

What I have said to my critics is, produce the numbers. Show us case by case, and if we have a case where we have bad performance by law enforcement or bad performance by airport

personnel or whatever personnel were involved in this, there ought to be discipline. Because we should have zero tolerance; zero tolerance for discrimination in this country.

But let us not confuse who are the victims here. Who are the victims in this situation? Think about September 11. We have to quit being politically correct. What has happened is we have moved from being constitutionally correct to politically correct. I am telling my colleagues, there are law enforcement personnel, there are airport security personnel who are afraid to question certain individuals because they are afraid those particular individuals will complain that they are being discriminated against.

□ 1645

That seems the easiest get-out-of-jail-free card one could use. If they are detaining a person in the airport and one has any kind of ethnic leverage, they could just complain they are being discriminated against: Why are you searching me? You are discriminating against me.

I have yet to meet one traveler, and I fly a lot, as my colleagues do, I have yet to meet one of our constituents or one traveler out there that is not willing to go through what is necessary, to search their baggage and their fellow passengers' baggage, so they know when they get on that aircraft that that aircraft has been secured and is safe to fly.

Part of doing those kinds of checks, until we are able to put into place our computerized system which, through technology, will check every passenger that gets on that aircraft, their background, et cetera, through either eye scanning or other devices, will check every piece of cargo that goes underneath that aircraft, will check every bag that goes on that aircraft, whether it is a carry-on bag, whether it is a purse that somebody has over their shoulder, or whether it is checked-in baggage, until we get to that point, there is a certain amount of random selection that needs to take place.

That, at this point, until we get that in there, is the best alternative we have. We have no other alternative. We have to maximize immediately the safety of travel within this Nation and the safety of the citizens of this Nation, our national security.

So how do we build a profile? What kind of profile am I talking about? I think, for example, ethnic background is a legitimate component of it. Take a look. Here is typical of what I call "threat profiling." That is what I am advocating here, threat profiling. Who is it we are up against?

We have some people out there that want to do very terrible things. We have obviously seen firsthand what they have wanted to do, as a result of what happened at the Pentagon and in New York City.

Mr. Speaker, I ask Members, do not let people try and back us down by say-

ing that the politically correct thing is to not question anybody who might be offended by questioning; do not dare approach anybody who could claim discrimination; do not infringe on anybody's right to board an aircraft simply because we are interested in a number of components for a profile.

I actually have some constituents out there, Mr. Speaker, that think profiling, period, regardless of how we construct the profile, is not legitimate. I find that pretty interesting, because think about it, think about this: we find profiling in every avenue of our life. Think about it.

Our schools, for example, our schools profile. Our schools profile which students are getting poor scores. Our schools profile neighborhoods: gosh, people from this side of the city are getting poorer scores than people from this side of the city. They profile by race; they profile by, okay, the white students in this age bracket at this grade are at this reading level, the black students are at this reading level, the Hispanic students are at this reading level, the Vietnamese are at this reading level.

The colleges do it; they profile their top engineering students. We use it in education every day.

We use it in marketing. We use it to assess risks. That is another area, in insurance and in marketing.

The media, take a look at any newspaper or any television station that criticizes through editorials, or any radio station, and take a look at what they do. They profile every day of the week. They profile who their listeners are, who their viewers are, who is most likely to buy the products that they are trying to sell over their medium of communication. Of course they profile.

Hospitals profile. Traffic is profiled. In fact, I challenge my colleagues to name one aspect, one aspect of our life that is not profiling. We profile. Our political parties profile. Frankly, the political parties also profile based solely on race, in some cases, based solely on ethnic background.

For example, they might say, hey, this is a black district. Let us go in, because the blacks tend to vote Democrat, so let us not profile anything other than how many blacks in there are registered. They profile strictly on one factor, and the Republicans do the same thing with contingencies of, let us say in a particular community it may be that the Irish in that community support the Republicans in bloc form. They go and they profile, too.

What I am saying here is, for God's sakes, if we allow profiling for marketing purposes, if we allow profiling out there in our schools, if we allow profiling in every step of our lives, why do we not or why are we resistant at all to profiling to protect the national security of the United States of America?

This is not a game. The nice guy finishes last here. In this kind of matter, the nice guy finishes last.

Take a look at what we do when we buy insurance, for example. Insurance

companies profile for risk. That is what I am asking that we continue to do. We need to profile for risk. What is our threat profile? What is the threat? What is the risk?

Think about it with an insurance company. Nobody says this is an illegitimate or somehow not politically correct matter. It is a fact of insurance. If they are going to insure somebody, they had better assess their risk.

It is the same as if anybody wants to invest in business. If one wants to invest, they had better assess their risk. That is exactly what profiling does.

Back to insurance. Let us talk about insurance. We know, for example, that males between the ages of 16 years old and, say, 21 years old, and then an additional profile between 21 and 25, we know that males in that age bracket tend to speed more. We know they tend to drink and drive more. We know that they tend not to use their seatbelts.

Members see what I am saying: we can begin to build a profile of why, when somebody is a 16-year-old driver, why we charge a higher insurance premium to a 16-year-old driver than we do to a 36-year-old female, mother of children, et cetera, et cetera.

Members can see the comparisons. We know that the risk of a 36-year-old female, say a mother, and there are some other classifications that can be put in, other components that can be put into the profile, is at much less risk of drinking and driving, for example. Probably uses her seatbelt every time she gets in the car; probably straps her children every time they get in the car.

We can compare it to a 16-year-old white male who probably is not using that seatbelt, who speeds around, who is not, frankly, as mature as the 36-year-old is.

It sounds like a lot of common sense. Nobody in these Chambers would disagree with this type of profiling. All I am saying is it is a huge mistake, a huge mistake for us to allow political pressure by a very select number of people to give any kind of commitment that we will not allow ethnic background to be considered as a component of a threat profile.

We are correct, however, to accept pressure and to make commitments not to use as a profile the sole, the sole component of race, because, as we know, when the sole component is race only, that does tend to lead to the difficulty of discrimination which most people in this country, if not the overwhelming majority of people in this country, believe that discrimination should have no less than zero tolerance, zero tolerance for discrimination.

So I am not a proponent of, nor are my colleagues proponents of, what I would call that type of racial profiling, where the only factor we have, looking to the left to my poster, the only factor that we have to consider is race or ethnic background.

But I am strongly advocating that we continue to encourage, in fact that we

mandate, until we come up with a better alternative, that we mandate threat profiling. It is common sense. It is not rocket science; it is common sense.

For example, we can pretty well take a look at a person's behavior, what we may know about their behavior. We may know their age, we may know their gender, we know their nationality, we know the ethnic background. They may have certain flight information; for example, did they buy a one-way ticket, a round-trip ticket, et cetera, et cetera. We might know their religious background, educational background, criminal background.

As we begin to get more and more information on these elements, the more information we get, the more accurate the threat profile becomes. Threat profiling is an essential law enforcement tool in this country. Threat profiling is no different than the type of profiling that many other walks of life utilize in our everyday life.

As I said earlier, newspapers use it, TV stations use it; even the people who blast me in an editorial, for example, for what I call threat profiling, ask them what they know about their readership and how they got that information about their readership.

The bottom line is simple. The bottom line is that I agree that ethnic background, and in fact, I advocate that ethnic background alone should not be used as the sole component of a profile. At that point, I think it is fair for us to call it racial profiling.

But once we begin to use ethnic profiling as a component, one of several components to build a profile, I think it is very legitimate. I think it is smart. Obviously, it is constitutionally protected. It may not be politically correct, with a small number of people. It may be abused by a small number of law enforcement personnel.

But overall, if it just saves one terrorist attack, and it will save a lot of terrorist attacks, we have proven evidence of that and we know it does, so if it can just assist our Nation and the citizens that we have a responsibility to protect in this Nation by giving them some assurance of protection and actual protection, then we ought to be using it.

So I would ask my colleagues, as this continues, number one, very quickly ask for the facts of the abuses that are alleged. Ask them to lay out each particular case where this so-called abuse took place. We will find in some of those cases that abuse did in fact take place, but I believe Members will also find that most of these allegations are limited in number, maybe legitimate but limited in number.

Then take a look at what a good threat profile, which allows as one of its components ethnic background, take a look at how much good that can do, how powerful that weapon is for protection of not just ourselves but protection of our fellow citizens.

So I urge that my colleagues take into consideration and run away from

the politically correct theory out there, and to take into consideration just how much we depend on threat profiling for the protection of our society.

Mr. Speaker, I want to change subjects real quick and talk about one of my favorite topics, that is, missile defense.

A little history on missile defense. We have a treaty called the Anti-Ballistic Missile Treaty. My colleagues know what that is about. Back in the 1970s, there were only two nations, only two nations in the world, only two nations in the world that were capable of delivering a missile into the borders of the other nation: the United States and the Soviet Union.

There was a theory back then that there was an arms race that was going to get out of control, and as one of the ways to slow down the arms race in the seventies, somebody came up with a theory: let us create what we call the Antiballistic Missile Treaty; in other words, antimissile. That is exactly what the treaty is called.

What they said in that treaty, or the way they put kind of the structure of the treaty together, was to say, all right, if Russia is not allowed by treaty to build a defensive mechanism against U.S. missiles, Russia then would not initiate an attack against the United States because they would have no protection when the United States retaliated against Russia.

It also works vice versa: Why would the United States initiate an attack against the Soviet Union if the United States had no way to defend itself from the multiple missile warhead that the Soviet Union could deliver into the borders of the United States?

So they put together this treaty. In this treaty, they said Russia will not build a defense system and the United States of America will not build a missile defense system.

For many years the treaty really has gone unnoticed. A lot of people did not pay much attention to the treaty. In fact, we could ask the average citizen, and at one time one probably could have asked me, before I became a little more knowledgeable on the subject: Okay, if a foreign country launches a missile against the United States, what happens?

If that person was somewhat up to speed they would say, well, we have the NORAD space command, the detection service in Colorado Springs and Cheyenne Mountain. It is a granite mountain. They hollowed out the inside of that mountain, and we have within that NORAD, the alliance between Canada and the United States of America, to detect missile launches, or to detect foreign objects, or to kind of put a radar in the sky; kind of our eye in the sky. That is NORAD.

Then if somebody fires a missile against us, NORAD would be able to detect a missile launch, which yes, they can do anywhere in the world; they would be able to do it within a few

seconds, and that is accurate. And they would be able to tell us where that missile is going to hit, and that is accurate. They would be able to tell us the speed of the missile, and that is accurate. They would be able probably tell us what type of missile it is, and that is accurate.

But now we begin to leave the accuracy and what most people thought was the truth.

□ 1700

That was, once they figured all that out, we would somehow fire a missile and stop that missile from striking the United States, and that is a falsehood. The United States of America today does not have the capability to defend against an incoming missile.

Let me tell my colleagues that just a month ago people were mocking, saying, the United States, nobody is ever going to fire a missile against the United States. I have advocated for some period of time that not only do we have to worry about an intentional launch of a missile against the United States of America, we have to worry about an accidental launch of a missile. We all know that the old Soviet Union had, what, 6- or 7,000 nuclear warheads. We cannot be assured today, even by the capable leadership of Russia, we cannot be assured by the leadership today that they have all of those weapons; that they know where all of these missiles are; that those missiles have all been kept up on their maintenance, et cetera; and some people would not take me seriously.

Some people said, how can anybody accidentally launch a missile? About a month ago it happened. It happened in the Black Sea. The Ukrainian military launched a missile by accident, and what was the result? They shot down a passenger airline. They shot it right out of the sky by an accidental launch. If the Ukrainian military can launch, by accident, a missile against a passenger airplane, I can assure my colleagues that at some point in the future the United States of America, we, will be the victim, in my opinion, of an accidental launch.

Let us shift real quickly from an accidental launch to an intentional launch. Remember, when the treaty was drafted in the 1970s, there were two countries capable of delivering a missile against each other. That was the Soviet Union and the United States of America. Let me tell my colleagues what has happened in the 25 years since the signing of that treaty.

Take a look at this poster to my left. Again, let me reiterate, in the 1970s, when the Anti-Ballistic Missile Treaty was negotiated and when it was signed, there were two countries capable of delivering missiles against each other, the Soviet Union and the United States of America.

Look what has happened in the last 25 years or so. Countries that now possess ballistic missiles: Afghanistan, that is something we have heard about;

Algeria; Argentina, look at it; Belarus; China; Czech Republic; Egypt; France; Jordan; Hungary; Russia; obviously Saudi Arabia; Slovakia; South Africa; Syria; Taiwan. The blue on this map indicates countries that now have ballistic missile capability.

That is a big change. Twenty-five years ago the only blue on that would have been the Soviet Union and the United States. We would not have had any blue down here. We would not have any blue over here. We would not have had this blue over here, would not have blue around these areas, out there in Taiwan. That did not exist.

We would say, well, did not people back in the 1970s, when they were talking about putting this Anti-Ballistic Missile Treaty together, did they not think about that? Did they not ever think that maybe somebody in the future would also deliver or develop the capability for ballistic missiles? The answer to that is yes.

In fact, the people that executed that treaty, the people who helped draft that treaty knew that the circumstances could change. They also knew when they put that treaty together that the circumstances could change so dramatically that the treaty would be of no use to either party, that the treaty would actually work to the detriment of the Soviet Union and to the detriment of the United States of America.

I can tell my colleagues that today, actually several years ago, but today the point is here. This treaty is now a detriment to the national security interests of the United States of America. This treaty is now a detriment to the Soviet Union. Why should the United States of America not build a missile defense system? Why should the Soviet Union not build a missile defense system to protect their citizens and their allies, frankly?

Look at what we have got going on today. We have a war going on in Afghanistan. What if we lost control? What if the Pakistani Government lost control of its nuclear missiles and nuclear capability? What if bin Laden got ahold of one of those missiles? Do my colleagues think he would hesitate for 1 second to fire that missile against the United States and destroy hundreds of thousands of people instantaneously? Of course he would not.

We have an inherent obligation, it is our job, it is our responsibility, number one, to pull out of that treaty; and number two, to build a missile defense system that will protect the interests of the United States of America. And we can share that information; we can share that information with our allies like the Brits, for example, or the Italians, who support this, to go out and build their own missile defense system so they are not under a threat by some rogue country or under a threat by a very legitimate country that, by accident, launches a missile.

What about that treaty? What did the treaty say? They did have the fore-

sight, the people that drafted this treaty, they had the foresight to put provisions within the treaty that would allow us to abrogate the terms of the treaty. Within the four corners of that treaty, they foresaw that at some point in the future the circumstances of 1970 might not match the circumstances of 2000 or 2001, and that is where we are today.

Let me show my colleagues exactly what the treaty says. We are just going to look at an article on this treaty, but it is the pertinent clause of the Anti-Ballistic Missile Treaty that allows us, as a right, as a right, to withdraw from the treaty. We are not breaching the treaty. We are not breaking the treaty. And the Soviet Union, if they decided to withdraw from the treaty, would not be breaching the treaty, and they are not breaking the treaty.

Some columnists in the journalistic world out there like to parlay to their viewers or their readers out there that if the United States or the Soviet Union were to withdraw from the Anti-Ballistic Missile Treaty that they would be breaching or breaking, like breaking a contract. These people obviously have not read the treaty because the treaty, within its own four corners, within the document has specific, specific language about allowing a country, either the United States or the Soviet Union, to pull out of this treaty.

Remember that no other nation in the world, no other nation in the world that has ballistic missile capability, no other nation in the world other than the United States and the Soviet Union is subject to this treaty. They can do anything they want. They are not subject to this treaty.

Let us take a look at the specific language contained within the treaty that allows us to withdraw from the treaty. Article 15 of the Anti-Ballistic Missile Treaty, the poster to my left. "This treaty shall be of unlimited duration."

Number two, key paragraph. "Each party shall in exercising its national sovereignty," the word "shall," "have the right to withdraw from this treaty if it decides that extraordinary events related to the subject matter of this treaty have jeopardized its supreme interests." Let me go through it again. "Each party shall in exercising its national sovereignty have the right," it is a right, it is not a breach of contract, it is not a breach of the treaty, it is a right contained within the contract, within the treaty, "the right to withdraw from this treaty, if it decides that extraordinary events related to the subject matter of this treaty have jeopardized its supreme interests. It shall give notice of its decision to the other party 6 months prior to the withdrawal from the treaty. Such notice shall contain a statement of the extraordinary events the notifying party regards as having jeopardized its supreme interests."

Let us look at the key part of this paragraph. Number one, each party has the right. The Soviet Union has the

right to pull out and the United States of America has the right to pull out from the Anti-Ballistic Missile Treaty. They have that right only if they decide that extraordinary events, extraordinary events, now, remember, that extraordinary events are not defined within the confines of that treaty. They are not defined. But I think we can define it within a couple of paragraphs, and I will show that in a few moments.

"If it decides that those events are related to the subject matter." Obviously, there are lots of events that are related to the subject matter of missile defense. Extraordinary things have happened in technology, in those people, that contain ballistic missiles in the last 25 years.

"Have jeopardized the supreme interest." I will state, jeopardization of our supreme interests must include within that category an accidental or intentional launch against the United States of America, not only by the Soviet Union, but by any other country or any other regime in the world that has the capability to do it.

So what would be those extraordinary events that would justify this? Let us pull up the previous chart. This is an extraordinary event. Compare, look at what has happened in the last 25 years.

Twenty-five years ago the United States of America and the Soviet Union had ballistic missile capability. They were the only two countries in the world that could deliver those missiles. And then some extraordinary things happened. All of a sudden other little countries all over the world begin to get not only nuclear capability but the ballistic missile capacity to deliver that nuclear capability, or a traditional warhead, conventional warhead, through the utilization of that missile. That is extraordinary, unfortunately, extraordinary in kind of a fearful way. But it is an extraordinary event that has taken place.

If for one moment we do not think that the proliferation of these missiles throughout the world is not a threat to the national interests of the United States of America, of course it is a threat, and it is a direct threat. And mark my words, just the same as the Ukraine military by accident fired a surface-to-air missile and by accident brought down a passenger airline, at some point in the future of this country someone will either intentionally launch or accidentally launch a missile against the United States of America.

Now, we can completely neutralize that treaty if we allow our administration, which has been very aggressive on their commitment to build a missile defense system for this country, we, every one of us in these Chambers, in my opinion, have an inherent obligation to help our administration build, first of all, we have the technology so it is to a point now where it is almost time to build missile defense for this country. This is an extraordinary event.

Let me show some other extraordinary events, as if proliferation of ballistic missile capabilities throughout the world is not enough, standing alone, to fill out the definition of an extraordinary event. Let me show some others.

The threat is real, as posted on my left. Rogue states and weapons of mass destruction. Among the 20 Third World countries that have or are in the process of developing weapons of mass destruction. Take a look at this. These are extraordinary events as was intended by the people that drafted the Anti-Ballistic Missile Treaty. These are the kind of extraordinary events that the drafters of this treaty must have thought of as a legitimate reason for the United States or for Russia to withdraw from the Anti-Ballistic Missile Treaty and to build a missile defense system that would protect the national security interests of their respective countries against a threat.

Who would have ever imagined 25 years ago that the country of Iran would have nuclear weapons, chemical weapons, biological weapons and advanced technology for ballistic missiles? Who would have imagined that Iraq would have had nuclear weapons, chemical weapons, biological weapons and advanced ballistic missile technology? Libya, same thing. North Korea, same thing. Syria, same thing.

These reflect, in my opinion, extraordinary events. These reflect the necessity as recognized by our administration, as recognized by George W. Bush, our President, and our Vice President, DICK CHENEY, and their Cabinet, their very capable Cabinet. This indicates, it demands, it insists that the United States, that the leaders of this country back this administration and allow this country to go forward with a missile defense system. We owe it to our citizens.

Now, until September 11, many people never thought it would happen and we could delay it to another day. Well, let the next generation worry about it. I am saying today, today, colleagues, we cannot afford to let the next generation worry about it.

□ 1715

We have to protect the next generation as well as this generation, and we have to do it as soon as we possibly can.

The day is coming. The day of reckoning is coming when the question will be asked, or the question could be asked, why did we not stop that missile? Did we have the capability to stop that missile? Why did we not build a missile defense system? Or the day is coming when the comment could be made, thank goodness that our government saw fit and understood their responsibility to the national security interests of this Nation, and they put in place a missile defense system that stopped that accidental launch.

And by the way, let me make a comment about all those people who are le-

gitimately, well, I disagree with some of their points of view, but certainly have a protected right to be pacifists, who say, oh, my gosh, war is terrible. And, of course, all of us agree war is terrible. But just keep in mind what Winston Churchill said. He said, "The only thing worse than war is losing one." Think about that. The only thing worse than war is losing one. And we can lose the war against missile defense if we do not provide missile defense for this country. But back to the pacifists. I think every pacifist in the United States, everybody opposed to the war in the United States of America should be urging and supporting President George W. Bush in his determination to build a defensive missile system for this country.

Now, one might ask why. I will tell you why. Think about it. You could avoid the next war if you had the capability of stopping a missile. Let us say, for example, that by accident some country, say North Korea or Russia, by accident, launched a couple of missiles against the United States; that the missiles were in such a silo arrangement and the electronics were such that there was a multiple launch, by accident. So the United States not only gets hit by one nuclear missile; it may get hit by one, two, or three nuclear missiles.

If we had the capability to stop it, there would be no retribution, or the retribution would not at least come in the way of a nuclear missile fired back towards Russia. But if we did not have the capability to stop it, because we simply neglected to build a missile defense system for the protection of this country, because of that neglect we were not able to stop an accidental launch, we could very well find the United States with no choice but to retaliate for the horrible, horrible results of a nuclear missile strike against the United States.

That is why I think that people who oppose missiles, who oppose war as an answer, that is why those people should be saying, look, the best way to disable missiles is to be able to defend against them. And we can actually make missiles obsolete in the future if in fact it is a weapon that can be defended against.

If we were able to develop a bullet-proof vest which covered the whole body, we could make the shooting of a bullet against a police officer an obsolete weapon. We have only been able to protect a part of the body, and we cannot protect it against all shots. But we are very, very close to having the complete technology to provide this country the kind of missile defense that it needs.

Unfortunately, some of my colleagues are very stubborn. I cannot imagine or fathom why anyone in their right mind would object not to an offensive system but to a system that will bring down any type of missile attack against the United States of America. And I hope my colleagues

never ever use in front of me the excuse, well, it is not going to happen, or the odds of this happening are so small. And by the way, keep in mind, colleagues, that a missile does not have to have a nuclear warhead on it. As we know, it could have a warhead of a high concentration of anthrax in it. The possibilities, the horrible possibilities of what can be delivered by a missile is unimaginable, just as unimaginable as 3 months ago somebody would have told us that the World Trade Center Towers would have collapsed and the Pentagon, hit all in a simultaneous act of terrorism. It was unimaginable 3 months ago.

It was unimaginable that the Ukraine Navy, or their military, on a military exercise, would accidentally launch a missile and bring down a passenger airline. These things take on a much more realistic view for us since September 11 of 2001.

We are charged, my colleagues, with the responsibility of the security of this Nation, of the security of this Nation's people. And one of the tools that we must deploy immediately is missile defense. And as I said earlier, I do not understand how anyone could object to it. I guess we can complain about the cost. These things are expensive. Our defensive mechanisms in this country, our military operations, are expensive. We have no choice. But thank goodness a few years ago we spent money to make our military number one in the world; that when some SOB attacks our country, like these terrorists did, that we have the capability to defend ourselves.

So please do not make money the issue, and do not make the issue that the technology is not there. I mean we did not have technology when the Wright brothers first flew an airplane. We did not have the technology to take that airplane across a State or fly it across the country or take it to high altitudes or to pressurize it. All of that technology came in steps. We had to start somewhere. Same thing with a car or anything else. We start somewhere.

Our technology is advanced enough today for missile defense that the President is right; that the President's commitment to providing a missile defense for this country should be supported by each and every Member of the United States Congress. Any Member of the United States Congress who chooses not to provide a missile defense for this country ought to be questioned by their constituents in a public forum. And I would be very interested to see how they explain to their constituents that the United States does not need missile defense.

And by the way, before my colleagues go out to their constituents, they better make sure not to get themselves in a corner by saying that we would be breaching a treaty; that the treaty prohibits us from doing that. Understand from my lesson today, from my comments today, that the treaty, in fact,

allows us because of extraordinary events, which are very easy to justify, allows us, under extraordinary events, to withdraw from the treaty and build a missile defense system.

So save yourself the embarrassment. Do not go out there and say the treaty does not allow it, because the treaty clearly does. Its language is as clear as can be that we are allowed to withdraw from the treaty, legitimately withdraw from the treaty and then build a missile defense system. And keep in mind, if you object to a missile defense system, not to get yourself in a corner on money. Obviously, we have to make sure the money is spent efficiently. We do not want pork. We do not want waste. But the technology is out there.

Keep in mind that just 3 or 4 months ago we had the successful test. We had two missiles connect in space. Two missiles, an intercept missile and an offensive missile, coming into the United States. Obviously, it was a test. Both missiles were test missiles. It is working. Our technology has made giant steps towards being perfected so that it can provide an effective shield for the United States.

That is what we are asking for. We are not asking with missile defense to enhance our capability to attack another nation, but there are lots of nations around the world that can do it. And as we now know, there are people in the world who wish great harm on this country. So all we are asking for is the capability to protect, to put a shield over the United States and give us the protection that our citizens deserve.

Now, time is wasting. Ever since September 11 our realization of what can occur received kind of an aggressive jerk. We hit a pretty hard speed bump in the road. We now realize there are dangers out there that may be much closer to the United States than we ever imagined.

So, colleagues, in conclusion with my two subjects today, let me say that I speak from the bottom of my heart when I say to my colleagues how critically important it is that all of us support President George W. Bush in his commitment to build a missile defense system for this Nation. We ought to give him a resounding "yes" vote. We ought to give this President what he needs to put that security blanket over the United States to prevent a missile attack against our country.

And, finally, on my first subject of discussion this evening, do not run away from threat profiling. What we ought to prohibit is profiling that is based strictly on race alone. I am not asking for that. I think that does lead to discrimination, and I think we should have zero tolerance for discrimination. But I am saying that in the game, in the matter we are involved in right now, the nice guy finishes last. The politically correct guy finishes last.

It is very important for us to allow our law enforcement agencies and our

protection agencies to engage in what we call threat profiles. And threat profiles do not exclude ethnic background as an element or as a component, nor do they make that the exclusive element of the profile. It puts together a series of components so that we can then construct some type of risk profile, the same as we do in insurance, the same as we do in marketing, and the same as we do in our schools. It is exactly what we are asking to do for the national security of the United States of America.

#### CATERPILLAR'S BARRIERS TO TRADE

(Mr. CRANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRANE. Mr. Speaker, the necessity of passing H.R. 3005, a bill to renew trade promotion authority, is epitomized by the experience of Caterpillar, headquartered in my home State of Illinois. Caterpillar's motor graders made for export to Chile face nearly \$15,000 in tariffs. Caterpillar motor graders manufactured in Brazil for export to Chile face a tariff of only \$3,700. And when Caterpillar's competitors produced the same product in Canada, it can be exported to Chile free of tariffs because of the Canada-Chile free trade agreement. Caterpillar employees in Illinois are forced to watch as workers in other countries provide products to our neighbors.

Mr. Speaker, while other countries are making preferential trade deals, we are sitting on the sidelines lacking the authority to negotiate. Make no mistake, our foreign competitors have this authority, and they use it to their advantage. Of the more than 130 free trade agreements in force today, the U.S. is party to only three.

Trade works for America. Let us pass H.R. 3005 and keep America's economy growing.

#### AFTEREFFECTS OF SEPTEMBER 11 TRAGEDY

The SPEAKER pro tempore (Mr. OSBORNE). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I do have an opportunity now to speak with a sense of appreciation as well as a sense of questioning. Many of us have come to the floor of the House in the weeks after September 11 to raise many issues to help heal this Nation or to help solve the crisis that was created. I am never far from thinking of the enormous loss of life that occurred on September 11. For that reason, I believe that there is certainly never enough commentary and solutions that could be offered to help heal us from September 11.

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We, of course, have been told to get on with our lives, to go about our business as Americans, to not be intimidated by the terrorist acts, and I would add something else, to not turn, if you will, into the kind of people who would perpetrate hatred so deep that it would take innocent lives. I am very gratified Americans have not done any of that, that there is a great deal of charitableness, there is a great deal of desire to be involved in how we can be problem solvers. For that reason, I see it fitting that we continue doing our work in the United States Congress to be problem solvers.

So to my colleagues tonight, I believe there is a degree of work that is yet undone, and we must keep busy to help solve these problems. There is work undone with respect to airline security, Federal security, federalizing the airline security in our airports.

We have yet to address the approximately 5.4 percent unemployment, the surge in unemployment, the many industries that have been hit so hard because of the tragedy of September 11, such as the tourist industry, hotels, hospitality, those particular employees, and many others.

I was riding on a plane with a constituent who said that an accounting firm had laid off 400 workers. Every day we are finding different industries that are being impacted from the events of September 11. Is American going about its business? Yes. Americans are cheered and buoyed by their values, and they are committed to the wonderfulness of this Nation.

I also see the effort by Americans to draw closer together, as diverse as this Nation is, from the many walks of life and many ethnic backgrounds that our citizens have come from, and I have seen a renewed zealotness around our values, our songs, our spirit, our charitableness; and it has been done not with any particular negativity.

We have overcome or maybe we have spoken about or spoken out against the idea of targeting any particular group. We have joined together to say that this is not a fight against Islam, this is not a fight against the Muslims, but clearly what this is is to recognize that we are standing against terrorism. That is why we acknowledge the fact that September 11, 2001, left thousands of victims from around the world. The attacks killed hundreds from Britain, from Israel, 250 from India, and scores of others from Japan, Mexico, Iran and elsewhere. As I have said previously and as the mayor of New York City has said, these attacks were crimes against all humanity, and much of it was more than any of us could bear.

But I think as we look at our challenges and before this Congress recesses this year, there is still work to be done. As chair of the Congressional Children's Caucus, I am very gratified that we will have an opportunity to debate H. Con. Res. 228 on the floor, and I would like to thank my colleagues for