

Ephraim Sneh, wrote in the Washington Post on October 19, 2005: "Attempts to postpone the elections yet again, or to prevent Hamas's participation, or Israeli disruption of the elections as 'punishment' for the participation of Hamas, will strengthen Hamas in the Palestinian street instead of weakening it. The short time left before the elections must be used to empower all who oppose Hamas, first and foremost the supporters of the elected Palestinian president, Mahmoud Abbas."

Mr. Speaker, I am committed to doing all we can to support the fragile peace in the Middle East. Sabre-rattling resolutions like this are only counterproductive.

INTRODUCTORY STATEMENT TO  
ACCOMPANY THE NATIONAL SECURITY  
LETTER AND CONGRESSIONAL  
OVERSIGHT ACT

**HON. JANE HARMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Ms. HARMAN. Mr. Speaker, two days ago, the House passed the conference report to H.R. 3199 reauthorizing certain expiring provisions of the USA PATRIOT Act.

The final bill failed to include adequate safeguards on national security letters, NSLs, which are requests for personal data and records issued directly by Government agencies without the approval of a judge.

NSLs have existed since the 1970s, but their use—primarily by the FBI—greatly expanded after 9/11. Using NSL authorities, the Government has collected and maintained data on thousands of Americans.

NSLs are important investigative tools, but their use has grown rapidly—and without adequate oversight.

NSLs may be issued by the FBI without asking a judge for a warrant. In this way, they differ from orders under the Foreign Intelligence Surveillance Act, FISA, for business records under section 215 of the PATRIOT Act, the so-called library provision. Section 215 orders must be approved by a Federal judge.

NSLs have been characterized as "back doors" for obtaining library and other records that may not be available under FISA. If 215 orders can be called "fishing licenses," then NSLs allow fishing without a license.

Defenders of NSLs liken them to grand jury subpoenas. However, they are different in important respects. First, grand jury subpoenas may only be issued by a U.S. Attorney as officer of the court. NSLs may be issued by an FBI agent in the field without any review by a jury or court. Second, grand jury subpoenas may only be issued after suspicion that a Federal crime has occurred; for NSLs, the standard is much lower—requiring only that the information sought is "relevant" to a national security investigation.

Congressional oversight of NSLs is almost nonexistent. Congress receives a classified one-page summary listing aggregate numbers of NSLs at least 6 months after they are issued. These reports are essentially meaningless and are the only oversight Congress at present exercises.

Clearly, there is a need to reform NSL standards and processes. This bill addresses

this need by incorporating checks and balances on the front-end and back-end of the process.

On the front-end, the bill: Restores the pre-Patriot Act standard for issuing NSLs: the government must show a specific connection to a terrorist or foreign power before an NSL could be issued; requires approval of each NSL by a FISA Court or designated federal magistrate judge; requires the FISA Court to set up an electronic system for filing NSL applications, so that requests are expedited and investigations will not be slowed down.

On the back-end, the legislation: Provides a Sense of Congress that, in cases where an NSL recipient challenges the "gag"/non-disclosure requirement, the government's certification that harm to national security will occur shall be treated as a "rebuttable" presumption, not as "conclusive" evidence that harm would occur; requires minimization procedures to ensure destruction of information obtained through NSL requests that is no longer needed; and requires detailed semi-annual reports to the Congressional Intelligence and Judiciary Committees on all NSLs issued, minimization procedures, court challenges, and how NSLs aided investigations and prosecutions.

We must arm our investigators with the tools to catch terrorists, spies and others who threaten our national security. But, we must do so in a manner that protects the cherished liberty and privacy expectations of U.S. citizens.

This legislation will not hobble the investigative process nor hamper our pursuit of the terrorists. It will impose much-needed accountability and oversight.

TRIBUTE TO HUBERT WILKENS

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to Hubert Wilkens of Concordia, MO, who recently received the Safe Driver Award from OATS Public Transportation. He has distinguished himself and the Concordia community with dedicated service.

Hubert Wilkens was given the Safe Driver Award for 4 years of driving the OATS bus without an accident. Mr. Wilkens picks up senior citizens from the city of Concordia and the outlying rural area. He transports them to the grocery store, doctor, chiropractor, dentists appointments and to the Concordia Senior Center.

Mr. Speaker, Hubert Wilkens has been dedicated to making the City of Concordia a better place to live. I am certain that my colleagues will join me in wishing him and his wife Eunice all the best.

PERSONAL EXPLANATION

**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. McDERMOTT. Mr. Speaker, I was unavoidably detained earlier today and therefore missed the vote on House Resolution 534.

Were I able to vote, I would have voted in support of the resolution.

RECOGNITION OF THE CENTER  
FOR RESEARCH ON EVALUATION,  
STANDARDS, AND STUDENT  
TESTING (CRESST)

**HON. HOWARD P. "BUCK" McKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. McKEON. Mr. Speaker, I rise to recognize the University of California at Los Angeles' (UCLA) Center for Research on Evaluation, Standards, and Student Testing (CRESST) for their work in helping to improve education performance.

For more than 30 years, the UCLA Center for the Study of Evaluation (CSE) and, more recently, CRESST, have been on the forefront of efforts to improve the quality of education, training, and learning in America. Located within UCLA's Graduate School of Education & Information Studies, CSE/CRESST has pioneered the development of scientifically based evaluation and testing techniques, vigorously promoting the accurate use of data, test scores, and technology for improved accountability and decision making. Their work has been used in both civilian and military learning sectors. CRESST has created products used by schools serving millions of students and adopted force wide by the Armed Services. They are also an internationally recognized leader in education assessment and evaluation.

UCLA/CRESST is truly a center of excellence for educational research, development, and evaluation. I look forward to their being able to continually serve our great country and to assisting the numerous federal agencies that need effective and objective education and training research, development, and evaluation techniques.

RECOGNIZE AND CONGRATULATE  
CHIEF DEPUTY C. PHILLIP  
BYERS FOR BEING SWORN IN AS  
SHERIFF OF RUTHERFORD COUNTY

**HON. PATRICK T. McHENRY**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. McHENRY. Mr. Speaker, Rutherford County, in the 10th district of North Carolina, will be swearing in a new Sheriff on December 30th of this year. I would like to recognize and congratulate the extremely qualified Chief Deputy C. Philip Byers on becoming Sheriff of Rutherford County.

Sheriff-elect Byers has 15 years of law enforcement experience under his belt, and has faithfully served the Rutherford County Sheriff's Office for the past 4 years as the Chief Deputy. Having degrees from Appalachian State University and Western Carolina University, he was a teacher and a business owner before deciding to serve his community as a police officer. In addition, his wife Sheila is dedicated to serving the community through the North Carolina Vocational Rehabilitation

Services, a state agency that educates and trains disabled and developmentally challenged persons to obtain meaningful jobs.

Mr. Speaker, Sheriff-elect Byers has a superb record as an officer of the law, and is dedicated to making Rutherford County a safe and peaceful place in which to live. Combating the methamphetamine epidemic is a perfect example of his leadership for the county. He is an excellent choice for this position, and I congratulate him on this great honor. I thank Sheriff-elect Byers and his wife Sheila for their dedication to the community and look forward to his service as Sheriff of Rutherford County.

HONORING THE ASTUTE LEADERSHIP OF JAMES T. WILLERSON, M.D., PRESIDENT OF THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON (UTHSC-H) FOR UTHSC-H'S RESPONSE TO THE CRISIS BROUGHT ABOUT HURRICANE KATRINA

### HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. BRADY of Texas. Mr. Speaker, I rise today to pay tribute to Dr. James T. Willerson, President of the University of Texas Health Science Center at Houston (UTHSC-H).

On September 1, 2005, Dr. Willerson, along with UTHSC-H Executive Vice President and Chief Operating Officer Michael D. McKinney, M.D., was given the task by Houston Mayor Bill White to transform a portion of the George R. Brown Convention Center (GRB) in Houston, Texas, from a convention center to a medical triage center, adjacent to the shelter created for more than 5,000 Hurricane Katrina survivors.

The UT Health Science Center acted quickly to design, organize and prepare clinic space to serve evacuees at the George R. Brown Convention Center, which opened as an additional safe haven to Houston's Astrodome, which quickly achieved capacity within a day of opening. Over about three weeks, more than 6,000 volunteers operated the UT Clinic and managed more than 9,000 patient visits. The volunteers included UT physicians, nurses, dentists, public health professionals, students and administrative staff as well as spouses of these professionals. The clinic also included other volunteers and health professionals from Texas Medical Center institutions and individuals from across the country who answered the call to help in the aftermath of this national crisis. These volunteers worked tirelessly to ensure welcome, comfort and care for our neighbors in need. Services provided with expertise and compassion in the UT Clinic included: emergency aid, pediatric care, immunizations, obstetrics and gynecology, internal medicine, pharmacy, laboratory services, imaging and vision components, dental care and mental health services.

Several dedicated professionals from the UT Health Science Center worked to ensure that healthcare concerns at the evacuee sites were communicated with state and local officials. Scott Lillibridge, M.D., the Director of the Center for Biosecurity and Public Health Preparedness, provided critical technical assistance

and general epidemiology support at numerous evacuee facilities. Faculty and staff conducted rapid health assessments daily at evacuee sites. This information allowed Dr. Ward Casscells, the John Edward Tyson Distinguished Professor of Medicine and Vice President of Biotechnology at the Health Science Center, and Dr. Lillibridge to continually inform public health officials of evacuee health status and coordinate efforts with FEMA, CDC, the Red Cross, the City of Houston, Harris County, and the Texas Commissioner of Health.

Each of the UT Health Science Center's six schools—contributed in one way or another to the Hurricane Katrina response. Dr. Willerson encouraged his deans to seek every possible avenue to help during this time of crisis. He approved of the placement of students from Tulane Medical School and allocated space for the displaced Tulane faculty for their medical education, resident training and research at the UT Medical School. The medical school is also hosting 37 residents from Tulane so additional interruptions to their education will not occur.

Dr. Willerson is an exemplary leader who through his actions in this most recent crisis was able to show compassion in the midst of quick decision-making. With the help of a superb leadership team, headed by Dr. McKinney, the staff performed to the highest standards of professionalism and compassion. With the encouragement, support and guidance of Dr. Willerson, the University of Texas Health Science Center at Houston responded in countless ways as health professionals, lay volunteers, concerned citizens and caring friends.

Mr. Speaker, Dr. Willerson and the hundreds of UTHSC-Houston professionals who answered the call to aid and assist their fellow Americans deserve the acclaim and gratitude of the Nation.

COMMENDING DR. ANNE HARLAN ON HER OUTSTANDING SERVICE TO HER COMMUNITY AND NATION

### HON. FRANK A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. LOBIONDO. Mr. Speaker, I rise today to commend Dr. Anne Harlan on her long and distinguished service to her community and country, and congratulate her on her upcoming retirement as director of the Federal Aviation Administration's William J. Hughes Technical Center in Pomona, N.J.

During a career that has spanned more than 20 years, Dr. Harlan has been an unwavering advocate for improving the safety and security of our Nation's skies. Since 1995, she has led the FAA's Technical Center and oversaw the research and development of new aviation safety and security technology. She has been a tremendous leader for the center, effectively managing and motivating over 1,000 outstanding employees who have given her their complete confidence. She has worked tirelessly to expand the center, while keeping the growing community cohesive and working as a team.

Before she came to the Technical Center, she served for 11 years in FAA's New Eng-

land Region where she held positions in the divisions of Flight Standards, Civil Aviation Security, and Human Resources. Dr. Harlan has also dutifully served as a special assistant to two deputy administrators during her multiple Washington assignments over the years.

Dr. Harlan has been willing to share her expertise over the years as she was on the faculty at the prestigious Harvard University Graduate School of Business where she taught in the MBA and doctoral programs. Those students who were fortunate enough to learn from her are certainly better off today having her insight and experiences passed down to them.

Throughout her distinguished career in public service, Dr. Harlan devoted herself to safeguarding the country, while preparing us for our future's challenges. I would like to personally congratulate and thank her on behalf of the flying public and all Americans. I hope she enjoys every bit of her retirement, she certainly deserves it.

A TRIBUTE TO SAN BERNARDINO NATIONAL FOREST SUPERVISOR GENE ZIMMERMAN

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. LEWIS of California. Mr. Speaker, I rise today to pay tribute to a dedicated public servant who has spent 42 years helping preserve our forests and wildlands for future Americans, want to particularly commend Gene Zimmerman for the past 15 years he has spent as supervisor of the San Bernardino National Forest.

Even as a boy growing up in eastern Oregon, Gene heard the call of the great outdoors. He spent his time camping, fishing and hiking in the Umatilla National Forest, and worked for a timber company in the summer. While attending Oregon State University, he spent his summers working for the U.S Forest Service, and began his full-time career there when he graduated in 1964.

Supervisor Zimmerman worked as a ranger in a number of forests in Oregon, and began honing his skills in volunteer organization and partnership building while working as district ranger in the Columbia Gorge District. He continued to develop an expertise in this area when he came to the National Headquarters in Washington, DC, to oversee legislation on recreation issues.

The experience Gene Zimmerman gained on how to help people enjoy National Forests without damaging them paid off when he was appointed supervisor of the San Bernardino National Forest. I have proudly represented this area throughout my years in Congress, and I can safely say that there is no more heavily used and urbanized forest in the United States.

Imagine a forest nearly surrounded by the largest urban area in the Nation—the cities of Southern California—and sharing a mountain territory with tens of thousands of homes whose values range into the millions of dollars. The main ski resort area of southern California is within the San Bernardino National Forest, and millions of people go there for recreation each year. For millions of children