

Ms. SCHAKOWSKY. Mr. Chairman, I voted against the PATRIOT Act four years ago and I remain opposed to it. While I support a number of the tools the PATRIOT Act grants to law enforcement in the fight to combat terrorism, it went too far in eroding important civil liberties, limiting the right to due process, and unnecessarily targeting immigrants.

The PATRIOT Act reauthorization process gives Congress a crucial opportunity and responsibility to reevaluate some of the decisions that were made in the emotional and fear-filled weeks following the 9/11 terrorist attacks and improve national security without jeopardizing personal liberty. The only reason we are having this debate over controversial provisions within the PATRIOT Act is because Congress agreed to set sunsets on these provisions four years ago. Minimally, the sunsets on the original 16 expiring provisions should be retained so that Congress can reconsider these new federal powers in the future if they prove too expansive.

H.R. 3199 fails to restore proper checks and balances and leaves everyday American citizens vulnerable to unnecessary and unreasonable government intrusion. Overbroad and overzealous investigations cloaked in secrecy have already had a chilling effect on Americans in their practice of freedom of speech, religion, and associations. The PATRIOT Act places these freedoms in jeopardy.

Although proponents of the bill have argued that there are no known abuses of the new law enforcement powers granted by the PATRIOT Act, because of the way the law is written, Congress has no way to know whether or not abuses have occurred. We do know that hundreds of immigrants and citizens have been detained or spied on for no reason other than their religion or nationality. Also, more than 200 libraries have been asked to turn over their records to law enforcement officials, and the sneak and peak search provision has been used at least 248 times to search homes and offices without notifying the occupants.

The USA PATRIOT Act threatens the rights of all Americans. A CBS News poll found that 52 percent of Americans were either 'very concerned' or 'somewhat concerned' about losing civil liberties as a result of the PATRIOT Act. According to a CNN/Gallup poll, 64 percent believe the government should take steps to protect additional acts of terrorism but not if those steps would violate our civil liberties.

I join the majority of Americans who want to protect our nation's security while preserving Constitutional freedoms and civil liberties. Sweeping and unnecessary federal surveillance and unchecked law enforcement powers undermine the rights that are the cornerstone of our democracy.

The Constitution that I carry is not a Republican document, it is not a Democratic document, it is an American document that we want to preserve. The PATRIOT Act is an affront to our civil rights and civil liberties, as guaranteed by our Constitution.

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2005*

Mr. GUTIERREZ. Mr. Speaker, I was inadvertently absent from this Chamber on July

22, 2005. I would like the RECORD to show that, had I been present, I would have voted "no" on rollcall vote 402.

HONORING EMILIO NICOLAS, SR.

### HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2005*

Mr. GONZALEZ. Mr. Speaker, I rise today to honor one of the pioneers of Spanish-language television and a tireless advocate for Latinos throughout the United States, Mr. Emilio Nicolas, Sr. He was instrumental in establishing KWEX, Ch. 41 as San Antonio's Spanish-language station and as the United States' first Spanish-language station. KWEX became the cornerstone of the network that would become Univision, and brought Spanish-language television to millions of Latinos. His life is a testament to the ethic of hard work and striving to reach seemingly impossible goals.

Born in Frontera, Coahuila, Mexico in 1930, Emilio Nicolas, Sr. came to the United States to learn English and attend St. Mary's University in San Antonio, Texas. Graduating in 1951 with a Bachelor's in biology and chemistry and a minor in math, Mr. Nicolas then turned his considerable focus to earning a Master's at Trinity University in San Antonio in 1952 before going to work for the Southwest Foundation as a researcher on arteriosclerosis and the polio vaccine.

In 1955, he left the field of science to enter the burgeoning world of television when he joined KCOR TV, America's first fulltime Spanish-language station, as a producer and director of news. By day, he oversaw the news department, and by night, he produced the live programming the station beamed into the homes across San Antonio. I find this career change remarkable since television was just beginning to earn its now dominant role in our society and he encountered a world of naysayers who told him a Spanish language station could never be as profitable or viable as English stations. Mr. Nicolas proved both Wall Street and Madison Avenue wrong.

In 1961, Emilio Nicolas, Sr. and his group of partners bought KCOR, renamed it KWEX, and used the station as one of the first building blocks of the Spanish International Network which was eventually sold and became Univision. As the station's president and general manager, Mr. Nicolas ensured that the station served the needs and interests of the local Mexican-American community. Through his leadership, he made Spanish-language broadcasting viable throughout the country by demonstrating it could be profitable. Mr. Nicolas took corporate responsibility seriously, using the broadcasting platform he built as a tool to champion the needs of the Hispanic community. His success in lobbying Congress in the 1960s to mandate that all television sets be equipped to receive both VHF and UHF signals, was an indispensable part of that effort.

Mr. Nicolas, who became president of SICC, the station group for the network, provided a cultural venue to Latinos at a time when images of our community were scarce and often negative. The big three networks dominated the airwaves and the inclusion promised to mi-

norities during the 1960's had yet to occur. So, if television can be said to be a mirror for our nation, then the reflection Latinos saw at that time was distorted and unrepresentative. Mr. Emilio Nicolas, Sr. changed all that with KWEX.

Moreover, he served the community at large in a number of other ways. In 1975, Emilio Nicolas, Sr. started the Teleton Navideno, a televised drive to raise money for the less fortunate in San Antonio during the holidays, in which Archbishop Patrick Flores would eventually participate. He was Chairman of the National Association of Spanish Broadcasters and served on the boards of the University of the Incarnate Word, Southwest Foundation, the University of Texas College of Communications, the University of Texas Health Science Center, the Mexican American Legal Defense and Education Fund, and the San Antonio Chamber of Commerce. As should be obvious, Mr. Nicolas's considerable time and energy affected numerous facets of life for Latinos in our community and throughout the United States. Moreover, his efforts and influence were crucial in the amnesty legislation of 1986 which made United States citizenship a reality for hardworking people from all over the world.

In this age of mass communication, some say if you can't see an event on television, it does not actually happen, so a pioneer like Mr. Emilio Nicolas, Sr. was crucial for Latinos. His years of service to the Latino community have changed our lot for the better and we owe him a debt of gratitude.

IN HONOR OF PAUL WINCHELL

### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2005*

Mr. NADLER. Mr. Speaker, I rise today to recognize the life and accomplishments of Paul Winchell, who passed away on Friday, June 24th.

Paul was born in Manhattan's Lower East Side on December 21, 1922. He studied ventriloquism from an early age, overcoming speech impediments and a difficult family life. He would go on to become one of the great pioneers of early television, bringing a smile to every household with his ventriloquism act on the Paul Winchell-Jerry Mahoney show in the 1950's.

To younger generations, Paul was best known as the voice of Tigger, the loveable tiger from Walt Disney's adaptation of "Winnie the Pooh." He also played numerous roles on children's programs such as the Jetsons, the Smurfs, the Brady Bunch, and the Beverly Hillbillies. But Paul was much more than an entertainer—he was also an innovative thinker and inventor with thirty patents.

In 1959, Paul decided to return to school and attended Columbia University. Later, he pursued graduate work in acupuncture and hypnosis. His education led to projects for the American Red Cross and the Leukemia Society. In 1963 he joined forces with Doctor Henry Heimlich, and together they developed and patented the first early artificial heart. Rather than use his invention for profit, he donated the heart to the University of Utah, where it served as the prototype for Dr. Robert

Jarvik's first successful artificial heart implant in 1982.

Paul Winchell lived a life of unparalleled diversity. Whether making children smile or improving lives through innovation, he dedicated his talents to the betterment of his surroundings, and I request that we honor him for a life well lived.

USA PATRIOT AND TERRORISM  
PREVENTION REAUTHORIZATION  
ACT OF 2005

SPEECH OF

**HON. EARL POMEROY**

OF NORTH DAKOTA

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. POMEROY. Mr. Chairman, I rise today to say that I will be voting for H.R. 3199, the USA PATRIOT and Terrorism Prevention Reauthorization Act, with the expectation that this bill's flaws will be fixed in conference negotiations with the Senate.

I support reauthorizing the PATRIOT Act because it provides for the continuation of much-needed, modernized criminal and intelligence investigating tools that bolster the ability of federal authorities to combat the threat of terrorism. However, I believe that these powers should be properly tailored to ensure that the legislation meets its intended purpose and does not allow for unnecessarily broad searches and surveillance of innocent Americans.

The bill we are considering today takes many good steps towards reauthorizing the tools necessary to combat terrorism. However, I believe that this bill can be improved by tightening the ability to conduct roving wiretaps and inserting provisions to re-evaluate measures to assure accountability and effective congressional oversight. Despite my concerns with H.R. 3199, I am going to vote for this bill based on the expectation that this bill's shortcomings will be significantly improved during negotiations with the Senate.

FOREIGN RELATIONS AUTHORIZATION  
ACT, FISCAL YEARS 2006  
AND 2007

SPEECH OF

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2005*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2601) to authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes:

Ms. SOLIS. Mr. Chairman, I rise in support of this amendment and the effort to bring attention to the murders of more than 400 women and girls over the past 12 years in the border town of Ciudad Juárez, Mexico and Chihuahua City, Mexico. The latest victims of

this violence, two 7- and 10-year-old girls, were raped and brutally murdered in May.

As the author of House Concurrent Resolution 90, which has garnered more than 100 bipartisan cosponsors, I know we must do more to help end these murders, bring the true perpetrators to justice, and bring closure to the families of victims who have disappeared but their bodies never identified.

Women and young girls from all parts of Mexico have migrated to Ciudad Juárez, just 5 minutes from the U.S. border, in hopes of finding work, including jobs at American-owned maquiladoras. Women have been kidnapped on their way home from work at the maquiladoras, and many are later found in deserted or abandoned areas—with their bodies showing signs of rape, torture and mutilation.

I have worked closely with my House and Senate colleagues on this resolution and other efforts to encourage the Bush administration to put pressure on the Mexican government to protect the women in Ciudad Juárez and bring their murderers and rapists to justice.

This spring, I worked with Senator BINGAMAN from New Mexico to ensure USAID funding for independent forensic investigators from Argentina to work in Ciudad Juárez. These independent investigators are working to identify up to 70 victims who up until now have been nameless casualties of horrific violence. The Reyes amendment, as well as my resolution, states the importance of these independent, impartial efforts.

I was also pleased to learn that the United States Ambassador to Mexico, Tony Garza, traveled to Ciudad Juárez yesterday to meet with the independent forensic investigators and the District Attorney for the State of Chihuahua. It is important that the United States continues to work with Mexico not only to identify remains of women already murdered, but also to thoroughly investigate these crimes and bring an end to the murders.

CONGRESS OF THE UNITED STATES,

*Washington, DC, May 3, 2005.*

Mr. ADOLFO FRANCO,

*Assistant Administrator, Bureau for Latin American and the Caribbean, U.S. Agency for International Development, Washington, DC.*

DEAR MR. FRANCO: As you know, we are very concerned about the murders and disappearances of women in Ciudad Juárez and Chihuahua, Mexico. We have visited Ciudad Juárez and have led Congressional Delegations to Juárez on several occasions, and we recently introduced Congressional Resolutions (H. Con. Res. 90 and S. Con. Res. 16) encouraging the U.S. government to help Mexico resolve this tragedy.

In our visits with the families of missing and murdered women, they have told us that they are requesting the services of independent experts to help identify their family members. There are more than 60 unknown victims in Ciudad Juárez and Chihuahua that require forensic and DNA testing. There are also families that are requesting identification services because they have credible doubts about the results of prior forensic testing.

It has been our understanding that USAID had been making progress to assist in this very important forensic effort to identify all of the unknown victims. However, without any rationale, we have been informed that USAID will no longer be able to assist in the effort to secure independent scientists to conduct exhumations and forensic testing.

We have attempted to call you to find out why these efforts have been stalled, without

success. We, along with our other congressional colleagues, are committed to alleviating the anguish and uncertainty of many families of their missing and murdered family members. Please provide us with a detailed explanation as to whether or not USAID will be able to fund independent forensic testing to help identify the remains of the missing or unknown victims. A timely response would be appreciated by May 11, 2005.

Sincerely,

HILDA L. SOLIS,  
*Member of Congress.*  
JEFF BINGAMAN,  
*U.S. Senator.*

U.S. AGENCY FOR INTERNATIONAL  
DEVELOPMENT,

WASHINGTON, DC, MAY 31, 2005.

Hon. HILDA L. SOLIS,

*House of Representatives,*  
*Washington, DC.*

DEAR CONGRESSWOMAN SOLIS: Thank you for your inquiry of May 3, 2005, concerning the U.S. Agency for International Development's (USAID) forensic capacity building program in Ciudad Juárez, Chihuahua. We share your concerns and understand the anguish of the numerous families of missing and murdered women in Chihuahua. We are committed to provide technical assistance to the government of Chihuahua for criminal justice reforms so that both countries can collaborate in finding solutions and bringing an end to this tragedy.

USAID appreciates your acknowledgement of the progress the Agency has made in addressing the myriad of inter-related justice concerns in Ciudad Juárez. While not a typical area of assistance, given the importance of supporting the State's interest in bringing emotional closure and relief to the victims' families, and its close relation to our criminal justice reform objectives, we are in the process of securing final approval to support forensics capacity building in Chihuahua.

In the meantime, USAID has been instrumental in bringing together the state Attorney General and the internationally-respected Argentine Forensic Team. Last week, at a meeting facilitated by our USAID Mission in Mexico, Attorney General Patricia Gonzalez not only agreed to have the Argentine Forensic Team identify up to 70 bodies, but also agreed to assume some of the financial responsibilities.

With the approval to fund forensic capacity building work and training of related law enforcement personnel under our criminal justice program, USAID will be prepared to contribute up to an estimated \$300,000 for laboratory fees and forensics training. We are working closely to ensure that the identification of these bodies by independent top caliber scientists will be a collaborative, binational effort.

We truly appreciate your support and recognition of USAID's ability to provide the necessary technical assistance to the State of Chihuahua. We are trying to expedite our internal bureaucratic hurdles; and request your kind patience and confidence that soon, USAID along with the Argentine Forensic Team will bring relief to many Mexican families.

Thank you, once again, for your concerns and interest in this matter. We will keep you closely updated on USAID activities and developments related to Ciudad Juárez. If we can be of further assistance, please do not hesitate to let us know.

Sincerely,

J. EDWARD FOX,  
*Assistant Administrator,*  
*Bureau for Legislative and Public Affairs.*