

has managed to twist this bill into one that only he finds acceptable.

As a Senior Member of the Intelligence Committee, I offered an amendment that would have extended the sunset for Section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004 until 2010. Section 6001, also known as the "lone wolf" provision, allows the government to define any individual non-US person as a terrorism suspect, even if that person has no clear ties to a foreign government. This new authority has been in place for a mere seven months and has yet to be subjected to meaningful review. Extending the sunset would give Congress a significant period of time in which to assess the impact of this considerable new authority. Members of the Intelligence Committee agreed; and my amendment had the support of almost every single Member of the Committee, both Republican and Democrat. Inexplicably, the amendment was later removed by the Judiciary Committee.

I asked Chairman SENSENBRENNER point blank in the Rules Committee hearing yesterday why my amendment was removed from the bill. His response—"I don't know." He doesn't know, then who does? I guess somewhere between the fourth floor of the Capitol and the Judiciary Committee, my amendment must have been lost.

I believe the partisanship and incivility of the Judiciary Committee has unfortunately, infected the bipartisan manner in which the Intelligence Committee has always approached its work. Regardless, I am still committed to pursuing my amendment and working with the conference committee in a bipartisan fashion to reinsert my amendment into this legislation.

Mr. Speaker, it is disappointing that, once again, I find myself protesting the manner in which legislation has been brought to the floor. Over sixty amendments were offered in the Rules Committee yesterday yet only twenty have been made in order. Forty amendments, including my own, will not be debated today. Even Representative HARMAN, the ranking Member on the Intelligence Committee, offered four amendments that the Rules Committee refused to make in order. In fact, none of the amendments offered by any Intelligence Committee Democrat is made in order under this rule. This is absolutely inexcusable.

America's national security is of paramount importance, but our security needs will not be met by limiting debate on the issue. The American people deserve a Congress that has fulfilled its Constitutional role by considering each and every idea put forth by its Members to improve this and all pieces of legislation.

Without a doubt the underlying bill could be improved. For example, this bill amends Section 213 of the Patriot Act to require the government to notify the subject of a search warrant within 180 days of the search but does not sunset the provision. Statistics provided to Congress show that only eleven percent of the searches conducted using this power were related to terrorism—eleven percent! Given that this overbroad search and seizure power is abused almost ninety percent of the time, isn't Section 213 the very model of a section in need of a sunset? Again, amendments were submitted to the Rules Committee addressing these issues but they were not made in order.

While no one in this body, Democrat or Republican, objects to this country's need to fight terrorism, the sweeping, un-checked powers

provided to our government through the provisions of the Patriot Act and the Intelligence Reform and Terrorism Prevention Act of 2004 are beyond worrisome. The inclusion of sunset provisions allows us to examine the practical effects, both positive and negative, before permanently allowing such a broad expansion of government power.

As a freedom loving society, we must diligently monitor any infringement on our civil liberties to ensure it is justified. But this bill, allowing the virtually unchecked monitoring of the average citizen on the flimsiest of justifications, is too broadly tailored to defend. After careful consideration and examination, I cannot support a bill that takes away so much while offering so little. I urge my colleagues to vote no on this closed rule and no on H.R. 3199.

HONORING TROY UNIVERSITY'S
TRANSFORMATION INTO "ONE
GREAT UNIVERSITY"

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2005

Mr. EVERETT. Mr. Speaker, I rise today to congratulate a unique university based in my congressional district in southeast Alabama which is truly transforming itself into a global force in education.

On July 29th, Troy University, formerly Troy State University, will officially join its 60 campuses in 11 countries and 13 time zones across the world into "One Great University."

This change will unite the entire student body of each campus. All curriculums will be the same at each campus making it easier for students to transfer within the system. Besides a common curriculum, the students will now have unified identification cards, the same student handbook, as well as pay the same fees.

The unification of Troy University is more than a clerical notation, however. A long established leader in higher education in the Southeastern United States will officially raise its banner high enough to be seen around the world. This is a very proud moment for Troy University and Alabama.

I would also like to congratulate Chancellor Jack Hawkins and his staff on their great efforts to make this transition a success. Their hard work and dedication will be recognized and remembered for years to come as Troy takes center stage in uniting our world through the promise of higher education.

USA PATRIOT AND TERRORISM
PREVENTION REAUTHORIZATION
ACT OF 2005

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes:

Mr. UDALL of Colorado. Mr. Chairman, four years ago I voted against the bill that became

the "USA PATRIOT Act," more commonly called simply the "PATRIOT Act."

I agreed that our law-enforcement agencies needed increased power and more tools to fight terrorists. But I also thought then—and still think today—it was imperative for Congress to proceed carefully in order to protect Americans' civil liberties.

I take very seriously my duty to preserve and protect our Constitution. For me, this is a matter of conscience—and four years ago I concluded that I could not fulfill my duty and also vote for the legislation.

However, I took some comfort from the fact that a number of the most troublesome provisions of the new law were temporary and would expire unless Congress acted to renew them.

And the imminent expiration of those provisions is the reason this bill is before us today.

I think the value of such "sunset" provisions is shown by the debate we are having today. It is evidence that requiring Congressional action to renew agencies' authorities can and does result in ongoing Congressional oversight and periodic reconsideration.

Unfortunately, the bill before us today does not fully follow the good example of our procedure 4 years ago. Instead, the bill would make permanent no fewer than 14 of the 16 provisions of the original "PATRIOT Act" that were covered by the law's "sunset" clause—as well as other new authorities provided by last year's bill to reform the intelligence community—and under the bill the other two will not "sunset" for a full 10 years.

That is one of the main reasons I will vote against this bill. But it is not the only reason.

Neither the expiring provisions nor the other sections of the "PATRIOT Act" are limited to cases involving terrorism. This makes even more troubling their potential for abuse or misuse in ways that intrude on Americans' privacy and civil liberties.

Because of that potential, over the last four years more than 300 communities and seven States, including Colorado—governments representing over 62 million people—have passed resolutions opposing parts of the "PATRIOT Act."

Much of that public concern—a concern I share—has focused on the possible effects on the privacy of patrons and customers from the application of section 215 of the "PATRIOT Act" to libraries and bookstores.

Section 215 expanded the FBI's ability to obtain "any tangible thing" under the Foreign Intelligence Surveillance Act. Previously, the government could obtain records only from hotels/motels, storage facilities and car rental companies, and only if the records pertained to agents of a foreign power. Now, it can seek "any tangible thing" from anyone at all as long as the information is relevant to an investigation.

Many of us think this is so broad that the government could investigate consumers' reading and Internet habits and private records (such as credit card information, medical records, and employment histories), without the requirement of relevance to any criminal activity that applies in grand jury investigations.

I would like to think that this authority will not be abused. But we cannot be sure that will never occur, and I think there are reasons to worry.

I understand, for example, that the American Library Association has confirmed that

Federal agents went into a library and asked for a list of everyone who checked out a book on Osama bin Laden—which likely would include people who wanted to learn about his connection to the terrorist attacks on New York and Washington—and that overall, since those attacks libraries have received more than 200 formal and informal requests for materials, including 49 requests from federal officers.

It is not clear what authority (if any) was cited by the federal officers for obtaining this information—and, because recipients of orders issued under section 215 not only have no effective way of challenging them but in fact are prohibited from disclosing to anyone but their attorneys that they received such an order, there is no way of knowing how often this authority has been used.

So, I remain concerned about the possibility that the “PATRIOT Act” would be used to obtain very private information—whether library records, medical information, or gun purchase records—without an adequate showing of a connection to terrorism.

It is true that this bill would make some worthwhile changes to current law, including allowing the recipient of a Section 215 order to challenge it before a three-judge panel of the Foreign Intelligence Surveillance Court, FISC, in Washington, DC, and assert that the law was wrongly applied.

But I think we ought to have at least had the opportunity to debate more substantial reform to this part of the law.

To begin with, we should have been able to at least consider a limited exemption for bookstores and libraries, along the lines of the bipartisan amendment that the House voted to add to the Justice Department appropriations bill for fiscal 2006. However, the Republican leadership blocked that amendment from even being offered.

Further, I think consideration should be given to changing the standard for issuing a section 215 order, to require some individual suspicion that the records the government wants are related to a spy, terrorist or other foreign agent—which could include the records of other parties if they were clearly relevant to the activities of the subject under investigation. Again, no amendment along those lines was allowed consideration.

It is true that the House did have the opportunity to consider a number of worthwhile amendments. I was glad to have the chance to vote for them, and am glad that so many were adopted. However, we should have had the chance to consider many more.

For example, the House ought to have had the chance to at least debate changes such as some proposed in the Intelligence and Judiciary Committees. I have in mind the amendment to “sunset” the so-called “lone wolf” provision, approved by the Intelligence Committee and an amendment offered in the Judiciary Committee to restore a requirement for reporting on the disclosure of electronic communications that was included in the bill approved by the Judiciary Committee in 2001 but later stripped by the Rules Committee without explanation.

Unfortunately, the Republican leadership did not allow any of these amendments to even be debated on the House floor, although it did allow time for a new amendment—not considered in committee, as far as I can tell—that would, among other things, change the rules

for jury trials in many federal criminal trials, evidently including some not related to terrorism.

And so, Mr. Chairman, my reaction to the bill now before the House is similar to the one I had to the original “Patriot Act” legislation four years ago.

As I did then, I strongly support combating terrorism, here at home as well as abroad.

But I continue to think that it is essential that we remember and respect the Constitutional rights of law-abiding Americans as we wage war against those who would destroy both our Constitution and our country. In fact, I think that if we don't do that we will lose much of what we are seeking to defend.

And, now as then, I have concluded that for the reasons I have mentioned this bill as it stands—especially after rejection of the proposal to shorten the extension of expiring provisions—does not strike the right balance, and should not become law in its present form.

But, now as four years ago, I am hopeful that the bill will be further improved as the legislative process continues.

Four years ago, that did not happen. However, I think there is good reason to think that this time history will not repeat itself.

There evidently is considerable support in the other body—by Senators on both sides of the aisle—for provisions that would improve on this legislation. I hope and expect that the Senate will make such improvements and that in the end the result will be a measure that deserves the support of all Members of Congress.

INTRODUCTION OF A RESOLUTION
COMMEMORATING THE 40TH AN-
NIVERSARY OF THE VOTING
RIGHTS ACT OF 1965

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2005

Mr. CONYERS. Mr. Speaker, today I rise to join Congressman JOHN LEWIS in introducing a resolution commemorating the 40th anniversary of the Voting Rights Act of 1965. On August 6, 1965, President Lyndon B. Johnson signed the Voting Rights Act into law. This Act is one of the Nation's most important civil rights victories and serves as a tribute to those that marched, struggled, and even died to secure the right to vote for all Americans.

Brave Americans of different races, ethnicities, and religions risked their lives to stand up for political equality. Most notably, on March 7, 1965, a day that would come to be known as “Bloody Sunday,” nonviolent civil rights activists, like Congressman JOHN LEWIS, were brutalized and demeaned in their pursuit of voting rights for all Americans. It took this horrific violence for the Nation to realize it had to own up to the democratic ideals it preached. Eight days later, President Lyndon B. Johnson called for a comprehensive and effective voting rights bill.

This call for a voting rights bill was to ensure that this country realized the 15th Amendment of the Constitution, that “the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” Forty

years later, the Act has proven effective in furthering this Constitutional ideal, as it has enhanced political participation and opportunity among racial and ethnic minorities. Today the Voting Rights Act also serves to protect the rights of language minority and disabled voters.

Please join us in celebrating this significant progress from 40 years of enforcement of the Voting Rights Act.

THE ELEVENTH ANNIVERSARY OF
THE PASSING OF THE
LUBAVITCHER REBBE

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2005

Mr. WEINER. Mr. Speaker, Sunday July 10, 2005 (3 Tamuz, 5765), marked the eleventh anniversary of the passing of Rabbi Menachem Mendel Schneerson, of righteous memory. When Rabbi Schneerson first became the Rebbe, or spiritual leader, of Chabad-Lubavitch, the movement had barely survived the brutality of the Holocaust. Yet, over the course of his 44 years as “The Rebbe,” Rabbi Schneerson turned Chabad-Lubavitch into a worldwide movement.

Under the Rebbe's leadership, Chabad-Lubavitch began to offer educational and social services to the elderly, ill, and infirm. Over time, and under Rabbi Schneerson's leadership, Chabad-Lubavitch became a global force for good-will and kindness. It is not surprising therefore, that upon Rabbi Schneerson's passing, both this House, as well as the Senate, voted unanimously to award him the Congressional Gold Medal.

It is a testament to the Rebbe's leadership that Chabad-Lubavitch's social, educational, and humanitarian efforts did not cease upon his passing. In fact, Chabad-Lubavitch presently has over four thousand emissaries operating more than three thousand institutions around the globe. Chabad-Lubavitch offers vital outreach and social services to communities in more than sixty countries on six continents.

In the wake of the devastating Tsunami in South-East Asia, Chabad-Lubavitch responded to the crisis in a manner consistent with Rabbi Schneerson's teachings and leadership. Chabad-Lubavitch of Thailand has extended a helping hand to all Tsunami victims and survivors, regardless of race or religion.

Chabad-Lubavitch has provided both funding and technical assistance to local relief organizations in order to support the local relief effort. Chabad-Lubavitch also provides interest free loans to Tsunami survivors in order to assist in the economic recovery of individuals and communities. Chabad-Lubavitch also participates in an ongoing effort to provide fresh food and drinking water to the villages of Koh Muk, Laem Naew, Baan Talae Nok, Ko Rah, Bak Jok, Ko Surin, and Tung Dap.

Mr. Speaker, while we continue to honor Rabbi Schneerson's memory, we must also celebrate his ongoing legacy of kindness and compassion.