

by the U.S. Conference of Mayors, which I have cited many times on this floor before. According to the U.S. Conference of Mayors report released in June of last year, more than 80 percent of our cities are not interoperable with Federal agencies. New Orleans is and was one of those cities. This means that in the event of a terrorist attack or another natural disaster, far more than three-fourths of the United States cities would be woefully unprepared to coordinate responses and communicate effectively to be safe, to be secure, and to do their job.

Here are some more troubling numbers from that U.S. Conference of Mayors report: 97 percent of cities are unprepared to communicate during a chemical plant disaster; 94 percent of the cities are unprepared to communicate during a rail disaster, much like we saw in Chicago this last week; 92 percent of the cities are unprepared to communicate during a seaport disaster.

Clearly, our local public safety agencies are no closer to being interoperable than they were 3 years ago, 5 years ago, 20 years ago, or in 1982 when the plane went down in the Potomac, or even 20 years ago when I worked the road as a Michigan State Trooper. It all points back to the fact that public safety communications have not been a priority for this Congress or this administration.

The estimates to make local, State, and Federal first responders interoperable are as high as \$18 billion, yet only \$260 million has been provided specifically for these upgrades; and the President continues to zero out funding for this program in his budget requests.

Mr. Speaker, my legislation would take communications funding away from the whims of the congressional appropriation process and away from the President. H.R. 1323 would set up a public safety communications trust fund, and revenue from that fund would come from the sales of the spectrum. My bill would dedicate 50 percent of the net revenue from future spectrum sales into a public safety trust fund. By dedicating these funds from the sale of the spectrum, we would ensure that funding would be set aside no matter what happens in the annual appropriations process.

Local agencies cannot afford to upgrade their communications equipment without Federal assistance. I believe that Federal assistance is more than justified when the Federal Government repeatedly calls upon local first responders to be even more vigilant and to be even more prepared for possible acts of terrorism and, now, from natural disasters.

In fact, the 9/11 Commission report outlines a similar recommendation. The report states: "The inability to communicate was a critical element of the World Trade Center, Pentagon, and Somerset County, Pennsylvania, crash sites where multiple agencies and multiple jurisdictions responded. The occurrence of this problem at three very

different sites is strong evidence that compatible and adequate communications among public safety organizations at the local, State and Federal levels remain an important problem. Federal funding of such interagency communication units should be given high priority."

Last week, the former Republican Governor of New Jersey and co-chair of the 9/11 Commission said their recommendations have not been heeded. Governor Thomas Kean said, "It's the same thing all over again. It's a lack of communication, first responders not being able to talk to each other. It's no command and control, nobody in charge; it's delayed responses. It's basically many of the things that, frankly, if some of our recommendations had been passed by the U.S. Congress, that could have been avoided."

Some may argue that local agencies can apply for grants under the Department of Homeland Security State formula block grants. They argue that money can be used for interoperable communication systems. Well, Mr. Speaker, I have been out on this floor and I have offered amendments on the House floor to find out how much money has gone to interoperability. I have received incomplete and delayed responses from the Department of Homeland Security. They have no idea how much money. They can tell you how much money has been spent, but they cannot tell you how much money from these grant programs has been spent on interoperability in 2002 or 2003.

They just recently figured out how much has been spent for 2004, but they are not sure if it went to interoperability or not. They sort of think some of it did. That does not say much about the oversight or the planning from the Department of Homeland Security about where the billions of dollars of State formula grant money has gone.

Finally, Mr. Speaker, this administration must develop a plan and standards to give State and local officials some guidance. There has to be minimum standards setting. We have been saying this for years. It does not cost that much to set them, but it has not been done. The folks at SAFECOM, which is one of the departments within the Department of Homeland Security that is in charge of developing these standards, SAFECOM, charged with developing these standards, told Congress last year that "at the rate we're going, it will be another 20 years before our public safety agencies are fully interoperable." Another 20 years.

I do not know about you, Mr. Speaker, but I am sure the American people would agree with me that we do not have another 20 years. Another terrorist attack on the U.S. is not a question of if, but when. Another hurricane is approaching the gulf as I speak here tonight. Public safety is not an issue where the administration and Congress should continue to drag their feet. Yet here we are, 4 years after 9/11, still at

square one. It is a disgrace, and it must be changed.

I hope that tonight we have helped to enlighten the American people and that interoperability becomes a reality and not a fiction or a dream that many of us in law enforcement have had for more than 20 years. Maybe the words of the President after 9/11 and after Hurricane Katrina, when he says he is going to jump on his plane and do something about it, we will actually get to work and do something now. We cannot take any more natural disasters like the one we saw in the last few weeks on TV because we are unprepared, because we cannot communicate, because we do not have intelligence on the ground, because those who are sent in to do the job cannot talk to each other.

How much longer does this have to go on? I hope and pray not much longer.

DISASTER BRINGS OUT THE BEST IN HUMAN NATURE

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

Mr. GINGREY. Mr. Speaker, I wanted to take this opportunity briefly to just say that in the aftermath of this terrible natural disaster known as Katrina we certainly have heard a lot of name-calling and finger-pointing on both sides of the aisle in regard to who might be responsible, who did good, and who did bad. I think at the end of the day, after we have an opportunity in this House to thoroughly investigate that, we will have answers to those questions.

In the meantime, Mr. Speaker, I just wanted to let my colleagues know that when I had an opportunity to go down to Baton Rouge to one of the shelters over the Labor Day weekend, I did not see the worst in human nature, as depicted in some of the TV scenes with the looting and the crime in the immediate aftermath of the levee break. I saw the best of human nature. I saw people pulling together, working hard; the Red Cross folks and volunteers doing all they could, driving down to Baton Rouge or trying to get down into the gulf coast or into Mississippi or New Orleans; just dropping everything and taking days off work and bringing supplies. It was really an amazing show of the best in human nature.

□ 2200

It is something that I want to tell my colleagues that have not seen that side of the issue, a lot of good is coming out of this natural disaster. Hopefully we will continue to see that good as we help the people in the gulf coast, and particularly in the city of New Orleans, put their lives back together.

Mr. Speaker, I appreciate the time to touch on this. As we go through this week and the next several weeks, we will be talking more and more about this, hopefully during Special Orders,

and drawing from other experiences, and experiences I experienced myself a week or so ago in the gulf coast area.

WORST CASE SCENARIO

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the opportunity to say a few words tonight, and I appreciate the gentleman from Georgia (Mr. GINGREY) for being here and his consistent approach to good government and good policy. I also understand that the gentleman from Georgia (Mr. GINGREY) has been down to the hurricane-ravaged region to see what is going on down there.

I wanted to take an opportunity to say some words about Hurricane Katrina, about the disaster itself, how it came to that point, what has happened to get us to this point, and what we need to do to get ahead in America and rebuild and reconstruct the ravaged region of the gulf coast.

As I speak, we have another hurricane that is swelling up to a category 4 hurricane. Who knows where it is going to make landfall, or if it will make landfall. If it takes a turn in the wrong direction, it could get the very location that is still underwater from Hurricane Katrina.

I take us back to those days prior to Hurricane Katrina striking that region. I know back as early as 2002 there were significant documents published in the local paper that illustrated the structure of the dikes, the levee system, the protection from hurricanes and flooding that existed around the New Orleans area.

For years they had been building miles and miles of levees and dikes. The original concept of the city, as the city got established and grew, like most cities, it was not the most scientifically identified location, but it was a location good for commerce. If you can pick a good location for commerce, then you will find out that the value of that commerce flowing into that city would be great enough to justify the construction of the infrastructure that was required to, at least within the vision of the people making the decisions and paying the taxes and appropriating the funds at that time, to protect the city with at least minimal advocacy.

As the years went by, New Orleans grew. It began to settle below sea level. And as the Mississippi River would rise and bring its periodic floods, as I have seen in Iowa, and I have worked in the floods of 1993, that water made its way down there and flooded that region too. They built protection, and each device was designed to protect the last flood, and seldom do we design to protect against the next flood.

I do not take issue with the design of the Corps of Engineers, but New Orleans

was a city that was growing. And as it grew, the land settled. As it settled, the levees were constructed and the protection was established; but it was more designed for something we had experienced in the past rather than something we might anticipate in the future.

But it was not without anticipation. In fact, the newspaper articles in the New Orleans Times Picayune had laid out, I believe, five different editions of that newspaper that all dealt with the structure of the levee system, the protection of the levee system, and what would happen in the event of certain weather circumstances, particularly hurricanes. Each of those editions had five or six articles that laid out certain segments.

As I sat through the night reading through those, it struck me this was a concise presentation of the circumstances. If one wants to go and visit and understand what happened around New Orleans, I highly recommend that they revisit those pages on the Web site of the New Orleans Time Picayune newspaper. I believe it was 2002, although the articles do not have a date I can find.

What I saw was a Mississippi River leveed off from the city of New Orleans. The levees are 25 feet above sea level. They protect the flooding of the Mississippi River. It gets over 25 feet over sea level, it would spill out over the levees. And as far as I know, it has not done that, at least not from the river itself.

There were also levees designed to protect the city from the surge from the gulf. It is unclear to me the elevations of those levees. Some of them were not as high as the 25 feet above sea level that is the level around the Mississippi River. There are also levees operated by the levee district and in conjunction with the Corps of Engineers. As I picked out of that article, there is cost sharing. First of all, the Corps of Engineers constructs, operates, and maintain the levees on the Mississippi River. The other levees, particularly the levees that are the boundaries of Lake Pontchartrain that keep Lake Pontchartrain from surging into New Orleans, those levees are managed and constructed in conjunction with the Corps of Engineers. And then there are lateral levees that run along some of the canals that are constructed and maintained by the levee district themselves, according to the published documents.

As I look at those elevations, the river elevations, Corps of Engineers, 25 feet above sea level. The hurricane levees around Lake Pontchartrain, approximately 17.5 feet above sea level. The elevations along the 17th Street Canal, there was one elevation that was 4.5 feet above sea level. That canal needed floodgates at the inlet of Lake Pontchartrain to protect the surge from spilling out and breaching the levee on the 17th Street Canal. The other two canals fell in the same category.

But as it laid out this system, the system of levees designed to protect a city that is settling and a city that had as much as 16 feet of water in the city, the idea was, of course, to plan for an expected or an historical event. But one article in there laid out the scenario that was called worst case scenario; and worst case scenario was if a category 4 or category 5 hurricane came into New Orleans from the south and sat with its center near the center of the city of New Orleans, or perhaps a little to the left or west where the counterclockwise winds of the hurricane would drive the ocean water up into Lake Pontchartrain, and there would be a surge of water that actually lifts water up out of the ocean above sea level, as that water comes up it raises an elevation. Water has a tendency to flow downhill. That is one thing I can say professionally: Water runs downhill. The south wind would push that water that was elevated up into Lake Pontchartrain and raise that lake up, a lake that might have a depth between 8 and 20 feet deep, approximately 16 to 17 feet average depth, but half again more water, 8 to 10 feet more water pushed into Lake Pontchartrain. And as the south wind drove that water to the north, and it is a huge lake, that lake had half again more water.

As the hurricane shifted further to the right or to the east, that moved the eye to the east of New Orleans and to the east of Lake Pontchartrain. When that happened, the wind turned around to the north. When it turned to the north, it began to drive that water that was stacked up in Lake Pontchartrain, drive it back to the south. And when it did that, there was a 10- or 12-foot or greater wall of water because there was that much water in the lake, it was 155-mile-an-hour winds driving that water, pushing that surge over the levees, over where the floodgates needed to be and the inlets to the canal levee system.

Mr. Speaker, that was the worst case scenario, and that was the scenario that was laid out in the newspaper in 2002. It was the scenario that hit with Hurricane Katrina when Lake Pontchartrain spilled over the levees. Once it breaches a levee and the water starts to flow, the velocity of the water erodes the soil out and creates wide gaps in the levees and lets more and more water come faster and faster, and New Orleans began to fill up. We saw the low parts of New Orleans on our television screens, and I saw them from the air a week ago last Sunday. That was the worst case scenario that hit.

I pose one more thing into this question. There were a couple of other things with regard to how people responded, and perhaps we will get to that, but the scenario was this. By my information and I have not checked the actual river flows, but by my information, the Mississippi River was running at one of its lowest levels. It was at least a seasonal low, if not an historical low. As I flew down from New Orleans to the gulf, south about 90 miles of